

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
4

As Engrossed: H3/29/07

A Bill

HOUSE BILL 1349

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.
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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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	5	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	19	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	3	GRADE 21
6	(39)	R376	DEQ ENFORCEMENT ADMINISTRATOR	14	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	62	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	36	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	420	

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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.

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 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	5 FISCAL YEARS	
6	NO.	2007-2008	2008-2009
7	(01) REGULAR SALARIES	\$ 4,962,718	\$ 5,064,693
8	(02) EXTRA HELP	148,585	148,585
9	(03) PERSONAL SERVICES MATCHING	1,507,116	1,528,348
10	(04) MAINT. & GEN. OPERATION		
11	(A) OPER. EXPENSE	4,701,647	4,667,447
12	(B) CONF. & TRAVEL	361,812	329,812
13	(C) PROF. FEES	2,484,105	2,394,105
14	(D) CAP. OUTLAY	1,819,333	1,755,333
15	(E) DATA PROC.	0	0
16	(05) CONTRACTUAL SERVICES	<u>2,565,000</u>	<u>2,565,000</u>
17	TOTAL AMOUNT APPROPRIATED	<u>\$ 18,550,316</u>	<u>\$ 18,453,323</u>

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

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

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

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

18 ITEM	FISCAL YEARS	
19 NO.	2007-2008	2008-2009
20 (01) REGULAR SALARIES	\$ 724,267	\$ 739,320
21 (02) EXTRA HELP	15,795	15,795
22 (03) PERSONAL SERVICES MATCHING	218,746	221,766
23 (04) OVERTIME	1,250	1,250
24 (05) MAINT. & GEN. OPERATION		
25 (A) OPER. EXPENSE	197,304	197,304
26 (B) CONF. & TRAVEL	47,700	47,700
27 (C) PROF. FEES	53,000	53,000
28 (D) CAP. OUTLAY	13,000	13,000
29 (E) DATA PROC.	0	0
30 TOTAL AMOUNT APPROPRIATED	\$ 1,271,062	\$ 1,289,135

31
 32 SECTION 9. APPROPRIATION - RECLAMATION OF ABANDONED MINES. There is hereby
 33 appropriated, to the Arkansas Department of Environmental Quality, to be
 34 payable from the Abandoned Mine Reclamation Fund, for contractual services of
 35 the Arkansas Department of Environmental Quality - Reclamation of Abandoned
 36 Mines for the biennial period ending June 30, 2009, the following:

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ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) ABANDONED MINE RECLAMATION CONTRACTUAL SERVICES	\$ 5,700,000	\$ 5,700,000

SECTION 10. APPROPRIATION - SURFACE COAL MINING. There is hereby appropriated, to the Arkansas Department of Environmental Quality, to be payable from the Surface Coal Mining Operation Fund, for operating expenses of the Arkansas Department of Environmental Quality - Surface Coal Mining 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	\$ 15,000	\$ 15,000
(B) CONF. & TRAVEL	0	0
(C) PROF. FEES	0	0
(D) CAP. OUTLAY	5,000	5,000
(E) DATA PROC.	<u>0</u>	<u>0</u>
TOTAL AMOUNT APPROPRIATED	\$ <u>20,000</u>	\$ <u>20,000</u>

SECTION 11. APPROPRIATION - MINING RECLAMATION. There is hereby appropriated, to the Arkansas Department of Environmental Quality, to be payable from the Mine Reclamation Trust Fund, for contractual services of the Arkansas Department of Environmental Quality - Mining Reclamation for the biennial period ending June 30, 2009, the following:

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) MINING RECLAMATION CONTRACTUAL SERVICES	\$ 1,520,000	\$ 1,520,000

SECTION 12. EXTRA HELP - FEE ADMINISTRATION. There is hereby authorized, for the Arkansas Department of Environmental Quality - Fee Administration for 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.

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 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:

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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:

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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:

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ITEM		FISCAL YEARS	
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:

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ITEM		FISCAL YEARS	
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>

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 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	4,650,000	4,650,000
8	(05) ELECTRONIC WASTE RECYCLING		
9	INFRASTRUCTURE	<u>2,500,000</u>	<u>2,500,000</u>
10	TOTAL AMOUNT APPROPRIATED	<u>\$ 8,286,096</u>	<u>\$ 8,304,004</u>

11

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

13 There is hereby appropriated, to the Arkansas Department of Environmental
 14 Quality, to be payable from the Regulated Substance Storage Tank Program
 15 Fund, for personal services and operating expenses of the Arkansas Department
 16 of Environmental Quality - Regulated Substance Storage Tank Program for the
 17 biennial period ending June 30, 2009, the following:

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19	ITEM	FISCAL YEARS	
20	<u>NO.</u>	<u>2007-2008</u>	<u>2008-2009</u>
21	(01) REGULAR SALARIES	\$ 663,690	\$ 677,310
22	(02) PERSONAL SERVICES MATCHING	213,383	216,240
23	(03) MAINT. & GEN. OPERATION		
24	(A) OPER. EXPENSE	72,928	71,128
25	(B) CONF. & TRAVEL	5,005	5,005
26	(C) PROF. FEES	0	0
27	(D) CAP. OUTLAY	0	0
28	(E) DATA PROC.	<u>0</u>	<u>0</u>
29	TOTAL AMOUNT APPROPRIATED	<u>\$ 955,006</u>	<u>\$ 969,683</u>

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31 SECTION 20. APPROPRIATION - PETROLEUM STORAGE TANK TRUST FUND. There is
 32 hereby appropriated, to the Arkansas Department of Environmental Quality, to
 33 be payable from the Petroleum Storage Tank Trust Fund, for personal services
 34 and operating expenses of the Arkansas Department of Environmental Quality -
 35 Petroleum Storage Tank Program for the biennial period ending June 30, 2009,
 36 the following:

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) REGULAR SALARIES	\$ 408,879	\$ 418,855
(02) PERSONAL SERVICES MATCHING	119,585	122,088
(03) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	19,022,200	18,999,800
(B) CONF. & TRAVEL	3,005	3,005
(C) PROF. FEES	2,500,156	2,500,156
(D) CAP. OUTLAY	40,000	0
(E) DATA PROC.	<u>0</u>	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 22,093,825</u>	<u>\$ 22,043,904</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:

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) REGULATED STORAGE TANK & CONTRACTUAL 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:

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) REGULAR SALARIES	\$ 278,913	\$ 284,489
(02) PERSONAL SERVICES MATCHING	81,820	82,952

1	(03) MAINT. & GEN. OPERATION		
2	(A) OPER. EXPENSE	30,923	30,923
3	(B) CONF. & TRAVEL	6,000	6,000
4	(C) PROF. FEES	0	0
5	(D) CAP. OUTLAY	5,000	5,000
6	(E) DATA PROC.	0	0
7	(04) CONTRACTUAL SERVICES	<u>7,433,373</u>	<u>7,433,373</u>
8	TOTAL AMOUNT APPROPRIATED	<u>\$ 7,836,029</u>	<u>\$ 7,842,737</u>

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

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

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

13 the Arkansas Department of Environmental Quality - Waste Tire Recycling

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

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

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

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

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

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

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

25 June 30, 2009, the following:

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

1 TOTAL AMOUNT APPROPRIATED \$ 32,001 \$ 32,001

2

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

9

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

21

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

28

29 ITEM	FISCAL YEARS	
30 NO.	2007-2008	2008-2009
31 (01) MAINT. & GEN. OPERATION		
32 (A) OPER. EXPENSE	\$ 16,825	\$ 16,825
33 (B) CONF. & TRAVEL	1,425	1,425
34 (C) PROF. FEES	0	0
35 (D) CAP. OUTLAY	0	0
36 (E) DATA PROC.	<u>0</u>	<u>0</u>

1 TOTAL AMOUNT APPROPRIATED \$ 18,250 \$ 18,250

2

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

10

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

17

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

29

30 SECTION 29. APPROPRIATION - PERFORMANCE PARTNERSHIP SYSTEM EXPENSES. There
 31 is hereby appropriated, to the Arkansas Department of Environmental Quality,
 32 to be payable from the Performance Partnership Trust Fund, for expenses of
 33 designing and establishing a management organization of the Arkansas
 34 Department of Environmental Quality for the biennial period ending June 30,
 35 2009, the following:

36

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) PERFORMANCE INTEGRATED INFORMATION		
SYSTEM EXPENSES	<u>\$ 600,000</u>	<u>\$ 600,000</u>

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

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

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

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

1 or its successor.

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Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate	
				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 NO.		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

1 June 30, 2009, the following:

2

3	ITEM	FISCAL YEARS	
4	<u>NO.</u>	2007-2008	2008-2009
5	(01) PC&E COMMISSION	<u>\$ 3,977</u>	<u>\$ 3,977</u>

6

7 *SECTION 35. APPROPRIATION – NON HAZARDOUS SITE CLEAN UP. There is hereby*
 8 *appropriated, to the Arkansas Department of Environmental Quality, to be*
 9 *payable from the Arkansas Department of Environmental Quality Fee Trust Fund,*
 10 *for the clean up of non hazardous sites which pose a threat to the*
 11 *environment for the biennial period ending June 30, 2009, the following:*

12

13

14	ITEM	FISCAL YEARS	
15	<u>No.</u>	2007-2008	2008-2009
16	(01) CONTRACTUAL SERVICES	<u>\$ 500,000</u>	<u>\$ 1,000,000</u>

17

18 *SECTION 36. Arkansas Code Annotated 8-1-105 is amended to read as follows:*
 19 *(a) An "Arkansas Department of Environmental Quality Fee Trust Fund" is*
 20 *established on the books of the Treasurer of State, the Auditor of State, and*
 21 *the Chief Fiscal Officer of the State.*

22 *(b) All interest earnings and fees collected under the provisions of all laws*
 23 *administered by the Arkansas Department of Environmental Quality shall be*
 24 *deposited in this fund unless otherwise provided by law. The department shall*
 25 *use these funds to defray the costs of operating the department.*

26

27 *SECTION 37. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS*
 28 *CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EXTRA*
 29 *HELP - HAZARDOUS WASTE PERMIT PROGRAM. There is hereby authorized, for the*
 30 *Arkansas Department of Environmental Quality - Hazardous Waste Permit Program*
 31 *for the, ~~2005-2007~~ 2007-2009 biennium, the following maximum number of part-*
 32 *time or temporary employees, to be known as "Extra Help", payable from funds*
 33 *appropriated herein for such purposes: Four (4) temporary or part-time*
 34 *employees, when needed, at rates of pay not to exceed those provided in the*
 35 *Uniform Classification and Compensation Act, or its successor, for the*
 36 *appropriate classification. These four positions are utilized for a specific*

1 project and are specifically exempt from the limitations, either by act or
2 regulation, of hours worked. The provisions of this section shall be in
3 effect only from July 1, ~~2005~~ 2007 through June 30, ~~2007~~ 2009.

4
5 SECTION 38. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
6 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EQUIPMENT
7 PURCHASE RESTRICTIONS. Expenditures from the Hazardous Substance Remedial
8 Action Trust Fund for the purchase of departmental laboratory equipment,
9 including maintenance contracts, and data processing equipment and mission-
10 critical software, including maintenance contracts, as appropriated in
11 Section 15, in Items (03)(D) and (05) shall be funded only through interest
12 earnings from the Hazardous Substance Remedial Action Trust Fund. Further,
13 the Department shall report biennially to the Legislative Council all
14 expenditures from interest earnings for these purchases. The provisions of
15 this section shall be in effect only from July 1, ~~2005~~ 2007 through June 30,
16 ~~2007~~ 2009.

17
18
19 SECTION 39. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
20 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HAZARDOUS
21 WASTE CLEANUP APPROPRIATION. Any unexpended balance in Section 15 hereof, of
22 item (04) Contractual Services which remains at the close of the fiscal year
23 ending June 30, ~~2006~~ 2008 shall be carried forward and made available for the
24 same purpose for the fiscal year ending June 30, ~~2007~~ 2009.

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

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

30 (2) The Department of Finance and Administration Office of Budget shall
31 report to the Arkansas Legislative Council all amounts carried forward from
32 the first fiscal year of the biennium to the second fiscal year of the
33 biennium by the September Arkansas Legislative Council or Joint Budget
34 Committee meeting in the second fiscal year of the biennial period which
35 report shall include the name of the Agency, Board, Commission or Institution
36 and the amount of the appropriation and/or funding carried forward from the

1 first fiscal year to the second fiscal year, the program name or line item,
2 the funding source of that appropriation and a copy of the written request
3 set forth in (1) above;

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

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

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 40. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
20 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

21 PERFORMANCE PARTNERSHIP SYSTEMS EXPENSES APPROPRIATION. Any unexpended
22 balance of the appropriation authorized in Section 29 hereof, of item (01)
23 PERFORMANCE INTEGRATED INFORMATION SYSTEM EXPENSES which remains at the close
24 of the fiscal year ending June 30, 2006 2008 shall be carried forward and
25 made available for the same purpose for the fiscal year ending June 30, 2007
26 2009.

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

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

32 (2) The Department of Finance and Administration Office of Budget shall
33 report to the Arkansas Legislative Council all amounts carried forward from
34 the first fiscal year of the biennium to the second fiscal year of the
35 biennium by the September Arkansas Legislative Council or Joint Budget
36 Committee meeting in the second fiscal year of the biennial period which

1 report shall include the name of the Agency, Board, Commission or Institution
2 and the amount of the appropriation and/or funding carried forward from the
3 first fiscal year to the second fiscal year, the program name or line item,
4 the funding source of that appropriation and a copy of the written request
5 set forth in (1) above;

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

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

18 The provisions of this section shall be in effect only from July 1, 2005
19 2007 through June 30, ~~2007~~ 2009.

20
21 SECTION 41. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
22 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
23 APPROPRIATIONS RESTRICTIONS. No expenditure from the Environmental Settlement
24 Trust Fund for information technology needs may be made without prior
25 approval of the Chief Fiscal Officer of the State, after seeking review of
26 the Arkansas Legislative Council. Further, utilization of this appropriation
27 for information technology needs of the Arkansas Department of Environmental
28 Quality must also be approved by the Executive Chief Information Officer
29 after the project is evaluated on the methodology recommended by the Chief
30 Information Officer and the CIO Council, including an analysis of the return
31 on investment and linkage to the Department's business objectives. Any
32 approved projects and expenditures for information technology from the
33 Environmental Settlement Trust Fund shall be reported annually to the Joint
34 Committee on Advanced Communications and Information Technology.

35
36 SECTION 42. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ADEQ
2 ASBESTOS PROGRAM. The fees collected pursuant to Arkansas Code 20-27-1004(5)
3 shall be used by the department to fund operational expenses and to provide
4 and train personnel to administer an asbestos program, as funding is
5 available, including:

6 (a) Personnel dedicated to issue certificates and licenses to qualified
7 persons/companies, to perform audit of trainers, and to regularly update the
8 ADEQ web page providing a listing of asbestos licensed parties;

9 (b) Personnel who are trained as asbestos supervisors as defined by Arkansas
10 Code 20-27-1003 and Arkansas Pollution Control and Ecology Commission
11 Regulation No.21 to approve asbestos Notices of Intent, perform and
12 coordinate asbestos inspections, conduct enforcement actions, and provide
13 regulatory compliance information to assist the regulated community. Asbestos
14 inspectors shall have personal protective equipment when needed to enter a
15 regulated area; and

16 (c) Other personnel as necessary to administer the asbestos program.
17

18 SECTION 43. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
19 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. REPORTING
20 REQUIREMENTS. The Department shall present the following data to Legislative
21 Council quarterly, due by the 15th day of the month following the quarter,
22 beginning July 15, ~~2005~~ 2007:

23 a) Number and type of environmental permits currently authorized by the
24 Department and the Pollution Control and Ecology Commission in each
25 environmental permit category;

26 b) Total funds collected from permit fees for each permit category and the
27 percent increase or decrease in permit fees annually;

28 c) Description of each environmental permit application pending in each
29 environmental permit category, the number of days each permit has been
30 pending, and the reasons for delays in issuing permits for each permit that
31 has been pending for more than 45 days;

32 d) Number and type of enforcement actions initiated by the Department, the
33 geographic location of each violation and the total fines and collections
34 from Supplemental Environmental Projects, the percent increase or decrease in
35 fines levied annually and

36 e) Description of all pending rulemaking activities and justifications

1 thereof, including economic impact and environmental benefit analysis.

2 The provisions of this section shall be in effect only from July 1, ~~2005~~
3 2007 through June 30, ~~2007~~ 2009.

4
5 SECTION 44. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
6 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND
7 TRANSFER PROVISION. Upon approval of the Chief Fiscal Officer of the State,
8 for each fiscal year of the ~~2005-2007~~ 2007-2009 biennium, the Arkansas
9 Department of Environmental Quality may transfer from various department
10 funds to the Arkansas Department of Environmental Quality Fund Account, the
11 sum of ~~\$3,731,371~~ \$3,866,298 in fiscal year ~~2005-2006~~ 2007-2008 and
12 ~~\$3,816,614~~ \$3,866,635 in fiscal year ~~2006-2007~~ 2008-2009, for the exclusive
13 purpose of supplementing funding for the appropriation provided in SECTION 3.
14 APPROPRIATION - STATE OPERATIONS. The funds shall be used for personal
15 services and operating expenses of the Arkansas Department of Environmental
16 Quality - State Operations. Funds which remain in the Arkansas Department of
17 Environmental Quality Fund Account at the close of each fiscal year of the
18 ~~2005-2007~~ 2007-2009 biennium shall be carried forward and made available for
19 the same purpose for the following fiscal year. These funds shall be used for
20 the purpose stated above.

21
22 SECTION 45. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
23 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. REPORTING
24 REQUIREMENTS. For the purposes of the fund transfers provided for in SECTION
25 42 - FUND TRANSFER PROVISION, the amounts transferred shall not be considered
26 as part of any statutory limitation on the use of funds for administration of
27 programs of the Department.

28
29 SECTION 46. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
30 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY
31 FORWARD. Any unexpended balances of appropriation and funds authorized in
32 Section 31 for Computer and Electronic Recycling Management Expenses or
33 Grants, which remains at the close of fiscal year ending June 30, 2008 shall
34 be carried forward and made available for the same purpose for the fiscal
35 year ending June 30, 2009.
36 Any carry forward of unexpended balance of appropriation and/or funding as

1 authorized herein, may be carried forward under the following conditions:

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

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

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

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

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

29
30 *SECTION 47. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS*
31 *CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. LANDFILL*
32 *POST-CLOSURE CLEAN UP RESTRICTIONS. Any expenditures in excess of \$50,000*
33 *per site from the Landfill Post-Closure Trust Fund, as appropriated in*
34 *Section 22, Item (04) for corrective action to remedy environmental impacts*
35 *of closed disposal sites previously operated as a landfill pursuant to state*
36 *law will be prioritized and authorized by the Commission after addressing*

1 corrective actions needed to address environmental impacts form from
2 permitted landfills closed properly. The total of the said expenditures for
3 the biennium shall not exceed 5 percent of the fund balance as of July 1,
4 2007.

5
6 SECTION 48. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
7 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. NON
8 HAZARDOUS SITE CLEAN UP RESTRICTIONS. Expenditures from the Arkansas
9 Department of Environmental Quality Fee Trust Fund for the clean up of non
10 hazardous sites which pose a threat to the environment, as appropriated in
11 Section 35, shall be funded only through interest earnings from the Arkansas
12 Department of Environmental Quality Fee Trust Fund. The Arkansas Department
13 of Environmental Quality shall seek cost recovery from parties responsible
14 for damages to the environment that dictate the use of appropriation
15 authorized in Section 35 of this act, as well as, any other funds spent by a
16 governmental entity to remediate such non hazardous sites.

17
18 SECTION 49. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
19 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
20 APPROPRIATION PROVISIONS. On or after July 1, 2007, any appropriation made
21 payable from the Arkansas Department of Environmental Quality Fee Fund shall
22 be made payable from the Arkansas Department of Environmental Quality Fee
23 Trust Fund.

24
25 SECTION 50. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
26 by this act shall be limited to the appropriation for such agency and funds
27 made available by law for the support of such appropriations; and the
28 restrictions of the State Procurement Law, the General Accounting and
29 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
30 Procedures and Restrictions Act, or their successors, and other fiscal
31 control laws of this State, where applicable, and regulations promulgated by
32 the Department of Finance and Administration, as authorized by law, shall be
33 strictly complied with in disbursement of said funds.

34
35 SECTION 51. LEGISLATIVE INTENT. It is the intent of the General Assembly
36 that any funds disbursed under the authority of the appropriations contained

1 in this act shall be in compliance with the stated reasons for which this act
2 was adopted, as evidenced by the Agency Requests, Executive Recommendations
3 and Legislative Recommendations contained in the budget manuals prepared by
4 the Department of Finance and Administration, letters, or summarized oral
5 testimony in the official minutes of the Arkansas Legislative Council or
6 Joint Budget Committee which relate to its passage and adoption.

7
8 SECTION 52. EMERGENCY CLAUSE. It is found and determined by the General
9 Assembly, that the Constitution of the State of Arkansas prohibits the
10 appropriation of funds for more than a two (2) year period; that the
11 effectiveness of this Act on July 1, 2007 is essential to the operation of
12 the agency for which the appropriations in this Act are provided, and that in
13 the event of an extension of the Regular Session, the delay in the effective
14 date of this Act beyond July 1, 2007 could work irreparable harm upon the
15 proper administration and provision of essential governmental programs.
16 Therefore, an emergency is hereby declared to exist and this Act being
17 necessary for the immediate preservation of the public peace, health and
18 safety shall be in full force and effect from and after July 1, 2007.

19
20 /s/ Joint Budget Committee
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