

1 State of Arkansas  
2 90th General Assembly  
3 Fiscal Session, 2016  
4

*As Engrossed: H4/28/16*

# A Bill

HOUSE BILL 1036

5 By: Joint Budget Committee  
6

## For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES  
9 AND OPERATING EXPENSES FOR THE ARKANSAS DEPARTMENT OF  
10 ENVIRONMENTAL QUALITY FOR THE FISCAL YEAR ENDING JUNE  
11 30, 2017; AND FOR OTHER PURPOSES.  
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13

## Subtitle

14 AN ACT FOR THE ARKANSAS DEPARTMENT OF  
15 ENVIRONMENTAL QUALITY APPROPRIATION FOR  
16 THE 2016-2017 FISCAL YEAR.  
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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22 SECTION 1. REGULAR SALARIES. There is hereby established for the  
23 Arkansas Department of Environmental Quality for the 2016-2017 fiscal year,  
24 the following maximum number of regular employees.  
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Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2016-2017
30	(1) U015U	ADEQ DIRECTOR	1	\$130,249
31	(2) U075U	ADEQ CHIEF DEPUTY DIRECTOR	1	\$107,398
32	(3) N067N	ADEQ DEPUTY DIRECTOR - LAND RESOURCES	1	GRADE N908
33	(4) X004C	ADEQ AIR DIVISION MANAGER	1	GRADE C129
34	(5) G005C	ADEQ WATER DIVISION MANAGER	1	GRADE C129
35	(6) G004C	MANAGING ATTORNEY	1	GRADE C129
36	(7) D007C	INFORMATION SYSTEMS MANAGER	1	GRADE C128



1	(8)	G035C	ADEQ ADMINISTRATION DIVISION MANAGER	1	GRADE C127
2	(9)	G034C	ADEQ ASST AIR/WATER DIVISION MANAGER	2	GRADE C127
3	(10)	B012C	ADEQ ENGINEER P.E. BRANCH MANAGER	2	GRADE C127
4	(11)	G033C	ADEQ HAZARDOUS WASTE DIVISION MGR	1	GRADE C127
5	(12)	G032C	ADEQ MINING DIVISION MANAGER	1	GRADE C127
6	(13)	G031C	ADEQ PUBLIC OUTREACH DIVISION MGR	1	GRADE C127
7	(14)	G030C	ADEQ REGULATED STORAGE TANKS DIV MGR	1	GRADE C127
8	(15)	G029C	ADEQ SOLID WASTE DIVISION MANAGER	1	GRADE C127
9	(16)	G028C	ADEQ TECHNICAL SERVICES DIVISION MGR	1	GRADE C127
10	(17)	G025C	ATTORNEY SUPERVISOR	1	GRADE C127
11	(18)	A014C	FISCAL DIVISION MANAGER	1	GRADE C127
12	(19)	G019C	GENERAL COUNSEL	1	GRADE C127
13	(20)	G047C	ATTORNEY SPECIALIST	7	GRADE C126
14	(21)	B015C	ENGINEER SUPERVISOR	11	GRADE C126
15	(22)	G063C	ADEQ BRANCH MANAGER	14	GRADE C125
16	(23)	B023C	ENGINEER, P.E.	20	GRADE C124
17	(24)	D030C	INFORMATION SYSTEMS COORDINATOR	3	GRADE C124
18	(25)	L099C	EPIDEMIOLOGY SUPERVISOR	1	GRADE C123
19	(26)	D039C	NETWORK SUPPORT SPECIALIST	1	GRADE C123
20	(27)	X036C	ADEQ INSPECTOR SUPERVISOR	11	GRADE C122
21	(28)	B037C	CHEMIST SUPERVISOR	3	GRADE C122
22	(29)	L028C	EPIDEMIOLOGIST	6	GRADE C122
23	(30)	B035C	GEOLOGY SUPERVISOR	5	GRADE C122
24	(31)	A052C	ACCOUNTING COORDINATOR	1	GRADE C121
25	(32)	B042C	ENGINEER	28	GRADE C121
26	(33)	R014C	PERSONNEL MANAGER	1	GRADE C121
27	(34)	B043C	PROFESSIONAL GEOLOGIST	18	GRADE C121
28	(35)	D052C	SOFTWARE SUPPORT ANALYST	7	GRADE C121
29	(36)	X059C	ADEQ ENFORCEMENT COORDINATOR	9	GRADE C120
30	(37)	G139C	ADEQ FACILITY SUPPORT SVCS MANAGER	1	GRADE C120
31	(38)	B055C	ECOLOGIST COORDINATOR	3	GRADE C120
32	(39)	X054C	ENVIRONMENTAL PROGRAM COORDINATOR	29	GRADE C120
33	(40)	P013C	PUBLIC INFORMATION COORDINATOR	1	GRADE C120
34	(41)	X075C	ADEQ ENFORCEMENT ANALYST	12	GRADE C119
35	(42)	D063C	COMPUTER SUPPORT SPECIALIST	1	GRADE C119
36	(43)	B065C	ECOLOGIST	11	GRADE C119

1	(44)	G147C	GRANTS COORDINATOR	2	GRADE C119
2	(45)	X186C	ADEQ AIR COMPLIANCE MONITOR	2	GRADE C118
3	(46)	X093C	ADEQ INSPECTOR	79	GRADE C118
4	(47)	C010C	EXECUTIVE ASSISTANT TO THE DIRECTOR	1	GRADE C118
5	(48)	A075C	FINANCIAL ANALYST I	1	GRADE C118
6	(49)	D065C	NETWORK SUPPORT ANALYST	1	GRADE C118
7	(50)	D064C	WEBSITE DEVELOPER	1	GRADE C118
8	(51)	B081C	CHEMIST	10	GRADE C117
9	(52)	G180C	GRANTS ANALYST	2	GRADE C117
10	(53)	R025C	HUMAN RESOURCES ANALYST	1	GRADE C117
11	(54)	D068C	INFORMATION SYSTEMS ANALYST	1	GRADE C117
12	(55)	G179C	LEGAL SERVICES SPECIALIST	6	GRADE C117
13	(56)	S017C	MAINTENANCE COORDINATOR	1	GRADE C117
14	(57)	G178C	POLICY DEVELOPMENT COORDINATOR	1	GRADE C117
15	(58)	A089C	ACCOUNTANT I	2	GRADE C116
16	(59)	V014C	BUYER	1	GRADE C116
17	(60)	P027C	PUBLIC INFORMATION SPECIALIST	3	GRADE C116
18	(61)	C037C	ADMINISTRATIVE ANALYST	20	GRADE C115
19	(62)	A091C	FISCAL SUPPORT ANALYST	1	GRADE C115
20	(63)	R036C	HUMAN RESOURCES SPECIALIST	1	GRADE C113
21	(64)	C056C	ADMINISTRATIVE SPECIALIST III	36	GRADE C112
22	(65)	C073C	ADMINISTRATIVE SPECIALIST II	<u>22</u>	GRADE C109
23			MAX. NO. OF EMPLOYEES	420	

24

25 SECTION 2. EXTRA HELP. There is hereby authorized, for the Arkansas  
 26 Department of Environmental Quality for the 2016-2017 fiscal year, the  
 27 following maximum number of part-time or temporary employees, to be known as  
 28 "Extra Help", payable from funds appropriated herein for such purposes:  
 29 seventy (70) temporary or part-time employees, when needed, at rates of pay  
 30 not to exceed those provided in the Uniform Classification and Compensation  
 31 Act, or its successor, or this act for the appropriate classification.

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33 SECTION 3. APPROPRIATION - STATE OPERATIONS. There is hereby  
 34 appropriated, to the Arkansas Department of Environmental Quality, to be  
 35 payable from the Arkansas Department of Environmental Quality Fund Account,  
 36 for personal services and operating expenses of the Arkansas Department of

1 Environmental Quality - State Operations for the fiscal year ending June 30,  
2 2017, the following:

3		
4	ITEM	FISCAL YEAR
5	<u>NO.</u>	<u>2016-2017</u>
6	(01) REGULAR SALARIES	\$3,537,581
7	(02) EXTRA HELP	25,674
8	(03) PERSONAL SERVICES MATCHING	1,172,013
9	(04) MAINT. & GEN. OPERATION	
10	(A) OPER. EXPENSE	353,183
11	(B) CONF. & TRAVEL	32,115
12	(C) PROF. FEES	4,100
13	(D) CAP. OUTLAY	0
14	(E) DATA PROC.	<u>0</u>
15	TOTAL AMOUNT APPROPRIATED	<u><u>\$5,124,666</u></u>

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17 SECTION 4. APPROPRIATION - FEDERAL OPERATIONS. There is hereby  
18 appropriated, to the Arkansas Department of Environmental Quality, to be  
19 payable from the federal funds as designated by the Chief Fiscal Officer of  
20 the State, for personal services and operating expenses of the Arkansas  
21 Department of Environmental Quality - Federal Operations for the fiscal year  
22 ending June 30, 2017, the following:

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24	ITEM	FISCAL YEAR
25	<u>NO.</u>	<u>2016-2017</u>
26	(01) REGULAR SALARIES	\$4,321,805
27	(02) EXTRA HELP	148,585
28	(03) PERSONAL SERVICES MATCHING	1,468,808
29	(04) MAINT. & GEN. OPERATION	
30	(A) OPER. EXPENSE	1,740,060
31	(B) CONF. & TRAVEL	231,126
32	(C) PROF. FEES	755,401
33	(D) CAP. OUTLAY	756,250
34	(E) DATA PROC.	0
35	(05) DIESEL EMISSION REDUCTION GRANTS	<u>400,000</u>
36	TOTAL AMOUNT APPROPRIATED	<u><u>\$9,822,035</u></u>

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SECTION 5. APPROPRIATION - WASTE WATER LICENSING. There is hereby appropriated, to the Arkansas Department of Environmental Quality, to be payable from the Wastewater Licensing Fund, for personal services and operating expenses of the Arkansas Department of Environmental Quality - Waste Water Licensing for the fiscal year ending June 30, 2017, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2016-2017</u>
(01) REGULAR SALARIES	\$61,547
(02) PERSONAL SERVICES MATCHING	20,329
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	26,632
(B) CONF. & TRAVEL	5,089
(C) PROF. FEES	50,000
(D) CAP. OUTLAY	0
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$163,597</u></u>

SECTION 6. 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 fiscal year ending June 30, 2017, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2016-2017</u>
(01) RECLAMATION CONTRACTS	<u><u>\$950,000</u></u>

SECTION 7. 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 fiscal year ending June 30, 2017, the following:

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2	ITEM	FISCAL YEAR
3	<u>NO.</u>	<u>2016-2017</u>
4	(01) REGULAR SALARIES	\$867,200
5	(02) EXTRA HELP	15,795
6	(03) PERSONAL SERVICES MATCHING	284,057
7	(04) OVERTIME	1,250
8	(05) MAINT. & GEN. OPERATION	
9	(A) OPER. EXPENSE	197,304
10	(B) CONF. & TRAVEL	47,700
11	(C) PROF. FEES	53,000
12	(D) CAP. OUTLAY	20,000
13	(E) DATA PROC.	<u>0</u>
14	TOTAL AMOUNT APPROPRIATED	<u><u>\$1,486,306</u></u>

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16 SECTION 8. APPROPRIATION - RECLAMATION OF ABANDONED MINES. There is  
 17 hereby appropriated, to the Arkansas Department of Environmental Quality, to  
 18 be payable from the Abandoned Mine Reclamation Fund, for contractual services  
 19 of the Arkansas Department of Environmental Quality - Reclamation of  
 20 Abandoned Mines for the fiscal year ending June 30, 2017, the following:

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22	ITEM	FISCAL YEAR
23	<u>NO.</u>	<u>2016-2017</u>
24	(01) ABANDONED MINE RECLAMATION	
25	CONTRACTUAL SERVICES	<u><u>\$5,700,000</u></u>

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27 SECTION 9. APPROPRIATION - SURFACE COAL MINING. There is hereby  
 28 appropriated, to the Arkansas Department of Environmental Quality, to be  
 29 payable from the Surface Coal Mining Operation Fund, for operating expenses  
 30 of the Arkansas Department of Environmental Quality - Surface Coal Mining for  
 31 the fiscal year ending June 30, 2017, the following:

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33	ITEM	FISCAL YEAR
34	<u>NO.</u>	<u>2016-2017</u>
35	(01) MAINT. & GEN. OPERATION	
36	(A) OPER. EXPENSE	\$15,000

1	(B) CONF. & TRAVEL	0
2	(C) PROF. FEES	0
3	(D) CAP. OUTLAY	0
4	(E) DATA PROC.	<u>0</u>
5	TOTAL AMOUNT APPROPRIATED	<u><u>\$15,000</u></u>

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7 SECTION 10. APPROPRIATION - MINING RECLAMATION. There is hereby  
 8 appropriated, to the Arkansas Department of Environmental Quality, to be  
 9 payable from the Mine Reclamation Trust Fund, for contractual services of the  
 10 Arkansas Department of Environmental Quality - Mining Reclamation for the  
 11 fiscal year ending June 30, 2017, the following:

12

13	ITEM	FISCAL YEAR
14	<u>NO.</u>	<u>2016-2017</u>
15	(01) MINING RECLAMATION CONTRACTUAL	
16	SERVICES	<u><u>\$1,520,000</u></u>

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18 SECTION 11. APPROPRIATION - FEE ADMINISTRATION. There is hereby  
 19 appropriated, to the Arkansas Department of Environmental Quality, to be  
 20 payable from the Arkansas Department of Environmental Quality Fee Trust Fund,  
 21 for personal services and operating expenses of the Arkansas Department of  
 22 Environmental Quality - Fee Administration for the fiscal year ending June  
 23 30, 2017, the following:

24

25	ITEM	FISCAL YEAR
26	<u>NO.</u>	<u>2016-2017</u>
27	(01) REGULAR SALARIES	\$7,725,901
28	(02) EXTRA HELP	45,000
29	(03) PERSONAL SERVICES MATCHING	2,647,572
30	(04) MAINT. & GEN. OPERATION	
31	(A) OPER. EXPENSE	1,307,170
32	(B) CONF. & TRAVEL	152,389
33	(C) PROF. FEES	989,519
34	(D) CAP. OUTLAY	1,180,000
35	(E) DATA PROC.	<u>0</u>
36	TOTAL AMOUNT APPROPRIATED	<u><u>\$14,047,551</u></u>

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SECTION 12. APPROPRIATION - SOLID WASTE PERFORMANCE BONDS PROGRAM.  
 There is hereby appropriated, to the Arkansas Department of Environmental Quality, to be payable from the Solid Waste Performance Bond Fund, for contractual services of the Arkansas Department of Environmental Quality - Solid Waste Performance Bonds Program for the fiscal year ending June 30, 2017, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2016-2017</u>
(01) SOLID WASTE PERFORMANCE BONDS	
CONTRACTUAL SERVICES	<u>\$3,000,000</u>

SECTION 13. APPROPRIATION - HAZARDOUS WASTE CLEANUP. There is hereby appropriated, to the Arkansas Department of Environmental Quality, to be payable from the Hazardous Substance Remedial Action Trust Fund, for personal services and operating expenses of the Arkansas Department of Environmental Quality - Hazardous Waste Cleanup for the fiscal year ending June 30, 2017, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2016-2017</u>
(01) REGULAR SALARIES	\$209,256
(02) PERSONAL SERVICES MATCHING	72,680
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	405,191
(B) CONF. & TRAVEL	35,960
(C) PROF. FEES	250,000
(D) CAP. OUTLAY	515,000
(E) DATA PROC.	0
(04) CONTRACTUAL SERVICES	6,194,000
(05) DATA PROCESSING PURCHASES	<u>453,937</u>
TOTAL AMOUNT APPROPRIATED	<u>\$8,136,024</u>

SECTION 14. APPROPRIATION - EMERGENCY RESPONSE PROGRAM. There is hereby appropriated, to the Arkansas Department of Environmental Quality, to



1 be payable from the Hazardous Substance Remedial Action Trust Fund, for  
 2 contractual services of the Arkansas Department of Environmental Quality -  
 3 Emergency Response Program for the fiscal year ending June 30, 2017, the  
 4 following:

6 ITEM	FISCAL YEAR
7 <u>NO.</u>	<u>2016-2017</u>
8 (01) CONTRACTUAL SERVICES	<u>\$372,655</u>

9  
 10 SECTION 15. APPROPRIATION - ASBESTOS CONTROL PROGRAM. There is hereby  
 11 appropriated, to the Arkansas Department of Environmental Quality, to be  
 12 payable from the Asbestos Control Fund, for personal services and operating  
 13 expenses of the Arkansas Department of Environmental Quality - Asbestos  
 14 Control Program for the fiscal year ending June 30, 2017, the following:

16 ITEM	FISCAL YEAR
17 <u>NO.</u>	<u>2016-2017</u>
18 (01) REGULAR SALARIES	\$224,192
19 (02) PERSONAL SERVICES MATCHING	81,615
20 (03) MAINT. & GEN. OPERATION	
21 (A) OPER. EXPENSE	29,452
22 (B) CONF. & TRAVEL	4,090
23 (C) PROF. FEES	2,100
24 (D) CAP. OUTLAY	0
25 (E) DATA PROC.	0
26 (04) ASBESTOS CONTROL PROGRAM GRANTS	<u>150,000</u>
27 TOTAL AMOUNT APPROPRIATED	<u>\$491,449</u>

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 29 SECTION 16. APPROPRIATION - SOLID WASTE MANAGEMENT AND RECYCLING  
 30 PROGRAM. There is hereby appropriated, to the Arkansas Department of  
 31 Environmental Quality, to be payable from the Solid Waste Management  
 32 Recycling Fund, for personal services and operating expenses of the Arkansas  
 33 Department of Environmental Quality - Solid Waste Management and Recycling  
 34 Program for the fiscal year ending June 30, 2017, the following:

36 ITEM	FISCAL YEAR
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1	<u>NO.</u>	<u>2016-2017</u>
2	(01) REGULAR SALARIES	\$904,831
3	(02) PERSONAL SERVICES MATCHING	304,625
4	(03) MAINT. & GEN. OPERATION	
5	(A) OPER. EXPENSE	126,529
6	(B) CONF. & TRAVEL	15,668
7	(C) PROF. FEES	0
8	(D) CAP. OUTLAY	25,000
9	(E) DATA PROC.	0
10	(04) REFUNDS/REIMBURSEMENTS	4,650,000
11	(05) ELECTRONIC WASTE RECYCLING	
12	INFRASTRUCTURE	<u>2,500,000</u>
13	TOTAL AMOUNT APPROPRIATED	<u><u>\$8,526,653</u></u>

14

## 15 SECTION 17. APPROPRIATION - REGULATED SUBSTANCE STORAGE TANK PROGRAM.

16 There is hereby appropriated, to the Arkansas Department of Environmental  
 17 Quality, to be payable from the Regulated Substance Storage Tank Program  
 18 Fund, for personal services and operating expenses of the Arkansas Department  
 19 of Environmental Quality - Regulated Substance Storage Tank Program for the  
 20 fiscal year ending June 30, 2017, the following:

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22	ITEM	FISCAL YEAR
23	<u>NO.</u>	<u>2016-2017</u>
24	(01) REGULAR SALARIES	\$648,615
25	(02) PERSONAL SERVICES MATCHING	232,943
26	(03) MAINT. & GEN. OPERATION	
27	(A) OPER. EXPENSE	71,128
28	(B) CONF. & TRAVEL	5,005
29	(C) PROF. FEES	0
30	(D) CAP. OUTLAY	0
31	(E) DATA PROC.	<u>0</u>
32	TOTAL AMOUNT APPROPRIATED	<u><u>\$957,691</u></u>

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34 SECTION 18. APPROPRIATION - PETROLEUM STORAGE TANK TRUST FUND. There  
 35 is hereby appropriated, to the Arkansas Department of Environmental Quality,  
 36 to be payable from the Petroleum Storage Tank Trust Fund, for personal

1 services and operating expenses of the Arkansas Department of Environmental  
 2 Quality - Petroleum Storage Tank Trust Fund for the fiscal year ending June  
 3 30, 2017, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2016-2017</u>
(01) REGULAR SALARIES	\$238,364
(02) PERSONAL SERVICES MATCHING	76,463
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	18,999,800
(B) CONF. & TRAVEL	3,005
(C) PROF. FEES	2,500,156
(D) CAP. OUTLAY	0
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u>\$21,817,788</u>

16  
 17 SECTION 19. APPROPRIATION - REGULATED STORAGE TANK PROGRAM - FEDERAL.

18 There is hereby appropriated, to the Arkansas Department of Environmental  
 19 Quality, to be payable from the federal funds as designated by the Chief  
 20 Fiscal Officer of the State, for contractual services of the Arkansas  
 21 Department of Environmental Quality - Regulated Storage Tank Program -  
 22 Federal for the fiscal year ending June 30, 2017, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2016-2017</u>
(01) REGULATED STORAGE TANK & CONTRACTUAL SERVICES	<u>\$3,925,000</u>

28  
 29 SECTION 20. APPROPRIATION - LANDFILL POST-CLOSURE PROGRAM. There is  
 30 hereby appropriated, to the Arkansas Department of Environmental Quality, to  
 31 be payable from the Landfill Post-Closure Trust Fund, for personal services  
 32 and operating expenses of the Arkansas Department of Environmental Quality -  
 33 Landfill Post-Closure Program for the fiscal year ending June 30, 2017, the  
 34 following:

ITEM	FISCAL YEAR
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1	<u>NO.</u>	<u>2016-2017</u>
2	(01) REGULAR SALARIES	\$244,192
3	(02) PERSONAL SERVICES MATCHING	75,818
4	(03) MAINT. & GEN. OPERATION	
5	(A) OPER. EXPENSE	30,923
6	(B) CONF. & TRAVEL	6,000
7	(C) PROF. FEES	0
8	(D) CAP. OUTLAY	0
9	(E) DATA PROC.	0
10	(04) CONTRACTUAL SERVICES	<u>17,434,373</u>
11	TOTAL AMOUNT APPROPRIATED	<u>\$17,790,306</u>

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13           SECTION 21. APPROPRIATION - WASTE TIRE RECYCLING PROGRAM. There is  
 14 hereby appropriated, to the Arkansas Department of Environmental Quality, to  
 15 be payable from the Waste Tire Grant Fund, for waste tire recycling grants of  
 16 the Arkansas Department of Environmental Quality - Waste Tire Recycling  
 17 Program for the fiscal year ending June 30, 2017, the following:

18

19	ITEM	FISCAL YEAR
20	<u>NO.</u>	<u>2016-2017</u>
21	(01) WASTE TIRE RECYCLING GRANTS	<u>\$6,425,000</u>

22

23           SECTION 22. APPROPRIATION - STATE MARKETING BOARD FOR RECYCLABLES  
 24 PROGRAM. There is hereby appropriated, to the Arkansas Department of  
 25 Environmental Quality, to be payable from the Marketing Board Fund, for  
 26 personal services and operating expenses of the Arkansas Department of  
 27 Environmental Quality - State Marketing Board for Recyclables Program for the  
 28 fiscal year ending June 30, 2017, the following:

29

30	ITEM	FISCAL YEAR
31	<u>NO.</u>	<u>2016-2017</u>
32	(01) REGULAR SALARIES	\$1,500
33	(02) PERSONAL SERVICES MATCHING	115
34	(03) MAINT. & GEN. OPERATION	
35	(A) OPER. EXPENSE	13,846
36	(B) CONF. & TRAVEL	6,415

1	(C) PROF. FEES	7,000
2	(D) CAP. OUTLAY	0
3	(E) DATA PROC.	<u>0</u>
4	TOTAL AMOUNT APPROPRIATED	<u><u>\$28,876</u></u>

5  
 6 SECTION 23. APPROPRIATION - ENVIRONMENTAL EDUCATION PROGRAM. There is  
 7 hereby appropriated, to the Arkansas Department of Environmental Quality, to  
 8 be payable from the Environmental Education Fund, for personal services and  
 9 operating expenses of the Arkansas Department of Environmental Quality -  
 10 Environmental Education Program for the fiscal year ending June 30, 2017, the  
 11 following:

12		
13	ITEM	FISCAL YEAR
14	<u>NO.</u>	<u>2016-2017</u>
15	(01) REGULAR SALARIES	\$51,329
16	(02) PERSONAL SERVICES MATCHING	16,686
17	(03) MAINT. & GEN. OPERATION	
18	(A) OPER. EXPENSE	152,961
19	(B) CONF. & TRAVEL	8,000
20	(C) PROF. FEES	44,000
21	(D) CAP. OUTLAY	0
22	(E) DATA PROC.	<u>0</u>
23	TOTAL AMOUNT APPROPRIATED	<u><u>\$272,976</u></u>

24  
 25 SECTION 24. APPROPRIATION - SMALL BUSINESS LOANS. There is hereby  
 26 appropriated, to the Arkansas Department of Environmental Quality, to be  
 27 payable from the Small Business Revolving Loan Fund, for providing loans to  
 28 small businesses for projects to meet regulatory mandates in pollution  
 29 control and prevention technologies of the Arkansas Department of  
 30 Environmental Quality for the fiscal year ending June 30, 2017, the  
 31 following:

32		
33	ITEM	FISCAL YEAR
34	<u>NO.</u>	<u>2016-2017</u>
35	(01) SMALL BUSINESS LOANS	<u><u>\$550,000</u></u>

36

SECTION 25. 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  
 operating expenses of the Arkansas Department of Environmental Quality -  
 Small Business Revolving Loan Program for the fiscal year ending June 30,  
 2017, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2016-2017</u>
(01) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	\$11,010
(B) CONF. & TRAVEL	3,650
(C) PROF. FEES	5,000
(D) CAP. OUTLAY	0
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$19,660</u></u>

SECTION 26. 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 fiscal year ending June  
 30, 2017, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2016-2017</u>
(01) PERFORMANCE INTEGRATED INFORMATION SYSTEM EXPENSES	<u><u>\$600,000</u></u>

SECTION 27. 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 fiscal year ending June 30, 2017, the following:

1	ITEM	FISCAL YEAR
2	<u>NO.</u>	<u>2016-2017</u>
3	(01) ENVIRONMENTAL SETTLEMENT TRUST	
4	EXPENSES	<u>\$750,000</u>

5

6 SECTION 28. APPROPRIATION - COMPUTER AND ELECTRONIC RECYCLING. There

7 is hereby appropriated, to the Arkansas Department of Environmental Quality,

8 to be payable from the Computer and Electronic Recycling Fund, for grants and

9 expenses of the Arkansas Department of Environmental Quality - Computer and

10 Electronic Recycling for the fiscal year ending June 30, 2017, the following:

11		
12	ITEM	FISCAL YEAR
13	<u>NO.</u>	<u>2016-2017</u>
14	(01) COMPUTER AND ELECTRONICS RECYCLING	
15	MANAGEMENT EXPENSES OR GRANTS	<u>\$250,000</u>

16

17 SECTION 29. REGULAR SALARIES - POLLUTION CONTROL AND ECOLOGY COMMISSION

18 - ADMINISTRATIVE HEARING OFFICER. There is hereby established for the

19 Arkansas Department of Environmental Quality for the 2016-2017 fiscal year,

20 the following maximum number of regular employees.

21				
22				Maximum Annual
23			Maximum	Salary Rate
24	Item	Class	No. of	Fiscal Year
25	<u>No.</u>	<u>Code</u>	<u>Title</u>	<u>2016-2017</u>
26	(1)	G032N	PC&E HEARING OFFICER	GRADE N907
27	(2)	G179C	LEGAL SERVICES SPECIALIST	GRADE C117
28			MAX. NO. OF EMPLOYEES	2

29

30 SECTION 30. APPROPRIATION - POLLUTION CONTROL AND ECOLOGY COMMISSION -

31 ADMINISTRATIVE HEARING OFFICER. There is hereby appropriated, to the

32 Arkansas Department of Environmental Quality, to be payable from the Arkansas

33 Department of Environmental Quality Fee Trust Fund, for personal services and

34 operating expenses of the Arkansas Department of Environmental Quality -

35 Pollution Control and Ecology Commission - Administrative Hearing Officer for

36 the fiscal year ending June 30, 2017, the following:

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ITEM	FISCAL YEAR
<u>NO.</u>	<u>2016-2017</u>
(01) REGULAR SALARIES	\$149,285
(02) PERSONAL SERVICES MATCHING	42,546
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	49,217
(B) CONF. & TRAVEL	6,922
(C) PROF. FEES	38,000
(D) CAP. OUTLAY	0
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$285,970</u></u>

SECTION 31. 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 fiscal year ending June 30, 2017, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2016-2017</u>
(01) PC&E COMMISSION EXPENSES	<u><u>\$4,477</u></u>

SECTION 32. APPROPRIATION - NON HAZARDOUS SITE CLEANUP. There is hereby appropriated, to the Arkansas Department of Environmental Quality, to be payable from the Arkansas Department of Environmental Quality Fee Trust Fund, for the cleanup of non hazardous sites which pose a threat to the environment for the fiscal year ending June 30, 2017, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2016-2017</u>
(01) CONTRACTUAL SERVICES	<u><u>\$100,000</u></u>

SECTION 33. APPROPRIATION - WATER PERFORMANCE BOND FUND. There is hereby appropriated, to the Arkansas Department of Environmental Quality, to



1 be payable from the Water Performance Bond Fund, for contractual services for  
2 the fiscal year ending June 30, 2017, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2016-2017</u>
(01) NON-MUNICIPAL DOMESTIC SEWAGE	
CONTRACTUAL SERVICES	<u>\$500,000</u>

9 SECTION 34. APPROPRIATION - NONMUNICIPAL DOMESTIC SEWAGE TREATMENT  
10 WORKS. There is hereby appropriated, to the Arkansas Department of  
11 Environmental Quality, to be payable from the Nonmunicipal Domestic Sewage  
12 Treatment Works Trust Fund, for personal services, operating expenses,  
13 professional fees, maintenance, and completed closure of a nonmunicipal  
14 domestic sewage treatment works of the Arkansas Department of Environmental  
15 Quality for the fiscal year ending June 30, 2017, the sum of  
16 .....\$2,100,000.

18 SECTION 35. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
19 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EXTRA  
20 HELP - HAZARDOUS WASTE PERMIT PROGRAM. There is hereby authorized, for the  
21 Arkansas Department of Environmental Quality - Hazardous Waste Permit Program  
22 for the ~~2015-2016~~ 2016-2017 fiscal year, the following maximum number of  
23 part-time or temporary employees, to be known as "Extra Help", payable from  
24 funds appropriated herein for such purposes: Four (4) temporary or part-time  
25 employees, when needed, at rates of pay not to exceed those provided in the  
26 Uniform Classification and Compensation Act, or its successor, for the  
27 appropriate classification. These four positions are utilized for a specific  
28 project and are specifically exempt from the limitations, either by act or  
29 regulation, of hours worked.

30 The provisions of this section shall be in effect only from July 1, ~~2015~~  
31 2016 through June 30, ~~2016~~ 2017.

33 SECTION 36. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
34 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
35 EQUIPMENT PURCHASE RESTRICTIONS. Expenditures from the Hazardous Substance  
36 Remedial Action Trust Fund for the purchase of departmental laboratory

1 equipment, including maintenance contracts, and data processing equipment and  
2 mission-critical software, including maintenance contracts, as appropriated  
3 in Section 13, in Items (03)(D) and (05) shall be funded only through  
4 interest earnings from the Hazardous Substance Remedial Action Trust Fund.  
5 Further, the Department shall report biennially to the Legislative Council  
6 all expenditures from interest earnings for these purchases.

7 The provisions of this section shall be in effect only from July 1, ~~2015~~  
8 2016 through June 30, ~~2016~~ 2017.

9

10 SECTION 37. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
11 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
12 APPROPRIATIONS RESTRICTIONS. No expenditure from the Environmental Settlement  
13 Trust Fund for information technology needs may be made without prior  
14 approval of the Chief Fiscal Officer of the State, after seeking review of  
15 the Arkansas Legislative Council. Further, utilization of this appropriation  
16 for information technology needs of the Arkansas Department of Environmental  
17 Quality must also be approved by the Executive Chief Information Officer  
18 after the project is evaluated on the methodology recommended by the Chief  
19 Information Officer and the CIO Council, including an analysis of the return  
20 on investment and linkage to the Department's business objectives. Any  
21 approved projects and expenditures for information technology from the  
22 Environmental Settlement Trust Fund shall be reported annually to the Joint  
23 Committee on Advanced Communications and Information Technology.

24 The provisions of this section shall be in effect only from July 1, ~~2015~~  
25 2016 through June 30, ~~2016~~ 2017.

26

27 SECTION 38. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
28 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. ADEQ  
29 ASBESTOS PROGRAM. The fees collected pursuant to Arkansas Code 20-27-1004(5)  
30 shall be used by the department to fund operational expenses and to provide  
31 and train personnel to administer an asbestos program, as funding is  
32 available, including:

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

36 (b) Personnel who are trained as asbestos supervisors as defined by Arkansas

1 Code 20-27-1003 and Arkansas Pollution Control and Ecology Commission  
2 Regulation No.21 to approve asbestos Notices of Intent, perform and  
3 coordinate asbestos inspections, conduct enforcement actions, and provide  
4 regulatory compliance information to assist the regulated community. Asbestos  
5 inspectors shall have personal protective equipment when needed to enter a  
6 regulated area; and

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

8 The provisions of this section shall be in effect only from July 1, ~~2015~~  
9 2016 through June 30, ~~2016~~ 2017.

10

11 SECTION 39. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
12 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. REPORTING  
13 REQUIREMENTS. The Department shall present the following data to Legislative  
14 Council quarterly, due by the 15th day of the month following the quarter:

15 a) Number and type of environmental permits currently authorized by the  
16 Department and the Pollution Control and Ecology Commission in each  
17 environmental permit category;

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

20 c) Description of each environmental permit application pending in each  
21 environmental permit category, the number of days each permit has been  
22 pending, and the reasons for delays in issuing permits for each permit that  
23 has been pending for more than 45 days;

24 d) Number and type of enforcement actions initiated by the Department, the  
25 geographic location of each violation and the total fines and collections  
26 from Supplemental Environmental Projects, the percent increase or decrease in  
27 fines levied annually and

28 e) Description of all pending rulemaking activities and justifications  
29 thereof, including economic impact and environmental benefit analysis.

30 The provisions of this section shall be in effect only from July 1, ~~2015~~  
31 2016 through June 30, ~~2016~~ 2017.

32

33 SECTION 40. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
34 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND  
35 TRANSFER PROVISION. Upon approval of the Chief Fiscal Officer of the State,  
36 the Arkansas Department of Environmental Quality may transfer from various

1 department funds to the Arkansas Department of Environmental Quality Fund  
2 Account, the sum of \$1,500,000 in fiscal year ~~2015-2016~~ 2016-2017, for the  
3 exclusive purpose of supplementing funding for the appropriation provided in  
4 Section 3. Appropriation - State Operations. The funds shall be used for  
5 personal services and operating expenses of the Arkansas Department of  
6 Environmental Quality - State Operations. Funds which remain in the Arkansas  
7 Department of Environmental Quality Fund Account at the close of the fiscal  
8 year shall be carried forward and made available for the same purpose for the  
9 following fiscal year. These funds shall be used for the purpose stated  
10 above.

11 The provisions of this section shall be in effect only from July 1, ~~2015~~  
12 2016 through June 30, ~~2016~~ 2017.

13  
14 SECTION 41. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
15 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. REPORTING  
16 REQUIREMENTS. For the purposes of the fund transfers provided for in Section  
17 40 - Fund Transfer Provision, the amounts transferred shall not be considered  
18 as part of any statutory limitation on the use of funds for administration of  
19 programs of the Department.

20 The provisions of this section shall be in effect only from July 1, ~~2015~~  
21 2016 through June 30, ~~2016~~ 2017.

22  
23 SECTION 42. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
24 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. LANDFILL  
25 POST-CLOSURE CLEAN UP RESTRICTIONS. Any expenditures in excess of \$50,000  
26 per site from the Landfill Post-Closure Trust Fund, as appropriated in  
27 Section 20, Item (04) for corrective action to remedy environmental impacts  
28 of closed disposal sites previously operated as a landfill pursuant to state  
29 law will be prioritized and authorized by the Commission after addressing  
30 corrective actions needed to address environmental impacts from permitted  
31 landfills closed properly. Expenditures exceeding \$2,000,000 per fiscal year  
32 must be approved by the Arkansas Pollution Control and Ecology Commission.

33 The provisions of this section shall be in effect only from July 1, ~~2015~~  
34 2016 through June 30, ~~2016~~ 2017.

35  
36 SECTION 43. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. NON  
2 HAZARDOUS SITE CLEAN UP RESTRICTIONS. Expenditures from the Arkansas  
3 Department of Environmental Quality Fee Trust Fund for the cleanup of non  
4 hazardous sites which pose a threat to the environment, as appropriated in  
5 Section 32, shall be funded only through interest earnings from the Arkansas  
6 Department of Environmental Quality Fee Trust Fund. The Arkansas Department  
7 of Environmental Quality shall seek cost recovery from parties responsible  
8 for damages to the environment that dictate the use of appropriation  
9 authorized in Section 32 of this act, as well as, any other funds spent by a  
10 governmental entity to remediate such non hazardous sites.

11 The provisions of this section shall be in effect only from July 1, ~~2015~~  
12 2016 through June 30, ~~2016~~ 2017.

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14 SECTION 44. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE  
15 ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.  
16 LANDFILL POST-CLOSURE TRUST FUND.

17 (a) The General Assembly finds that:

18 (1) A growing number of regional solid waste management districts  
19 within the state are facing difficulty in funding the necessary costs of  
20 closure and post-closure care of landfills owned by the districts; and

21 (2) Without closure and post-closure care of landfills,  
22 irreparable harm to human health and the environment will occur.

23 (b) *Notwithstanding Arkansas Code § 8-6-1001 et seq. and Acts 2014, No.*  
24 *1202, § 41, any Landfill Post-Closure Trust Fund cleanup restrictions*  
25 *enumerated in this Act,* the Arkansas Department of Environmental Quality also  
26 may:

27 (1) Expend monies from the Landfill Post-Closure Trust Fund to a  
28 state-approved contractor or the regional solid waste management district to  
29 complete all actions necessary to achieve the final closure and post-closure  
30 care of a landfill owned by a regional solid waste management district if the  
31 department determines that the regional solid waste management district:

32 (A) Has filed for protection under federal bankruptcy law;

33 (B) Is unable to meet its debt obligations in the ordinary  
34 course of its operations; or

35 (C) Is otherwise insolvent; and

36 (2) Institute a civil action against the regional solid waste

1 management district and all of the entities composing the regional solid  
2 waste management district to seek the recovery of any funds expended from the  
3 Landfill Post-Closure Trust Fund under subdivision (b)(1) of this section,  
4 unless satisfactory repayment arrangements are reached and agreed upon by the  
5 department with the district and the bondholders.

6 (c) This section is in effect only from July 1, 2014, through June 30,  
7 2017.

8  
9 SECTION 45. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
10 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SUSPENSION  
11 OF LANDFILL DISPOSAL FEES TO SUPPORT A COMPUTER AND ELECTRONIC EQUIPMENT  
12 RECYCLING PROGRAM.

13 (a) The landfill disposal fee to support a computer and electronic  
14 equipment recycling program levied under Arkansas Code § 8-6-612(a) shall not  
15 be levied from the effective date of this act through June 30, 2017.

16 (b) Any landfill disposal fees collected under Arkansas Code § 8-6-  
17 612(a) before the effective date of this act shall be:

18 (1) Collected as provided under Arkansas Code § 8-6-612(c); and

19 (2) Distributed as provided under Arkansas Code § 8-6-616 and  
20 this Act.

21 The provision of this section shall be in effect only from July 1, 2016  
22 through June 30, 2017.

23  
24 SECTION 46. COMPLIANCE WITH OTHER LAWS. Disbursement of funds  
25 authorized by this act shall be limited to the appropriation for such agency  
26 and funds made available by law for the support of such appropriations; and  
27 the restrictions of the State Procurement Law, the General Accounting and  
28 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
29 Procedures and Restrictions Act, or their successors, and other fiscal  
30 control laws of this State, where applicable, and regulations promulgated by  
31 the Department of Finance and Administration, as authorized by law, shall be  
32 strictly complied with in disbursement of said funds.

33  
34 SECTION 47. LEGISLATIVE INTENT. It is the intent of the General  
35 Assembly that any funds disbursed under the authority of the appropriations  
36 contained in this act shall be in compliance with the stated reasons for

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

7 SECTION 48. EMERGENCY CLAUSE. It is found and determined by the  
8 General Assembly, that the Constitution of the State of Arkansas prohibits  
9 the appropriation of funds for more than a one (1) year period; that the  
10 effectiveness of this Act on July 1, 2016 is essential to the operation of  
11 the agency for which the appropriations in this Act are provided, and that in  
12 the event of an extension of the legislative session, the delay in the  
13 effective date of this Act beyond July 1, 2016 could work irreparable harm  
14 upon the proper administration and provision of essential governmental  
15 programs. Therefore, an emergency is hereby declared to exist and this Act  
16 being necessary for the immediate preservation of the public peace, health  
17 and safety shall be in full force and effect from and after July 1, 2016.

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19 */s/Joint Budget Committee*  
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