

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas
2 86th General Assembly
3 Regular Session, 2007

A Bill

HOUSE BILL 1349

4
5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL
10 SERVICES AND OPERATING EXPENSES FOR THE ARKANSAS
11 DEPARTMENT OF ENVIRONMENTAL QUALITY FOR THE
12 BIENNIAL PERIOD ENDING JUNE 30, 2009; AND FOR
13 OTHER PURPOSES.
14

Subtitle

15
16 AN ACT FOR THE ARKANSAS DEPARTMENT OF
17 ENVIRONMENTAL QUALITY APPROPRIATION FOR
18 THE 2007-2009 BIENNIUM.
19
20
21

22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
23

24 SECTION 1. REGULAR SALARIES. There is hereby established for the Arkansas
25 Department of Environmental Quality for the 2007-2009 biennium, the following
26 maximum number of regular employees whose salaries shall be governed by the
27 provisions of the Uniform Classification and Compensation Act (Arkansas Code
28 §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.
29 Provided, however, that any position to which a specific maximum annual
30 salary is set out herein in dollars, shall be exempt from the provisions of
31 said Uniform Classification and Compensation Act. All persons occupying
32 positions authorized herein are hereby governed by the provisions of the
33 Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101),
34 or its successor.
35

36 Maximum Annual



1				Maximum	Salary Rate	
2	Item	Class		No. of	Fiscal Years	
3	No.	Code	Title	Employees	2007-2008	2008-2009
4	(1)	9976	ADEQ DIRECTOR	1	\$110,656	\$112,869
5	(2)	9135	ADEQ CHIEF DEPUTY DIRECTOR	1	\$91,244	\$93,068
6	(3)	8709	ADEQ DEP DIR - LAND RESOURCES	1	\$87,228	\$88,972
7	(4)	593Z	CHIEF WATER MANAGEMENT	1	GRADE 26	
8	(5)	594Z	DEQ CHIEF AIR DIVISION	1	GRADE 26	
9	(6)	R038	ATTORNEY SUPERVISOR	1	GRADE 26	
10	(7)	R170	ATTORNEY SPECIALIST	8	GRADE 25	
11	(8)	595Z	DEQ CHIEF HAZARDOUS WASTE DIV	1	GRADE 25	
12	(9)	596Z	DEQ CHIEF SOLID WASTE DIVISION	1	GRADE 25	
13	(10)	597Z	DEQ CHIEF TECHNICAL SVCS DIV	1	GRADE 25	
14	(11)	586Z	DEQ ADMINISTRATOR MANAGEMENT SVCS	1	GRADE 25	
15	(12)	592Z	DEQ CHIEF MINING DIVISION	1	GRADE 25	
16	(13)	915Z	ADEQ PROGRAM CHIEF	5	GRADE 25	
17	(14)	903Z	TECHNICAL ASSISTANCE MANAGER	9	GRADE 24	
18	(15)	297Z	GENERAL BUSINESS MANAGER	1	GRADE 24	
19	(16)	591Z	DEQ DIVISION CHIEF	5	GRADE 24	
20	(17)	X328	DEQ ASST CHIEF WATER POLLUTION	1	GRADE 24	
21	(18)	X339	ENGINEER SUPERVISOR	15	GRADE 24	
22	(19)	Q020	HAZARDOUS WASTE INSPECTOR SUPV	2	GRADE 23	
23	(20)	B012	CHEMIST SUPERVISOR	3	GRADE 23	
24	(21)	B106	GEOLOGY SUPERVISOR	4	GRADE 23	
25	(22)	D046	SYSTEMS APPLICATIONS SUPERVISOR	2	GRADE 23	
26	(23)	D080	APPLICATIONS & SYSTEMS MANAGER	1	GRADE 23	
27	(24)	D066	SYSTEMS COORDINATION ANALYST II	1	GRADE 22	
28	(25)	D124	LEAD PROGRAMMER/ANALYST	7	GRADE 22	
29	(26)	B099	ENVIRONMENTAL PROGRAM MANAGER	1	GRADE 22	
30	(27)	D012	NETWORK PLANNING PROJECT LDR	1	GRADE 22	
31	(28)	B014	PROFESSIONAL GEOLOGIST	18	GRADE 22	
32	(29)	B023	DEQ CHIEF ECOLOGIST	1	GRADE 22	
33	(30)	909Z	PROGRAM SUPPORT MANAGER	18	GRADE 22	
34	(31)	B006	SR EPIDEMIOLOGIST	4	GRADE 22	
35	(32)	Q120	POL C INSPECTOR SUPV	7	GRADE 22	
36	(33)	Q006	DEQ PERMIT SUPERVISOR	1	GRADE 22	

1	(34)	X338	ENGINEER, PE	57	GRADE 22
2	(35)	X341	ENGINEER II	2	GRADE 21
3	(36)	Q108	POL C HAZARDOUS WASTE INSPECTOR	12	GRADE 21
4	(37)	D123	APPLICATIONS & SYSTEMS ANALYST	1	GRADE 21
5	(38)	R298	AGENCY PROGRAM COORDINATOR	2	GRADE 21
6	(39)	R376	DEQ ENFORCEMENT ADMINISTRATOR	13	GRADE 21
7	(40)	R460	ENVIRONMENTAL PLANNING SECTION MGR	2	GRADE 21
8	(41)	R462	DEQ PROGRAM COORD SECTION MGR	6	GRADE 21
9	(42)	R488	GRANTS ADMIN SUPV	1	GRADE 21
10	(43)	B126	WATER USE & RESOURCE SPECIALIST	2	GRADE 21
11	(44)	D010	DATA BASE ANALYST	1	GRADE 21
12	(45)	B080	DEQ ECOLOGIST II	11	GRADE 20
13	(46)	D121	USER SUPPORT ANALYST	1	GRADE 20
14	(47)	B010	CHEMIST II	11	GRADE 20
15	(48)	Q061	POL C INSPECTOR	60	GRADE 20
16	(49)	X314	DEQ AIR COMPLIANCE MONITOR	2	GRADE 20
17	(50)	R266	MANAGEMENT PROJECT ANALYST II	22	GRADE 20
18	(51)	R280	ENVIRONMENTAL PROGRAM COORDINATOR	12	GRADE 19
19	(52)	N328	INFORMATION OFFICER II	1	GRADE 18
20	(53)	V040	PURCHASE AGENT II/PURCHASE AGENT	1	GRADE 18
21	(54)	R264	MANAGEMENT PROJECT ANALYST I	1	GRADE 18
22	(55)	R134	PLANNING SPECIALIST II	2	GRADE 18
23	(56)	A111	ACCOUNTANT	2	GRADE 18
24	(57)	N290	COMMERCIAL ARTIST II/GRAPHIC ART II	1	GRADE 17
25	(58)	R010	ADMINISTRATIVE ASSISTANT II	35	GRADE 17
26	(59)	K041	EXECUTIVE SECY/ADMINISTRATIVE SECY	3	GRADE 14
27	(60)	K117	MEDICAL OR LEGAL SECRETARY	3	GRADE 14
28	(61)	K153	SECRETARY II	<u>20</u>	GRADE 13
29			MAX. NO. OF EMPLOYEES	413	

30

31 SECTION 2. EXTRA HELP - STATE OPERATIONS. There is hereby authorized, for
 32 the Arkansas Department of Environmental Quality - State Operations for the
 33 2007-2009 biennium, the following maximum number of part-time or temporary
 34 employees, to be known as "Extra Help", payable from funds appropriated
 35 herein for such purposes: six (6) temporary or part-time employees, when
 36 needed, at rates of pay not to exceed those provided in the Uniform

1 Classification and Compensation Act, or its successor, or this act for the
 2 appropriate classification.

3
 4 SECTION 3. APPROPRIATION - STATE OPERATIONS. There is hereby appropriated,
 5 to the Arkansas Department of Environmental Quality, to be payable from the
 6 Arkansas Department of Environmental Quality Fund Account, for personal
 7 services and operating expenses of the Arkansas Department of Environmental
 8 Quality - State Operations for the biennial period ending June 30, 2009, the
 9 following:

11 ITEM	FISCAL YEARS	
12 <u>NO.</u>	<u>2007-2008</u>	<u>2008-2009</u>
13 (01) REGULAR SALARIES	\$ 2,797,056	\$ 2,852,968
14 (02) EXTRA HELP	25,674	25,674
15 (03) PERSONAL SERVICES MATCHING	812,760	824,280
16 (04) MAINT. & GEN. OPERATION		
17 (A) OPER. EXPENSE	263,269	268,269
18 (B) CONF. & TRAVEL	14,715	14,715
19 (C) PROF. FEES	4,100	4,100
20 (D) CAP. OUTLAY	14,500	9,500
21 (E) DATA PROC.	<u>0</u>	<u>0</u>
22 TOTAL AMOUNT APPROPRIATED	<u>\$ 3,932,074</u>	<u>\$ 3,999,506</u>

23
 24 SECTION 4. EXTRA HELP - FEDERAL OPERATIONS. There is hereby authorized,
 25 for the Arkansas Department of Environmental Quality - Federal Operations for
 26 the 2007-2009 biennium, the following maximum number of part-time or
 27 temporary employees, to be known as "Extra Help", payable from funds
 28 appropriated herein for such purposes: thirty-seven (37) temporary or part-
 29 time employees, when needed, at rates of pay not to exceed those provided in
 30 the Uniform Classification and Compensation Act, or its successor, or this
 31 act for the appropriate classification.

32
 33 SECTION 5. APPROPRIATION - FEDERAL OPERATIONS. There is hereby
 34 appropriated, to the Arkansas Department of Environmental Quality, to be
 35 payable from the federal funds as designated by the Chief Fiscal Officer of
 36 the State, for personal services and operating expenses of the Arkansas

1 Department of Environmental Quality - Federal Operations for the biennial
 2 period ending June 30, 2009, the following:

3

4 ITEM		FISCAL YEARS	
5 NO.		2007-2008	2008-2009
6 (01)	REGULAR SALARIES	\$ 4,685,298	\$ 4,778,950
7 (02)	EXTRA HELP	148,585	148,585
8 (03)	PERSONAL SERVICES MATCHING	1,433,045	1,452,055
9 (04)	MAINT. & GEN. OPERATION		
10 (A)	OPER. EXPENSE	4,668,047	4,658,047
11 (B)	CONF. & TRAVEL	358,812	326,812
12 (C)	PROF. FEES	2,484,105	2,394,105
13 (D)	CAP. OUTLAY	1,779,333	1,755,333
14 (E)	DATA PROC.	0	0
15 (05)	CONTRACTUAL SERVICES	<u>2,565,000</u>	<u>2,565,000</u>
16	TOTAL AMOUNT APPROPRIATED	<u>\$ 18,122,225</u>	<u>\$ 18,078,887</u>

17

18 SECTION 6. APPROPRIATION - WASTE WATER LICENSING. There is hereby
 19 appropriated, to the Arkansas Department of Environmental Quality, to be
 20 payable from the Wastewater Licensing Fund, for personal services and
 21 operating expenses of the Arkansas Department of Environmental Quality -
 22 Waste Water Licensing for the biennial period ending June 30, 2009, the
 23 following:

24

25 ITEM		FISCAL YEARS	
26 NO.		2007-2008	2008-2009
27 (01)	REGULAR SALARIES	\$ 36,413	\$ 37,087
28 (02)	PERSONAL SERVICES MATCHING	11,251	11,388
29 (03)	MAINT. & GEN. OPERATION		
30 (A)	OPER. EXPENSE	26,632	26,632
31 (B)	CONF. & TRAVEL	5,089	5,089
32 (C)	PROF. FEES	0	0
33 (D)	CAP. OUTLAY	0	0
34 (E)	DATA PROC.	<u>0</u>	<u>0</u>
35	TOTAL AMOUNT APPROPRIATED	<u>\$ 79,385</u>	<u>\$ 80,196</u>

36

SECTION 7. APPROPRIATION - LAND RECLAMATION. There is hereby appropriated, to the Arkansas Department of Environmental Quality, to be payable from the Land Reclamation Fund, for land reclamation contracts of the Arkansas Department of Environmental Quality - Land Reclamation for the biennial period ending June 30, 2009, the following:

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) RECLAMATION CONTRACTS	\$ 950,000	\$ 950,000

SECTION 8. APPROPRIATION - HAZARDOUS WASTE PERMIT PROGRAM. There is hereby appropriated, to the Arkansas Department of Environmental Quality, to be payable from the Hazardous Waste Permit Fund, for personal services and operating expenses of the Arkansas Department of Environmental Quality - Hazardous Waste Permit Program for the biennial period ending June 30, 2009, the following:

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) REGULAR SALARIES	\$ 666,782	\$ 680,110
(02) EXTRA HELP	15,795	15,795
(03) PERSONAL SERVICES MATCHING	208,236	210,941
(04) OVERTIME	1,250	1,250
(05) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	190,804	190,804
(B) CONF. & TRAVEL	44,700	44,700
(C) PROF. FEES	53,000	53,000
(D) CAP. OUTLAY	13,000	13,000
(E) DATA PROC.	0	0
TOTAL AMOUNT APPROPRIATED	\$ 1,193,567	\$ 1,209,600

SECTION 9. APPROPRIATION - RECLAMATION OF ABANDONED MINES. There is hereby appropriated, to the Arkansas Department of Environmental Quality, to be payable from the Abandoned Mine Reclamation Fund, for contractual services of the Arkansas Department of Environmental Quality - Reclamation of Abandoned Mines for the biennial period ending June 30, 2009, the following:

1

2 ITEM FISCAL YEARS

3 NO. 2007-2008 2008-2009

4 (01) ABANDONED MINE RECLAMATION CONTRACTUAL

5 SERVICES \$ 5,700,000 \$ 5,700,000

6

7 SECTION 10. APPROPRIATION - SURFACE COAL MINING. There is hereby

8 appropriated, to the Arkansas Department of Environmental Quality, to be

9 payable from the Surface Coal Mining Operation Fund, for operating expenses

10 of the Arkansas Department of Environmental Quality - Surface Coal Mining for

11 the biennial period ending June 30, 2009, the following:

12

13 ITEM FISCAL YEARS

14 NO. 2007-2008 2008-2009

15 (01) MAINT. & GEN. OPERATION

16 (A) OPER. EXPENSE \$ 15,000 \$ 15,000

17 (B) CONF. & TRAVEL 0 0

18 (C) PROF. FEES 0 0

19 (D) CAP. OUTLAY 5,000 5,000

20 (E) DATA PROC. 0 0

21 TOTAL AMOUNT APPROPRIATED \$ 20,000 \$ 20,000

22

23 SECTION 11. APPROPRIATION - MINING RECLAMATION. There is hereby

24 appropriated, to the Arkansas Department of Environmental Quality, to be

25 payable from the Mine Reclamation Trust Fund, for contractual services of the

26 Arkansas Department of Environmental Quality - Mining Reclamation for the

27 biennial period ending June 30, 2009, the following:

28

29 ITEM FISCAL YEARS

30 NO. 2007-2008 2008-2009

31 (01) MINING RECLAMATION CONTRACTUAL

32 SERVICES \$ 1,520,000 \$ 1,520,000

33

34 SECTION 12. EXTRA HELP - FEE ADMINISTRATION. There is hereby authorized,

35 for the Arkansas Department of Environmental Quality - Fee Administration for

36 the 2007-2009 biennium, the following maximum number of part-time or

1 temporary employees, to be known as "Extra Help", payable from funds
 2 appropriated herein for such purposes: twenty-three (23) temporary or part-
 3 time employees, when needed, at rates of pay not to exceed those provided in
 4 the Uniform Classification and Compensation Act, or its successor, or this
 5 act for the appropriate classification.

6

7 SECTION 13. APPROPRIATION - FEE ADMINISTRATION. There is hereby
 8 appropriated, to the Arkansas Department of Environmental Quality, to be
 9 payable from the Arkansas Department of Environmental Quality Fee Fund, for
 10 personal services and operating expenses of the Arkansas Department of
 11 Environmental Quality - Fee Administration for the biennial period ending
 12 June 30, 2009, the following:

13

14	ITEM	FISCAL YEARS	
15	NO.	2007-2008	2008-2009
16	(01) REGULAR SALARIES	\$ 6,492,300	\$ 6,621,979
17	(02) EXTRA HELP	45,000	45,000
18	(03) PERSONAL SERVICES MATCHING	2,013,945	2,040,272
19	(04) MAINT. & GEN. OPERATION		
20	(A) OPER. EXPENSE	1,383,468	1,383,468
21	(B) CONF. & TRAVEL	152,389	152,389
22	(C) PROF. FEES	2,153,821	2,137,821
23	(D) CAP. OUTLAY	1,197,450	1,181,450
24	(E) DATA PROC.	<u>0</u>	<u>0</u>
25	TOTAL AMOUNT APPROPRIATED	<u>\$ 13,438,373</u>	<u>\$ 13,562,379</u>

26

27 SECTION 14. APPROPRIATION - SOLID WASTE PERFORMANCE BONDS PROGRAM. There
 28 is hereby appropriated, to the Arkansas Department of Environmental Quality,
 29 to be payable from the Solid Waste Performance Bond Fund, for contractual
 30 services of the Arkansas Department of Environmental Quality - Solid Waste
 31 Performance Bonds Program for the biennial period ending June 30, 2009, the
 32 following:

33

34	ITEM	FISCAL YEARS	
35	NO.	2007-2008	2008-2009
36	(01) SOLID WASTE PERFORMANCE BONDS		

1 CONTRACTUAL SERVICES \$ 500,000 \$ 500,000

2

3 SECTION 15. APPROPRIATION - HAZARDOUS WASTE CLEANUP. There is hereby
 4 appropriated, to the Arkansas Department of Environmental Quality, to be
 5 payable from the Hazardous Substance Remedial Action Trust Fund, for personal
 6 services and operating expenses of the Arkansas Department of Environmental
 7 Quality - Hazardous Waste Cleanup for the biennial period ending June 30,
 8 2009, the following:

9

10 ITEM	FISCAL YEARS	
11 NO.	2007-2008	2008-2009
12 (01) REGULAR SALARIES	\$ 102,895	\$ 104,952
13 (02) PERSONAL SERVICES MATCHING	33,487	33,905
14 (03) MAINT. & GEN. OPERATION		
15 (A) OPER. EXPENSE	99,358	93,358
16 (B) CONF. & TRAVEL	33,960	33,960
17 (C) PROF. FEES	250,000	250,000
18 (D) CAP. OUTLAY	261,000	275,000
19 (E) DATA PROC.	0	0
20 (04) CONTRACTUAL SERVICES	6,502,000	6,502,000
21 (05) DATA PROCESSING PURCHASES	<u>453,937</u>	<u>453,937</u>
22 TOTAL AMOUNT APPROPRIATED	<u>\$ 7,736,637</u>	<u>\$ 7,747,112</u>

23

24 SECTION 16. APPROPRIATION - EMERGENCY RESPONSE PROGRAM. There is hereby
 25 appropriated, to the Arkansas Department of Environmental Quality, to be
 26 payable from the Hazardous Substance Remedial Action Trust Fund, for personal
 27 services and operating expenses of the Arkansas Department of Environmental
 28 Quality - Emergency Response Program for the biennial period ending June 30,
 29 2009, the following:

30

31 ITEM	FISCAL YEARS	
32 NO.	2007-2008	2008-2009
33 (01) REGULAR SALARIES	\$ 72,598	\$ 74,049
34 (02) PERSONAL SERVICES MATCHING	23,139	23,431
35 (03) MAINT. & GEN. OPERATION		
36 (A) OPER. EXPENSE	3,833	3,833

1	(B) CONF. & TRAVEL	2,000	2,000
2	(C) PROF. FEES	0	0
3	(D) CAP. OUTLAY	0	0
4	(E) DATA PROC.	0	0
5	(04) CONTRACTUAL SERVICES	<u>372,655</u>	<u>372,655</u>
6	TOTAL AMOUNT APPROPRIATED	<u>\$ 474,225</u>	<u>\$ 475,968</u>

7
 8 SECTION 17. APPROPRIATION - ASBESTOS CONTROL PROGRAM. There is hereby
 9 appropriated, to the Arkansas Department of Environmental Quality, to be
 10 payable from the Asbestos Control Fund, for personal services and operating
 11 expenses of the Arkansas Department of Environmental Quality - Asbestos
 12 Control Program for the biennial period ending June 30, 2009, the following:

14	ITEM	FISCAL YEARS	
15	<u>NO.</u>	<u>2007-2008</u>	<u>2008-2009</u>
16	(01) REGULAR SALARIES	\$ 113,313	\$ 115,577
17	(02) PERSONAL SERVICES MATCHING	39,802	40,262
18	(03) MAINT. & GEN. OPERATION		
19	(A) OPER. EXPENSE	29,452	29,452
20	(B) CONF. & TRAVEL	4,090	4,090
21	(C) PROF. FEES	2,100	2,100
22	(D) CAP. OUTLAY	3,200	3,200
23	(E) DATA PROC.	<u>0</u>	<u>0</u>
24	TOTAL AMOUNT APPROPRIATED	<u>\$ 191,957</u>	<u>\$ 194,681</u>

25
 26 SECTION 18. APPROPRIATION - SOLID WASTE MANAGEMENT AND RECYCLING PROGRAM.
 27 There is hereby appropriated, to the Arkansas Department of Environmental
 28 Quality, to be payable from the Solid Waste Management Recycling Fund, for
 29 personal services and operating expenses of the Arkansas Department of
 30 Environmental Quality - Solid Waste Management and Recycling Program for the
 31 biennial period ending June 30, 2009, the following:

33	ITEM	FISCAL YEARS	
34	<u>NO.</u>	<u>2007-2008</u>	<u>2008-2009</u>
35	(01) REGULAR SALARIES	\$ 744,722	\$ 759,606
36	(02) PERSONAL SERVICES MATCHING	235,177	238,201

1	(03) MAINT. & GEN. OPERATION		
2	(A) OPER. EXPENSE	120,529	120,529
3	(B) CONF. & TRAVEL	15,668	15,668
4	(C) PROF. FEES	0	0
5	(D) CAP. OUTLAY	20,000	20,000
6	(E) DATA PROC.	0	0
7	(04) RECYCLING GRANTS	<u>4,650,000</u>	<u>4,650,000</u>
8	TOTAL AMOUNT APPROPRIATED	<u>\$ 5,786,096</u>	<u>\$ 5,804,004</u>

9

10 SECTION 19. APPROPRIATION - REGULATED SUBSTANCE STORAGE TANK PROGRAM.

11 There is hereby appropriated, to the Arkansas Department of Environmental

12 Quality, to be payable from the Regulated Substance Storage Tank Program

13 Fund, for personal services and operating expenses of the Arkansas Department

14 of Environmental Quality - Regulated Substance Storage Tank Program for the

15 biennial period ending June 30, 2009, the following:

16			
17	ITEM	FISCAL YEARS	
18	<u>NO.</u>	<u>2007-2008</u>	<u>2008-2009</u>
19	(01) REGULAR SALARIES	\$ 628,180	\$ 640,735
20	(02) PERSONAL SERVICES MATCHING	203,121	205,670
21	(03) MAINT. & GEN. OPERATION		
22	(A) OPER. EXPENSE	71,028	71,028
23	(B) CONF. & TRAVEL	5,005	5,005
24	(C) PROF. FEES	0	0
25	(D) CAP. OUTLAY	0	0
26	(E) DATA PROC.	<u>0</u>	<u>0</u>
27	TOTAL AMOUNT APPROPRIATED	<u>\$ 907,334</u>	<u>\$ 922,438</u>

28

29 SECTION 20. APPROPRIATION - PETROLEUM STORAGE TANK TRUST FUND. There is

30 hereby appropriated, to the Arkansas Department of Environmental Quality, to

31 be payable from the Petroleum Storage Tank Trust Fund, for personal services

32 and operating expenses of the Arkansas Department of Environmental Quality -

33 Petroleum Storage Tank Program for the biennial period ending June 30, 2009,

34 the following:

35			
36	ITEM	FISCAL YEARS	

1	NO.	2007-2008	2008-2009
2	(01) REGULAR SALARIES	\$ 224,454	\$ 228,897
3	(02) PERSONAL SERVICES MATCHING	66,286	67,190
4	(03) MAINT. & GEN. OPERATION		
5	(A) OPER. EXPENSE	18,997,000	18,997,000
6	(B) CONF. & TRAVEL	3,005	3,005
7	(C) PROF. FEES	2,500,156	2,500,156
8	(D) CAP. OUTLAY	0	0
9	(E) DATA PROC.	<u>0</u>	<u>0</u>
10	TOTAL AMOUNT APPROPRIATED	<u>\$ 21,790,901</u>	<u>\$ 21,796,248</u>

SECTION 21. APPROPRIATION - REGULATED STORAGE TANK PROGRAM - FEDERAL.

There is hereby appropriated, to the Arkansas Department of Environmental Quality, to be payable from the federal funds as designated by the Chief Fiscal Officer of the State, for contractual services of the Arkansas Department of Environmental Quality - Regulated Storage Tank Program - Federal for the biennial period ending June 30, 2009, the following:

19	ITEM	FISCAL YEARS	
20	NO.	2007-2008	2008-2009
21	(01) REGULATED STORAGE TANK & CONTRACTUAL		
22	SERVICES	<u>\$ 3,925,000</u>	<u>\$ 3,925,000</u>

SECTION 22. APPROPRIATION - LANDFILL POST-CLOSURE PROGRAM. There is hereby appropriated, to the Arkansas Department of Environmental Quality, to be payable from the Landfill Post-Closure Trust Fund, for personal services and operating expenses of the Arkansas Department of Environmental Quality - Landfill Post-Closure Program for the biennial period ending June 30, 2009, the following:

31	ITEM	FISCAL YEARS	
32	NO.	2007-2008	2008-2009
33	(01) REGULAR SALARIES	\$ 278,913	\$ 284,489
34	(02) PERSONAL SERVICES MATCHING	81,820	82,952
35	(03) MAINT. & GEN. OPERATION		
36	(A) OPER. EXPENSE	30,923	30,923

1	(B) CONF. & TRAVEL	6,000	6,000
2	(C) PROF. FEES	0	0
3	(D) CAP. OUTLAY	5,000	5,000
4	(E) DATA PROC.	0	0
5	(04) CONTRACTUAL SERVICES	<u>7,433,373</u>	<u>7,433,373</u>
6	TOTAL AMOUNT APPROPRIATED	<u>\$ 7,836,029</u>	<u>\$ 7,842,737</u>

7

8 SECTION 23. APPROPRIATION - WASTE TIRE RECYCLING PROGRAM. There is hereby

9 appropriated, to the Arkansas Department of Environmental Quality, to be

10 payable from the Waste Tire Grant Fund, for waste tire recycling grants of

11 the Arkansas Department of Environmental Quality - Waste Tire Recycling

12 Program for the biennial period ending June 30, 2009, the following:

14	ITEM	FISCAL YEARS	
15	<u>NO.</u>	<u>2007-2008</u>	<u>2008-2009</u>
16	(01) WASTE TIRE RECYCLING GRANTS	<u>\$ 6,425,000</u>	<u>\$ 6,425,000</u>

17

18 SECTION 24. APPROPRIATION - STATE MARKETING BOARD FOR RECYCLABLES PROGRAM.

19 There is hereby appropriated, to the Arkansas Department of Environmental

20 Quality, to be payable from the Marketing Board Fund, for personal services

21 and operating expenses of the Arkansas Department of Environmental Quality -

22 State Marketing Board for Recyclables Program for the biennial period ending

23 June 30, 2009, the following:

25	ITEM	FISCAL YEARS	
26	<u>NO.</u>	<u>2007-2008</u>	<u>2008-2009</u>
27	(01) REGULAR SALARIES	\$ 1,500	\$ 1,500
28	(02) PERSONAL SERVICES MATCHING	115	115
29	(03) MAINT. & GEN. OPERATION		
30	(A) OPER. EXPENSE	13,846	13,846
31	(B) CONF. & TRAVEL	6,415	6,415
32	(C) PROF. FEES	7,000	7,000
33	(D) CAP. OUTLAY	3,125	3,125
34	(E) DATA PROC.	<u>0</u>	<u>0</u>
35	TOTAL AMOUNT APPROPRIATED	<u>\$ 32,001</u>	<u>\$ 32,001</u>

36

SECTION 25. APPROPRIATION - ENVIRONMENTAL EDUCATION PROGRAM. There is hereby appropriated, to the Arkansas Department of Environmental Quality, to be payable from the Environmental Education Fund, for personal services and operating expenses of the Arkansas Department of Environmental Quality - Environmental Education Program for the biennial period ending June 30, 2009, the following:

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) REGULAR SALARIES	\$ 40,110	\$ 40,912
(02) PERSONAL SERVICES MATCHING	12,342	12,505
(03) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	151,961	151,961
(B) CONF. & TRAVEL	8,000	8,000
(C) PROF. FEES	94,000	94,000
(D) CAP. OUTLAY	11,000	11,000
(E) DATA PROC.	<u>0</u>	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 317,413</u>	<u>\$ 318,378</u>

SECTION 26. APPROPRIATION - LEAD-BASED PAINT HAZARD PROGRAM. There is hereby appropriated, to the Arkansas Department of Environmental Quality, to be payable from the Lead-Based Paint Hazard Fund, for operating expenses of the Lead-Based Paint Hazard Program of the Arkansas Department of Environmental Quality for the biennial period ending June 30, 2009, the following:

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	\$ 16,825	\$ 16,825
(B) CONF. & TRAVEL	1,425	1,425
(C) PROF. FEES	0	0
(D) CAP. OUTLAY	0	0
(E) DATA PROC.	<u>0</u>	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 18,250</u>	<u>\$ 18,250</u>

SECTION 27. APPROPRIATION - SMALL BUSINESS LOANS. There is hereby appropriated, to the Arkansas Department of Environmental Quality, to be payable from the Small Business Revolving Loan Fund, for providing loans to small businesses for projects to meet regulatory mandates in pollution control and prevention technologies of the Arkansas Department of Environmental Quality for the biennial period ending June 30, 2009, the sum of\$1,100,000.

SECTION 28. APPROPRIATION - SMALL BUSINESS REVOLVING LOAN PROGRAM. There is hereby appropriated, to the Arkansas Department of Environmental Quality, to be payable from the Small Business Revolving Loan Fund, for personal services and operating expenses of the Arkansas Department of Environmental Quality - Small Business Revolving Loan Program for the biennial period ending June 30, 2009, the following:

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) REGULAR SALARIES	\$ 27,993	\$ 28,552
(02) PERSONAL SERVICES MATCHING	9,881	9,996
(03) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	11,010	11,010
(B) CONF. & TRAVEL	3,650	3,650
(C) PROF. FEES	5,000	5,000
(D) CAP. OUTLAY	0	0
(E) DATA PROC.	<u>0</u>	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 57,534</u>	<u>\$ 58,208</u>

SECTION 29. APPROPRIATION - PERFORMANCE PARTNERSHIP SYSTEM EXPENSES. There is hereby appropriated, to the Arkansas Department of Environmental Quality, to be payable from the Performance Partnership Trust Fund, for expenses of designing and establishing a management organization of the Arkansas Department of Environmental Quality for the biennial period ending June 30, 2009, the following:

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009

1 (01) PERFORMANCE INTEGRATED INFORMATION
 2 SYSTEM EXPENSES \$ 600,000 \$ 600,000
 3

4 SECTION 30. APPROPRIATION - ENVIRONMENTAL SETTLEMENT TRUST. There is
 5 hereby appropriated, to the Arkansas Department of Environmental Quality, to
 6 be payable from the ADEQ Environmental Settlement Trust Fund, for expenses as
 7 authorized through various settlement agreements benefiting the State of
 8 Arkansas as administered through the Arkansas Department of Environmental
 9 Quality for the biennial period ending June 30, 2009, the sum of
 10\$1,500,000.
 11

12 SECTION 31. APPROPRIATION - COMPUTER AND ELECTRONIC RECYCLING. There is
 13 hereby appropriated, to the Arkansas Department of Environmental Quality, to
 14 be payable from the Computer and Electronic Recycling Fund, for grants and
 15 expenses of the Arkansas Department of Environmental Quality - Computer and
 16 Electronic Recycling for the biennial period ending June 30, 2009, the
 17 following:
 18

ITEM	FISCAL YEARS	
<u>NO.</u>	<u>2007-2008</u>	<u>2008-2009</u>
(01) COMPUTER AND ELECTRONICS RECYCLING		
MANAGEMENT EXPENSES OR GRANTS	\$ <u>250,000</u>	\$ <u>250,000</u>

23
 24 SECTION 32. REGULAR SALARIES - POLLUTION CONTROL AND ECOLOGY COMMISSION -
 25 ADMINISTRATIVE HEARING OFFICER. There is hereby established for the Arkansas
 26 Department of Environmental Quality for the 2007-2009 biennium, the following
 27 maximum number of regular employees whose salaries shall be governed by the
 28 provisions of the Uniform Classification and Compensation Act (Arkansas Code
 29 §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.
 30 Provided, however, that any position to which a specific maximum annual
 31 salary is set out herein in dollars, shall be exempt from the provisions of
 32 said Uniform Classification and Compensation Act. All persons occupying
 33 positions authorized herein are hereby governed by the provisions of the
 34 Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101),
 35 or its successor.
 36

Item	Class	Title	Maximum	Maximum Annual
			No. of	Salary Rate
No.	Code		Employees	Fiscal Years
				2007-2008
				2008-2009
(1)	R007	POL C ADMIN HEARING OFFICER	1	GRADE 26
(2)	R264	MANAGEMENT PROJECT ANALYST I	1	GRADE 18
(3)	K117	MEDICAL OR LEGAL SECRETARY	<u>1</u>	GRADE 14
		MAX. NO. OF EMPLOYEES	3	

SECTION 33. APPROPRIATION - POLLUTION CONTROL AND ECOLOGY COMMISSION - ADMINISTRATIVE HEARING OFFICER. There is hereby appropriated, to the Arkansas Department of Environmental Quality, to be payable from the Arkansas Department of Environmental Quality Fee Fund, for personal services and operating expenses of the Arkansas Department of Environmental Quality - Administrative Hearing Officer for the biennial period ending June 30, 2009, the following:

ITEM	FISCAL YEARS	
	2007-2008	2008-2009
(01) REGULAR SALARIES	\$ 141,111	\$ 143,744
(02) PERSONAL SERVICES MATCHING	40,063	40,597
(03) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	88,217	88,217
(B) CONF. & TRAVEL	5,922	5,922
(C) PROF. FEES	0	0
(D) CAP. OUTLAY	0	0
(E) DATA PROC.	<u>0</u>	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 275,313</u>	<u>\$ 278,480</u>

SECTION 34. APPROPRIATION - POLLUTION CONTROL AND ECOLOGY COMMISSION - EXPENSES. There is hereby appropriated, to the Arkansas Department of Environmental Quality, to be payable from the Miscellaneous Agencies Fund Account, for expenses of the Pollution Control and Ecology Commission of the Arkansas Department of Environmental Quality for the biennial period ending June 30, 2009, the following:

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) PC&E COMMISSION	\$ 3,977	\$ 3,977

SECTION 35. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EXTRA HELP - HAZARDOUS WASTE PERMIT PROGRAM. There is hereby authorized, for the Arkansas Department of Environmental Quality - Hazardous Waste Permit Program for the, ~~2005-2007~~ 2007-2009 biennium, the following maximum number of part-time or temporary employees, to be known as "Extra Help", payable from funds appropriated herein for such purposes: Four (4) temporary or part-time employees, when needed, at rates of pay not to exceed those provided in the Uniform Classification and Compensation Act, or its successor, for the appropriate classification. These four positions are utilized for a specific project and are specifically exempt from the limitations, either by act or regulation, of hours worked. The provisions of this section shall be in effect only from July 1, ~~2005~~ 2007 through June 30, ~~2007~~ 2009.

SECTION 36. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EQUIPMENT PURCHASE RESTRICTIONS. Expenditures from the Hazardous Substance Remedial Action Trust Fund for the purchase of departmental laboratory equipment, including maintenance contracts, and data processing equipment and mission-critical software, including maintenance contracts, as appropriated in Section 15, in Items (03)(D) and (05) shall be funded only through interest earnings from the Hazardous Substance Remedial Action Trust Fund. Further, the Department shall report biennially to the Legislative Council all expenditures from interest earnings for these purchases. The provisions of this section shall be in effect only from July 1, ~~2005~~ 2007 through June 30, ~~2007~~ 2009.

SECTION 37. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HAZARDOUS WASTE CLEANUP APPROPRIATION. Any unexpended balance in Section 15 hereof, of item (04) Contractual Services which remains at the close of the fiscal year

1 ending June 30, ~~2006~~ 2008 shall be carried forward and made available for the
2 same purpose for the fiscal year ending June 30, ~~2007~~ 2009.

3 Any carry forward of unexpended balance of appropriation and/or funding as
4 authorized herein, may be carried forward under the following conditions:

5 (1) Prior to June 30, 2008 the Agency shall by written statement set forth
6 its reason(s) for the need to carry forward said appropriation and/or funding
7 to the Department of Finance and Administration Office of Budget;

8 (2) The Department of Finance and Administration Office of Budget shall
9 report to the Arkansas Legislative Council all amounts carried forward from
10 the first fiscal year of the biennium to the second fiscal year of the
11 biennium by the September Arkansas Legislative Council or Joint Budget
12 Committee meeting in the second fiscal year of the biennial period which
13 report shall include the name of the Agency, Board, Commission or Institution
14 and the amount of the appropriation and/or funding carried forward from the
15 first fiscal year to the second fiscal year, the program name or line item,
16 the funding source of that appropriation and a copy of the written request
17 set forth in (1) above;

18 (3) Each Agency, Board, Commission or Institution shall provide a written
19 report to the Arkansas Legislative Council or Joint Budget Committee
20 containing all information set forth in item (2) above, along with a written
21 statement as to the current status of the project, contract, purpose etc. for
22 which the carry forward was originally requested no later than thirty (30)
23 days prior to the time the Agency, Board, Commission or Institution presents
24 its budget request to the Arkansas Legislative Council/Joint Budget
25 Committee; and

26 (4) Thereupon, the Department of Finance and Administration shall include
27 all information obtained in item (3) above in the biennial budget manuals
28 and/or a statement of non-compliance by the Agency, Board, Commission or
29 Institution.

30 The provisions of this section shall be in effect only from July 1, ~~2005~~
31 2007 through June 30, ~~2007~~ 2009.

33 SECTION 38. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
34 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

35 PERFORMANCE PARTNERSHIP SYSTEMS EXPENSES APPROPRIATION. Any unexpended
36 balance of the appropriation authorized in Section 29 hereof, of item (01)

1 PERFORMANCE INTEGRATED INFORMATION SYSTEM EXPENSES which remains at the close
 2 of the fiscal year ending June 30, ~~2006~~ 2008 shall be carried forward and
 3 made available for the same purpose for the fiscal year ending June 30, ~~2007~~
 4 2009.

5 Any carry forward of unexpended balance of appropriation and/or funding as
 6 authorized herein, may be carried forward under the following conditions:

7 (1) Prior to June 30, 2008 the Agency shall by written statement set forth
 8 its reason(s) for the need to carry forward said appropriation and/or funding
 9 to the Department of Finance and Administration Office of Budget;

10 (2) The Department of Finance and Administration Office of Budget shall
 11 report to the Arkansas Legislative Council all amounts carried forward from
 12 the first fiscal year of the biennium to the second fiscal year of the
 13 biennium by the September Arkansas Legislative Council or Joint Budget
 14 Committee meeting in the second fiscal year of the biennial period which
 15 report shall include the name of the Agency, Board, Commission or Institution
 16 and the amount of the appropriation and/or funding carried forward from the
 17 first fiscal year to the second fiscal year, the program name or line item,
 18 the funding source of that appropriation and a copy of the written request
 19 set forth in (1) above;

20 (3) Each Agency, Board, Commission or Institution shall provide a written
 21 report to the Arkansas Legislative Council or Joint Budget Committee
 22 containing all information set forth in item (2) above, along with a written
 23 statement as to the current status of the project, contract, purpose etc. for
 24 which the carry forward was originally requested no later than thirty (30)
 25 days prior to the time the Agency, Board, Commission or Institution presents
 26 its budget request to the Arkansas Legislative Council/Joint Budget
 27 Committee; and

28 (4) Thereupon, the Department of Finance and Administration shall include
 29 all information obtained in item (3) above in the biennial budget manuals
 30 and/or a statement of non-compliance by the Agency, Board, Commission or
 31 Institution.

32 The provisions of this section shall be in effect only from July 1, ~~2005~~
 33 2007 through June 30, ~~2007~~ 2009.

35 SECTION 39. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 36 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

1 APPROPRIATIONS RESTRICTIONS. No expenditure from the Environmental Settlement
2 Trust Fund for information technology needs may be made without prior
3 approval of the Chief Fiscal Officer of the State, after seeking review of
4 the Arkansas Legislative Council. Further, utilization of this appropriation
5 for information technology needs of the Arkansas Department of Environmental
6 Quality must also be approved by the Executive Chief Information Officer
7 after the project is evaluated on the methodology recommended by the Chief
8 Information Officer and the CIO Council, including an analysis of the return
9 on investment and linkage to the Department's business objectives. Any
10 approved projects and expenditures for information technology from the
11 Environmental Settlement Trust Fund shall be reported annually to the Joint
12 Committee on Advanced Communications and Information Technology.

13
14 SECTION 40. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
15 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ADEQ
16 ASBESTOS PROGRAM. The fees collected pursuant to Arkansas Code 20-27-1004(5)
17 shall be used by the department to fund operational expenses and to provide
18 and train personnel to administer an asbestos program, as funding is
19 available, including:

- 20 (a) Personnel dedicated to issue certificates and licenses to qualified
21 persons/companies, to perform audit of trainers, and to regularly update the
22 ADEQ web page providing a listing of asbestos licensed parties;
- 23 (b) Personnel who are trained as asbestos supervisors as defined by Arkansas
24 Code 20-27-1003 and Arkansas Pollution Control and Ecology Commission
25 Regulation No.21 to approve asbestos Notices of Intent, perform and
26 coordinate asbestos inspections, conduct enforcement actions, and provide
27 regulatory compliance information to assist the regulated community. Asbestos
28 inspectors shall have personal protective equipment when needed to enter a
29 regulated area; and
- 30 (c) Other personnel as necessary to administer the asbestos program.

31
32 SECTION 41. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
33 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. REPORTING
34 REQUIREMENTS. The Department shall present the following data to Legislative
35 Council quarterly, due by the 15th day of the month following the quarter,
36 beginning July 15, ~~2005~~ 2007:

- 1 a) Number and type of environmental permits currently authorized by the
- 2 Department and the Pollution Control and Ecology Commission in each
- 3 environmental permit category;
- 4 b) Total funds collected from permit fees for each permit category and the
- 5 percent increase or decrease in permit fees annually;
- 6 c) Description of each environmental permit application pending in each
- 7 environmental permit category, the number of days each permit has been
- 8 pending, and the reasons for delays in issuing permits for each permit that
- 9 has been pending for more than 45 days;
- 10 d) Number and type of enforcement actions initiated by the Department, the
- 11 geographic location of each violation and the total fines and collections
- 12 from Supplemental Environmental Projects, the percent increase or decrease in
- 13 fines levied annually and
- 14 e) Description of all pending rulemaking activities and justifications
- 15 thereof, including economic impact and environmental benefit analysis.

16 The provisions of this section shall be in effect only from July 1, ~~2005~~
 17 2007 through June 30, ~~2007~~ 2009.

18

19 SECTION 42. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 20 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND
 21 TRANSFER PROVISION. Upon approval of the Chief Fiscal Officer of the State,
 22 for each fiscal year of the ~~2005-2007~~ 2007-2009 biennium, the Arkansas
 23 Department of Environmental Quality may transfer from various department
 24 funds to the Arkansas Department of Environmental Quality Fund Account, the
 25 sum of ~~\$3,731,371~~ \$3,866,298 in fiscal year ~~2005-2006~~ 2007-2008 and
 26 ~~\$3,816,614~~ \$3,866,635 in fiscal year ~~2006-2007~~ 2008-2009, for the exclusive
 27 purpose of supplementing funding for the appropriation provided in SECTION 3.
 28 APPROPRIATION - STATE OPERATIONS. The funds shall be used for personal
 29 services and operating expenses of the Arkansas Department of Environmental
 30 Quality - State Operations. Funds which remain in the Arkansas Department of
 31 Environmental Quality Fund Account at the close of each fiscal year of the
 32 ~~2005-2007~~ 2007-2009 biennium shall be carried forward and made available for
 33 the same purpose for the following fiscal year. These funds shall be used for
 34 the purpose stated above.

35

36 SECTION 43. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. REPORTING
 2 REQUIREMENTS. For the purposes of the fund transfers provided for in SECTION
 3 42 - FUND TRANSFER PROVISION, the amounts transferred shall not be considered
 4 as part of any statutory limitation on the use of funds for administration of
 5 programs of the Department.

6
 7 SECTION 44. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 8 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY

9 FORWARD. Any unexpended balances of appropriation and funds authorized in
 10 Section 31 for Computer and Electronic Recycling Management Expenses or
 11 Grants, which remains at the close of fiscal year ending June 30, 2008 shall
 12 be carried forward and made available for the same purpose for the fiscal
 13 year ending June 30, 2009.

14 Any carry forward of unexpended balance of appropriation and/or funding as
 15 authorized herein, may be carried forward under the following conditions:

16 (1) Prior to June 30, 2008 the Agency shall by written statement set forth
 17 its reason(s) for the need to carry forward said appropriation and/or funding
 18 to the Department of Finance and Administration Office of Budget;

19 (2) The Department of Finance and Administration Office of Budget shall
 20 report to the Arkansas Legislative Council all amounts carried forward from
 21 the first fiscal year of the biennium to the second fiscal year of the
 22 biennium by the September Arkansas Legislative Council or Joint Budget
 23 Committee meeting in the second fiscal year of the biennial period which
 24 report shall include the name of the Agency, Board, Commission or Institution
 25 and the amount of the appropriation and/or funding carried forward from the
 26 first fiscal year to the second fiscal year, the program name or line item,
 27 the funding source of that appropriation and a copy of the written request
 28 set forth in (1) above;

29 (3) Each Agency, Board, Commission or Institution shall provide a written
 30 report to the Arkansas Legislative Council or Joint Budget Committee
 31 containing all information set forth in item (2) above, along with a written
 32 statement as to the current status of the project, contract, purpose etc. for
 33 which the carry forward was originally requested no later than thirty (30)
 34 days prior to the time the Agency, Board, Commission or Institution presents
 35 its budget request to the Arkansas Legislative Council/Joint Budget
 36 Committee; and

1 (4) Thereupon, the Department of Finance and Administration shall include
 2 all information obtained in item (3) above in the biennial budget manuals
 3 and/or a statement of non-compliance by the Agency, Board, Commission or
 4 Institution.

5 The provisions of this section shall be in effect only from July 1, 2007
 6 through June 30, 2009.

7
 8 SECTION 45. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
 9 by this act shall be limited to the appropriation for such agency and funds
 10 made available by law for the support of such appropriations; and the
 11 restrictions of the State Procurement Law, the General Accounting and
 12 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
 13 Procedures and Restrictions Act, or their successors, and other fiscal
 14 control laws of this State, where applicable, and regulations promulgated by
 15 the Department of Finance and Administration, as authorized by law, shall be
 16 strictly complied with in disbursement of said funds.

17
 18 SECTION 46. LEGISLATIVE INTENT. It is the intent of the General Assembly
 19 that any funds disbursed under the authority of the appropriations contained
 20 in this act shall be in compliance with the stated reasons for which this act
 21 was adopted, as evidenced by the Agency Requests, Executive Recommendations
 22 and Legislative Recommendations contained in the budget manuals prepared by
 23 the Department of Finance and Administration, letters, or summarized oral
 24 testimony in the official minutes of the Arkansas Legislative Council or
 25 Joint Budget Committee which relate to its passage and adoption.

26
 27 SECTION 47. EMERGENCY CLAUSE. It is found and determined by the General
 28 Assembly, that the Constitution of the State of Arkansas prohibits the
 29 appropriation of funds for more than a two (2) year period; that the
 30 effectiveness of this Act on July 1, 2007 is essential to the operation of
 31 the agency for which the appropriations in this Act are provided, and that in
 32 the event of an extension of the Regular Session, the delay in the effective
 33 date of this Act beyond July 1, 2007 could work irreparable harm upon the
 34 proper administration and provision of essential governmental programs.
 35 Therefore, an emergency is hereby declared to exist and this Act being
 36 necessary for the immediate preservation of the public peace, health and

1 safety shall be in full force and effect from and after July 1, 2007.

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