

1 State of Arkansas
2 92nd General Assembly
3 Fiscal Session, 2020
4

As Engrossed: H4/15/20

A Bill

HOUSE BILL 1016

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 DEPARTMENT OF ENERGY
10 AND ENVIRONMENT - DIVISION OF ENVIRONMENTAL QUALITY
11 FOR THE FISCAL YEAR ENDING JUNE 30, 2021; AND FOR
12 OTHER PURPOSES.

Subtitle

13
14 AN ACT FOR THE DEPARTMENT OF ENERGY AND
15 ENVIRONMENT - DIVISION OF ENVIRONMENTAL
16 QUALITY APPROPRIATION FOR THE 2020-2021
17 FISCAL YEAR.
18
19
20

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

23 SECTION 1. REGULAR SALARIES - SHARED SERVICES. There is hereby
24 established for the Department of Energy and Environment for the 2020-2021
25 fiscal year, the following maximum number of regular employees.
26

Item	Class	No. of	Maximum Annual
			Salary Rate
No.	Code	Title	Fiscal Year
		Employees	2020-2021
(1)	SC005	SECRETARY OF ENERGY & ENVIRONMENT	<u>1</u> GRADE SE05
		MAX. NO. OF EMPLOYEES	1

33
34 SECTION 2. APPROPRIATION - SHARED SERVICES PAYING ACCOUNT. There is
35 hereby appropriated, to the Department of Energy and Environment, to be
36 payable from the paying account as determined by the Chief Fiscal Officer of



1 the State, for personal services and operating expenses of the Department of
 2 Energy and Environment for the fiscal year ending June 30, 2021, the
 3 following:

5	ITEM	FISCAL YEAR
6	<u>NO.</u>	<u>2020-2021</u>
7	(01) REGULAR SALARIES	\$139,800
8	(02) PERSONAL SERVICES MATCHING	34,680
9	(03) MAINT. & GEN. OPERATION	
10	(A) OPER. EXPENSE	0
11	(B) CONF. & TRAVEL	0
12	(C) PROF. FEES	0
13	(D) CAP. OUTLAY	0
14	(E) DATA PROC.	0
15	(04) SHARED SERVICES PROGRAMS	<u>0</u>
16	TOTAL AMOUNT APPROPRIATED	<u><u>\$174,480</u></u>

17
 18 SECTION 3. REGULAR SALARIES. There is hereby established for the
 19 Department of Energy and Environment - Division of Environmental Quality for
 20 the 2020-2021 fiscal year, 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. Code Title</u>	<u>Employees</u>	<u>2020-2021</u>
26	(1) U015U ADEQ DIRECTOR	1	GRADE SE03
27	(2) N218N ADEQ SENIOR DEPUTY DIRECTOR	1	GRADE SE02
28	(3) D129C ADEQ DIRECTOR OF INFO TECHNOLOGY	1	GRADE IT10
29	(4) D007C INFORMATION SYSTEMS MANAGER	1	GRADE IT08
30	(5) D030C INFORMATION SYSTEMS COORDINATOR	3	GRADE IT07
31	(6) D039C NETWORK SUPPORT SPECIALIST	1	GRADE IT06
32	(7) D063C COMPUTER SUPPORT SPECIALIST	1	GRADE IT05
33	(8) D052C SOFTWARE SUPPORT ANALYST	7	GRADE IT05
34	(9) D068C INFORMATION SYSTEMS ANALYST	1	GRADE IT04
35	(10) D065C NETWORK SUPPORT ANALYST	1	GRADE IT04
36	(11) D064C WEBSITE DEVELOPER	1	GRADE IT04

1	(12)	N195N ADEQ DEPUTY DIRECTOR	3	GRADE GS15
2	(13)	N067N ADEQ DEPUTY DIRECTOR - LAND RESOURCES	1	GRADE GS15
3	(14)	N180N AEDC ARKANSAS ENERGY OFFICE DIRECTOR	1	GRADE GS14
4	(15)	X004C ADEQ AIR DIVISION MANAGER	1	GRADE GS13
5	(16)	G034C ADEQ ASST AIR/WATER DIVISION MANAGER	2	GRADE GS13
6	(17)	N205N ADEQ DIRECTOR OF COMPLIANCE	1	GRADE GS13
7	(18)	N204N ADEQ DIRECTOR OF SPECIAL PROJECTS	1	GRADE GS13
8	(19)	B012C ADEQ ENGINEER P.E. BRANCH MANAGER	2	GRADE GS13
9	(20)	B141C ADEQ USED TIRE PROGRAM MANAGER	1	GRADE GS13
10	(21)	G005C ADEQ WATER DIVISION MANAGER	1	GRADE GS13
11	(22)	G019C GENERAL COUNSEL	2	GRADE GS13
12	(23)	G004C MANAGING ATTORNEY	1	GRADE GS13
13	(24)	A137C ADEQ FINANCIAL MANAGER	1	GRADE GS12
14	(25)	G033C ADEQ HAZARDOUS WASTE DIV MANAGER	1	GRADE GS12
15	(26)	G032C ADEQ MINING DIVISION MANAGER	1	GRADE GS12
16	(27)	G031C ADEQ PUBLIC OUTREACH DIV MANAGER	1	GRADE GS12
17	(28)	G030C ADEQ REGULATED STORAGE TANKS DIV MAN	1	GRADE GS12
18	(29)	G029C ADEQ SOLID WASTE DIVISION MANAGER	1	GRADE GS12
19	(30)	G028C ADEQ TECHNICAL SERVICES DIV MANAGER	1	GRADE GS12
20	(31)	B142C ADEQ USED TIRE PROGRAM COORDINATOR	3	GRADE GS12
21	(32)	B015C ENGINEER SUPERVISOR	11	GRADE GS12
22	(33)	A014C FISCAL DIVISION MANAGER	1	GRADE GS12
23	(34)	R006C HUMAN RESOURCES ADMINISTRATOR	1	GRADE GS12
24	(35)	A021N ADEQ CHIEF FISCAL OFFICER	1	GRADE GS11
25	(36)	N203N ADEQ DIRECTOR OF ENTERPRISE SERVICES	1	GRADE GS11
26	(37)	G013C AEDC MANAGER OF STRATEGIC ENERGY DEV	1	GRADE GS11
27	(38)	G062C AEDC PROJECT CONSULTANT	1	GRADE GS11
28	(39)	G047C ATTORNEY SPECIALIST	7	GRADE GS11
29	(40)	B023C ENGINEER, P.E.	16	GRADE GS11
30	(41)	G063C ADEQ BRANCH MANAGER	16	GRADE GS10
31	(42)	L099C EPIDEMIOLOGY SUPERVISOR	2	GRADE GS10
32	(43)	A052C ACCOUNTING COORDINATOR	1	GRADE GS09
33	(44)	B037C CHEMIST SUPERVISOR	3	GRADE GS09
34	(45)	B042C ENGINEER	28	GRADE GS09
35	(46)	L028C EPIDEMIOLOGIST	4	GRADE GS09
36	(47)	B035C GEOLOGY SUPERVISOR	3	GRADE GS09

1	(48)	G109C GRANTS MANAGER	3	GRADE GS09
2	(49)	G139C ADEQ FACILITY SUPPORT SVCS MANAGER	1	GRADE GS08
3	(50)	B055C ECOLOGIST COORDINATOR	3	GRADE GS08
4	(51)	R014C PERSONNEL MANAGER	1	GRADE GS08
5	(52)	B043C PROFESSIONAL GEOLOGIST	16	GRADE GS08
6	(53)	E023C TRAINING PROJECT MANAGER	1	GRADE GS08
7	(54)	A089C ACCOUNTANT I	2	GRADE GS07
8	(55)	X059C ADEQ ENFORCEMENT COORDINATOR	7	GRADE GS07
9	(56)	X036C ADEQ INSPECTOR SUPERVISOR	14	GRADE GS07
10	(57)	B081C CHEMIST	9	GRADE GS07
11	(58)	B065C ECOLOGIST	9	GRADE GS07
12	(59)	G248C ENERGY PROGRAM COORDINATOR	1	GRADE GS07
13	(60)	G148C ENERGY PROGRAM MANAGER	1	GRADE GS07
14	(61)	X054C ENVIRONMENTAL PROGRAM COORDINATOR	26	GRADE GS07
15	(62)	C010C EXECUTIVE ASSISTANT TO THE DIRECTOR	2	GRADE GS07
16	(63)	A075C FINANCIAL ANALYST I	2	GRADE GS07
17	(64)	G147C GRANTS COORDINATOR	2	GRADE GS07
18	(65)	P013C PUBLIC INFORMATION COORDINATOR	1	GRADE GS07
19	(66)	A072C RESEARCH & STATISTICS MANAGER	1	GRADE GS07
20	(67)	X186C ADEQ AIR COMPLIANCE MONITOR	2	GRADE GS06
21	(68)	X075C ADEQ ENFORCEMENT ANALYST	11	GRADE GS06
22	(69)	X093C ADEQ INSPECTOR	77	GRADE GS06
23	(70)	C037C ADMINISTRATIVE ANALYST	21	GRADE GS06
24	(71)	R027C BUDGET SPECIALIST	1	GRADE GS06
25	(72)	G180C GRANTS ANALYST	5	GRADE GS06
26	(73)	R025C HUMAN RESOURCES ANALYST	2	GRADE GS06
27	(74)	G179C LEGAL SERVICES SPECIALIST	6	GRADE GS06
28	(75)	S017C MAINTENANCE COORDINATOR	1	GRADE GS07
29	(76)	G178C POLICY DEVELOPMENT COORDINATOR	1	GRADE GS06
30	(77)	P027C PUBLIC INFORMATION SPECIALIST	2	GRADE GS06
31	(78)	V014C BUYER	1	GRADE GS05
32	(79)	A091C FISCAL SUPPORT ANALYST	1	GRADE GS05
33	(80)	C056C ADMINISTRATIVE SPECIALIST III	31	GRADE GS04
34	(81)	R036C HUMAN RESOURCES SPECIALIST	1	GRADE GS04
35	(82)	S046C MAINTENANCE TECHNICIAN	2	GRADE GS04
36	(83)	C073C ADMINISTRATIVE SPECIALIST II	10	GRADE GS03

1 (84) S065C MAINTENANCE ASSISTANT 1 GRADE GS01
 2 MAX. NO. OF EMPLOYEES 421
 3

4 SECTION 4. EXTRA HELP. There is hereby authorized, for the Department
 5 of Energy and Environment - Division of Environmental Quality for the 2020-
 6 2021 fiscal year, the following maximum number of part-time or temporary
 7 employees, to be known as "Extra Help", payable from funds appropriated
 8 herein for such purposes: seventy (70) temporary or part-time employees,
 9 when needed, at rates of pay not to exceed those provided in the Uniform
 10 Classification and Compensation Act, or its successor, or this act for the
 11 appropriate classification.
 12

13 SECTION 5. APPROPRIATION - STATE OPERATIONS. There is hereby
 14 appropriated, to the Department of Energy and Environment, to be payable from
 15 the Division of Environmental Quality Fund Account, for personal services and
 16 operating expenses of the Department of Energy and Environment - Division of
 17 Environmental Quality - State Operations for the fiscal year ending June 30,
 18 2021, the following:
 19

20 ITEM	FISCAL YEAR
21 <u>NO.</u>	<u>2020-2021</u>
22 (01) REGULAR SALARIES	\$3,795,961
23 (02) EXTRA HELP	25,674
24 (03) PERSONAL SERVICES MATCHING	1,231,522
25 (04) MAINT. & GEN. OPERATION	
26 (A) OPER. EXPENSE	353,183
27 (B) CONF. & TRAVEL	32,115
28 (C) PROF. FEES	4,100
29 (D) CAP. OUTLAY	0
30 (E) DATA PROC.	<u>0</u>
31 TOTAL AMOUNT APPROPRIATED	<u>\$5,442,555</u>

32
 33 SECTION 6. APPROPRIATION - FEDERAL OPERATIONS. There is hereby
 34 appropriated, to the Department of Energy and Environment, to be payable from
 35 the federal funds as designated by the Chief Fiscal Officer of the State, for
 36 personal services and operating expenses of the Department of Energy and

1 Environment - Division of Environmental Quality - Federal Operations for the
 2 fiscal year ending June 30, 2021, the following:

3

4 ITEM	FISCAL YEAR
5 <u>NO.</u>	<u>2020-2021</u>
6 (01) REGULAR SALARIES	\$4,414,181
7 (02) EXTRA HELP	148,585
8 (03) PERSONAL SERVICES MATCHING	1,483,046
9 (04) MAINT. & GEN. OPERATION	
10 (A) OPER. EXPENSE	1,083,180
11 (B) CONF. & TRAVEL	168,901
12 (C) PROF. FEES	484,401
13 (D) CAP. OUTLAY	780,000
14 (E) DATA PROC.	0
15 (05) DIESEL EMISSION REDUCTION GRANTS	<u>450,000</u>
16 TOTAL AMOUNT APPROPRIATED	<u><u>\$9,012,294</u></u>

17

18 SECTION 7. APPROPRIATION - WASTE WATER LICENSING. There is hereby
 19 appropriated, to the Department of Energy and Environment, to be payable from
 20 the Wastewater Licensing Fund, for personal services and operating expenses
 21 of the Department of Energy and Environment - Division of Environmental
 22 Quality - Waste Water Licensing for the fiscal year ending June 30, 2021, the
 23 following:

24

25 ITEM	FISCAL YEAR
26 <u>NO.</u>	<u>2020-2021</u>
27 (01) REGULAR SALARIES	\$59,868
28 (02) PERSONAL SERVICES MATCHING	20,157
29 (03) MAINT. & GEN. OPERATION	
30 (A) OPER. EXPENSE	26,721
31 (B) CONF. & TRAVEL	5,000
32 (C) PROF. FEES	50,000
33 (D) CAP. OUTLAY	0
34 (E) DATA PROC.	<u>0</u>
35 TOTAL AMOUNT APPROPRIATED	<u><u>\$161,746</u></u>

36

SECTION 8. APPROPRIATION - LAND RECLAMATION. There is hereby appropriated, to the Department of Energy and Environment, to be payable from the Land Reclamation Fund, for land reclamation contracts of the Department of Energy and Environment - Division of Environmental Quality - Land Reclamation for the fiscal year ending June 30, 2021, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2020-2021</u>
(01) RECLAMATION CONTRACTS	<u>\$950,000</u>

SECTION 9. APPROPRIATION - HAZARDOUS WASTE PERMIT PROGRAM. There is hereby appropriated, to the Department of Energy and Environment, to be payable from the Hazardous Waste Permit Fund, for personal services and operating expenses of the Department of Energy and Environment - Division of Environmental Quality - Hazardous Waste Permit Program for the fiscal year ending June 30, 2021, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2020-2021</u>
(01) REGULAR SALARIES	\$922,042
(02) EXTRA HELP	15,795
(03) PERSONAL SERVICES MATCHING	302,433
(04) OVERTIME	1,250
(05) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	141,544
(B) CONF. & TRAVEL	47,700
(C) PROF. FEES	47,150
(D) CAP. OUTLAY	175,000
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u>\$1,652,914</u>

SECTION 10. APPROPRIATION - RECLAMATION OF ABANDONED MINES. There is hereby appropriated, to the Department of Energy and Environment, to be payable from the Abandoned Mine Reclamation Fund, for contractual services of the Department of Energy and Environment - Division of Environmental Quality - Reclamation of Abandoned Mines for the fiscal year ending June 30, 2021,

1 the following:

2

3 ITEM	FISCAL YEAR
4 <u>NO.</u>	<u>2020-2021</u>
5 (01) ABANDONED MINE RECLAMATION	
6 CONTRACTUAL SERVICES	<u>\$5,700,000</u>

7

8 SECTION 11. APPROPRIATION - SURFACE COAL MINING. There is hereby
 9 appropriated, to the Department of Energy and Environment, to be payable from
 10 the Surface Coal Mining Operation Fund, for operating expenses of the
 11 Department of Energy and Environment - Division of Environmental Quality -
 12 Surface Coal Mining for the fiscal year ending June 30, 2021, the following:

13

14 ITEM	FISCAL YEAR
15 <u>NO.</u>	<u>2020-2021</u>
16 (01) MAINT. & GEN. OPERATION	
17 (A) OPER. EXPENSE	\$15,000
18 (B) CONF. & TRAVEL	0
19 (C) PROF. FEES	0
20 (D) CAP. OUTLAY	0
21 (E) DATA PROC.	<u>0</u>
22 TOTAL AMOUNT APPROPRIATED	<u>\$15,000</u>

23

24 SECTION 12. APPROPRIATION - MINING RECLAMATION. There is hereby
 25 appropriated, to the Department of Energy and Environment, to be payable from
 26 the Mine Reclamation Trust Fund, for contractual services of the Department
 27 of Energy and Environment - Division of Environmental Quality - Mining
 28 Reclamation for the fiscal year ending June 30, 2021, the following:

29

30 ITEM	FISCAL YEAR
31 <u>NO.</u>	<u>2020-2021</u>
32 (01) MINING RECLAMATION CONTRACTUAL	
33 SERVICES	<u>\$1,520,000</u>

34

35 SECTION 13. APPROPRIATION - FEE ADMINISTRATION. There is hereby
 36 appropriated, to the Department of Energy and Environment, to be payable from

1 the Division of Environmental Quality Fee Trust Fund, for personal services
 2 and operating expenses of the Department of Energy and Environment - Division
 3 of Environmental Quality - Fee Administration for the fiscal year ending June
 4 30, 2021, the following:

6 ITEM	FISCAL YEAR
7 NO.	2020-2021
8 (01) REGULAR SALARIES	\$8,436,419
9 (02) EXTRA HELP	45,000
10 (03) PERSONAL SERVICES MATCHING	2,811,490
11 (04) MAINT. & GEN. OPERATION	
12 (A) OPER. EXPENSE	2,290,941
13 (B) CONF. & TRAVEL	175,516
14 (C) PROF. FEES	500,000
15 (D) CAP. OUTLAY	1,170,000
16 (E) DATA PROC.	<u>0</u>
17 TOTAL AMOUNT APPROPRIATED	<u>\$15,429,366</u>

18

19 SECTION 14. APPROPRIATION - SOLID WASTE PERFORMANCE BONDS PROGRAM.

20 There is hereby appropriated, to the Department of Energy and Environment, to
 21 be payable from the Solid Waste Performance Bond Fund, for contractual
 22 services of the Department of Energy and Environment - Division of
 23 Environmental Quality - Solid Waste Performance Bonds Program for the fiscal
 24 year ending June 30, 2021, the following:

25

26 ITEM	FISCAL YEAR
27 NO.	2020-2021
28 (01) SOLID WASTE PERFORMANCE BONDS	
29 CONTRACTUAL SERVICES	<u>\$3,000,000</u>

30

31 SECTION 15. APPROPRIATION - HAZARDOUS WASTE CLEANUP. There is hereby
 32 appropriated, to the Department of Energy and Environment, to be payable from
 33 the Hazardous Substance Remedial Action Trust Fund, for personal services and
 34 operating expenses of the Department of Energy and Environment - Division of
 35 Environmental Quality - Hazardous Waste Cleanup for the fiscal year ending
 36 June 30, 2021, the following:

1		
2	ITEM	FISCAL YEAR
3	<u>NO.</u>	<u>2020-2021</u>
4	(01) REGULAR SALARIES	\$116,608
5	(02) PERSONAL SERVICES MATCHING	36,970
6	(03) MAINT. & GEN. OPERATION	
7	(A) OPER. EXPENSE	302,191
8	(B) CONF. & TRAVEL	35,960
9	(C) PROF. FEES	215,000
10	(D) CAP. OUTLAY	0
11	(E) DATA PROC.	0
12	(04) CONTRACTUAL SERVICES	26,194,000
13	(05) DATA PROCESSING PURCHASES	<u>453,937</u>
14	TOTAL AMOUNT APPROPRIATED	<u><u>\$27,354,666</u></u>

15

16 SECTION 16. APPROPRIATION - EMERGENCY RESPONSE PROGRAM. There is
 17 hereby appropriated, to the Department of Energy and Environment, to be
 18 payable from the Hazardous Substance Remedial Action Trust Fund, for
 19 contractual services of the Department of Energy and Environment - Division
 20 of Environmental Quality - Emergency Response Program for the fiscal year
 21 ending June 30, 2021, the following:

22

23	ITEM	FISCAL YEAR
24	<u>NO.</u>	<u>2020-2021</u>
25	(01) CONTRACTUAL SERVICES	<u><u>\$372,655</u></u>

26

27 SECTION 17. APPROPRIATION - ASBESTOS CONTROL PROGRAM. There is hereby
 28 appropriated, to the Department of Energy and Environment, to be payable from
 29 the Asbestos Control Fund, for personal services and operating expenses of
 30 the Department of Energy and Environment - Division of Environmental Quality
 31 - Asbestos Control Program for the fiscal year ending June 30, 2021, the
 32 following:

33

34	ITEM	FISCAL YEAR
35	<u>NO.</u>	<u>2020-2021</u>
36	(01) REGULAR SALARIES	\$244,742

1	(02) PERSONAL SERVICES MATCHING	87,114
2	(03) MAINT. & GEN. OPERATION	
3	(A) OPER. EXPENSE	29,452
4	(B) CONF. & TRAVEL	4,090
5	(C) PROF. FEES	2,100
6	(D) CAP. OUTLAY	0
7	(E) DATA PROC.	0
8	(04) ASBESTOS CONTROL PROGRAM GRANTS	<u>150,000</u>
9	TOTAL AMOUNT APPROPRIATED	<u><u>\$517,498</u></u>

10

11 SECTION 18. APPROPRIATION - SOLID WASTE MANAGEMENT AND RECYCLING
 12 PROGRAM. There is hereby appropriated, to the Department of Energy and
 13 Environment, to be payable from the Solid Waste Management and Recycling
 14 Fund, for personal services and operating expenses of the Department of
 15 Energy and Environment - Division of Environmental Quality - Solid Waste
 16 Management and Recycling Program for the fiscal year ending June 30, 2021,
 17 the following:

18

19	ITEM	FISCAL YEAR
20	<u>NO.</u>	<u>2020-2021</u>
21	(01) REGULAR SALARIES	\$793,794
22	(02) PERSONAL SERVICES MATCHING	267,502
23	(03) MAINT. & GEN. OPERATION	
24	(A) OPER. EXPENSE	97,179
25	(B) CONF. & TRAVEL	15,668
26	(C) PROF. FEES	0
27	(D) CAP. OUTLAY	100,000
28	(E) DATA PROC.	0
29	(04) REFUNDS/REIMBURSEMENTS	4,650,000
30	(05) ELECTRONIC WASTE RECYCLING	
31	INFRASTRUCTURE	<u>2,500,000</u>
32	TOTAL AMOUNT APPROPRIATED	<u><u>\$8,424,143</u></u>

33

34 SECTION 19. APPROPRIATION - REGULATED SUBSTANCE STORAGE TANK PROGRAM.
 35 There is hereby appropriated, to the Department of Energy and Environment, to
 36 be payable from the Regulated Substance Storage Tank Program Fund, for

1 personal services and operating expenses of the Department of Energy and
 2 Environment - Division of Environmental Quality - Regulated Substance Storage
 3 Tank Program for the fiscal year ending June 30, 2021, the following:

4	5 ITEM	FISCAL YEAR
6	<u>NO.</u>	<u>2020-2021</u>
7	(01) REGULAR SALARIES	\$730,583
8	(02) PERSONAL SERVICES MATCHING	257,533
9	(03) MAINT. & GEN. OPERATION	
10	(A) OPER. EXPENSE	71,128
11	(B) CONF. & TRAVEL	5,005
12	(C) PROF. FEES	0
13	(D) CAP. OUTLAY	0
14	(E) DATA PROC.	<u>0</u>
15	TOTAL AMOUNT APPROPRIATED	<u>\$1,064,249</u>

16
 17 SECTION 20. APPROPRIATION - PETROLEUM STORAGE TANK TRUST FUND. There
 18 is hereby appropriated, to the Department of Energy and Environment, to be
 19 payable from the Petroleum Storage Tank Trust Fund, for personal services and
 20 operating expenses of the Department of Energy and Environment - Division of
 21 Environmental Quality - Petroleum Storage Tank Trust Fund for the fiscal year
 22 ending June 30, 2021, the following:

23	24 ITEM	FISCAL YEAR
25	<u>NO.</u>	<u>2020-2021</u>
26	(01) REGULAR SALARIES	\$304,682
27	(02) PERSONAL SERVICES MATCHING	97,638
28	(03) MAINT. & GEN. OPERATION	
29	(A) OPER. EXPENSE	18,999,800
30	(B) CONF. & TRAVEL	3,005
31	(C) PROF. FEES	2,500,156
32	(D) CAP. OUTLAY	0
33	(E) DATA PROC.	<u>0</u>
34	TOTAL AMOUNT APPROPRIATED	<u>\$21,905,281</u>

35
 36 SECTION 21. APPROPRIATION - REGULATED STORAGE TANK PROGRAM - FEDERAL.

1 There is hereby appropriated, to the Department of Energy and Environment, to
 2 be payable from the federal funds as designated by the Chief Fiscal Officer
 3 of the State, for contractual services of the Department of Energy and
 4 Environment - Division of Environmental Quality - Regulated Storage Tank
 5 Program - Federal for the fiscal year ending June 30, 2021, the following:

7	ITEM	FISCAL YEAR
8	<u>NO.</u>	<u>2020-2021</u>
9	(01) REGULATED STORAGE TANK & CONTRACTUAL	
10	SERVICES	<u>\$3,925,000</u>

11

12 SECTION 22. APPROPRIATION - LANDFILL POST-CLOSURE PROGRAM. There is
 13 hereby appropriated, to the Department of Energy and Environment, to be
 14 payable from the Landfill Post-Closure Trust Fund, for personal services and
 15 operating expenses of the Department of Energy and Environment - Division of
 16 Environmental Quality - Landfill Post-Closure Program for the fiscal year
 17 ending June 30, 2021, the following:

18

19	ITEM	FISCAL YEAR
20	<u>NO.</u>	<u>2020-2021</u>
21	(01) REGULAR SALARIES	\$211,525
22	(02) PERSONAL SERVICES MATCHING	68,937
23	(03) MAINT. & GEN. OPERATION	
24	(A) OPER. EXPENSE	30,923
25	(B) CONF. & TRAVEL	6,000
26	(C) PROF. FEES	0
27	(D) CAP. OUTLAY	0
28	(E) DATA PROC.	0
29	(04) CONTRACTUAL SERVICES	<u>14,109,373</u>
30	TOTAL AMOUNT APPROPRIATED	<u>\$14,426,758</u>

31

32 SECTION 23. APPROPRIATION - MARKETING RECYCLABLES PROGRAM OF THE
 33 COMPLIANCE ADVISORY PANEL. There is hereby appropriated, to the Department
 34 of Energy and Environment, to be payable from the Marketing Recyclables
 35 Program Fund, for personal services and operating expenses of the Department
 36 of Energy and Environment - Division of Environmental Quality - Marketing

1 Recyclables Program of the Compliance Advisory Panel for the fiscal year
2 ending June 30, 2021, the following:

3		
4	ITEM	FISCAL YEAR
5	<u>NO.</u>	<u>2020-2021</u>
6	(01) REGULAR SALARIES	\$1,500
7	(02) PERSONAL SERVICES MATCHING	115
8	(03) MAINT. & GEN. OPERATION	
9	(A) OPER. EXPENSE	13,296
10	(B) CONF. & TRAVEL	6,415
11	(C) PROF. FEES	7,000
12	(D) CAP. OUTLAY	0
13	(E) DATA PROC.	<u>0</u>
14	TOTAL AMOUNT APPROPRIATED	<u><u>\$28,326</u></u>

15
16 SECTION 24. APPROPRIATION - ENVIRONMENTAL EDUCATION PROGRAM. There is
17 hereby appropriated, to the Department of Energy and Environment, to be
18 payable from the Environmental Education Fund, for personal services and
19 operating expenses of the Department of Energy and Environment - Division of
20 Environmental Quality - Environmental Education Program for the fiscal year
21 ending June 30, 2021, the following:

22		
23	ITEM	FISCAL YEAR
24	<u>NO.</u>	<u>2020-2021</u>
25	(01) MAINT. & GEN. OPERATION	
26	(A) OPER. EXPENSE	\$111,300
27	(B) CONF. & TRAVEL	8,000
28	(C) PROF. FEES	26,700
29	(D) CAP. OUTLAY	0
30	(E) DATA PROC.	<u>0</u>
31	TOTAL AMOUNT APPROPRIATED	<u><u>\$146,000</u></u>

32
33 SECTION 25. APPROPRIATION - SMALL BUSINESS LOANS. There is hereby
34 appropriated, to the Department of Energy and Environment, to be payable from
35 the Small Business Revolving Loan Fund, for providing loans to small
36 businesses for projects to meet regulatory mandates in pollution control and

1 prevention technologies of the Department of Energy and Environment -
 2 Division of Environmental Quality for the fiscal year ending June 30, 2021,
 3 the following:

4	5 ITEM	6 FISCAL YEAR
7	NO.	2020-2021
8	(01) SMALL BUSINESS LOANS	<u>\$550,000</u>

9 SECTION 26. APPROPRIATION - SMALL BUSINESS REVOLVING LOAN PROGRAM.

10 There is hereby appropriated, to the Department of Energy and Environment, to
 11 be payable from the Small Business Revolving Loan Fund, for operating
 12 expenses of the Department of Energy and Environment - Division of
 13 Environmental Quality - Small Business Revolving Loan Program for the fiscal
 14 year ending June 30, 2021, the following:

15	16 ITEM	17 FISCAL YEAR
18	NO.	2020-2021
19	(01) MAINT. & GEN. OPERATION	
20	(A) OPER. EXPENSE	\$11,010
21	(B) CONF. & TRAVEL	3,650
22	(C) PROF. FEES	5,000
23	(D) CAP. OUTLAY	0
24	(E) DATA PROC.	<u>0</u>
25	TOTAL AMOUNT APPROPRIATED	<u>\$19,660</u>

26 SECTION 27. APPROPRIATION - PERFORMANCE PARTNERSHIP SYSTEM EXPENSES.

27 There is hereby appropriated, to the Department of Energy and Environment, to
 28 be payable from the Performance Partnership Trust Fund, for expenses of
 29 designing and establishing a management organization of the Department of
 30 Energy and Environment - Division of Environmental Quality for the fiscal
 31 year ending June 30, 2021, the following:

32	33 ITEM	34 FISCAL YEAR
35	NO.	2020-2021
36	(01) PERFORMANCE INTEGRATED INFORMATION SYSTEM EXPENSES	<u>\$563,000</u>

1
 2 SECTION 28. APPROPRIATION - ENVIRONMENTAL SETTLEMENT TRUST. There is
 3 hereby appropriated, to the Department of Energy and Environment, to be
 4 payable from the Environmental Settlement Trust Fund, for expenses as
 5 authorized through various settlement agreements benefiting the State of
 6 Arkansas as administered through the Department of Energy and Environment -
 7 Division of Environmental Quality for the fiscal year ending June 30, 2021,
 8 the following:

10	ITEM	FISCAL YEAR
11	<u>NO.</u>	<u>2020-2021</u>
12	(01) ENVIRONMENTAL SETTLEMENT TRUST	
13	EXPENSES	<u>\$5,650,000</u>

14
 15 SECTION 29. APPROPRIATION - COMPUTER AND ELECTRONIC RECYCLING. There
 16 is hereby appropriated, to the Department of Energy and Environment, to be
 17 payable from the Computer and Electronic Recycling Fund, for grants and
 18 expenses of the Department of Energy and Environment - Division of
 19 Environmental Quality - Computer and Electronic Recycling for the fiscal year
 20 ending June 30, 2021, the following:

22	ITEM	FISCAL YEAR
23	<u>NO.</u>	<u>2020-2021</u>
24	(01) COMPUTER AND ELECTRONICS RECYCLING	
25	MANAGEMENT EXPENSES OR GRANTS	<u>\$250,000</u>

26
 27 SECTION 30. REGULAR SALARIES - POLLUTION CONTROL AND ECOLOGY COMMISSION
 28 - ADMINISTRATIVE HEARING OFFICER. There is hereby established for the
 29 Department of Energy and Environment - Division of Environmental Quality for
 30 the 2020-2021 fiscal year, the following maximum number of regular employees.

32			Maximum Annual
33		Maximum	Salary Rate
34	Item Class	No. of	Fiscal Year
35	<u>No. Code Title</u>	<u>Employees</u>	<u>2020-2021</u>
36	(1) G032N PC&E HEARING OFFICER	1	GRADE GS14

1 (2) G179C LEGAL SERVICES SPECIALIST 1 GRADE GS06
 2 MAX. NO. OF EMPLOYEES 2

3
 4 SECTION 31. APPROPRIATION - POLLUTION CONTROL AND ECOLOGY COMMISSION -
 5 ADMINISTRATIVE HEARING OFFICER. There is hereby appropriated, to the
 6 Department of Energy and Environment, to be payable from the Division of
 7 Environmental Quality Fee Trust Fund, for personal services and operating
 8 expenses of the Department of Energy and Environment - Division of
 9 Environmental Quality - Pollution Control and Ecology Commission -
 10 Administrative Hearing Officer for the fiscal year ending June 30, 2021, the
 11 following:

13 ITEM	FISCAL YEAR
14 <u>NO.</u>	<u>2020-2021</u>
15 (01) REGULAR SALARIES	\$155,058
16 (02) PERSONAL SERVICES MATCHING	44,396
17 (03) MAINT. & GEN. OPERATION	
18 (A) OPER. EXPENSE	49,217
19 (B) CONF. & TRAVEL	6,922
20 (C) PROF. FEES	38,000
21 (D) CAP. OUTLAY	0
22 (E) DATA PROC.	<u>0</u>
23 TOTAL AMOUNT APPROPRIATED	<u><u>\$293,593</u></u>

24
 25 SECTION 32. APPROPRIATION - NON HAZARDOUS SITE CLEANUP. There is
 26 hereby appropriated, to the Department of Energy and Environment, to be
 27 payable from the Division of Environmental Quality Fee Trust Fund, for the
 28 cleanup of non hazardous sites which pose a threat to the environment for the
 29 fiscal year ending June 30, 2021, the following:

31 ITEM	FISCAL YEAR
32 <u>NO.</u>	<u>2020-2021</u>
33 (01) CONTRACTUAL SERVICES	<u><u>\$100,000</u></u>

34
 35 SECTION 33. APPROPRIATION - WATER PERFORMANCE BOND FUND. There is
 36 hereby appropriated, to the Department of Energy and Environment, to be

1 payable from the Water Performance Bond Fund, for contractual services of the
2 Department of Energy and Environment - Division of Environmental Quality -
3 Water Performance Bond Fund for the fiscal year ending June 30, 2021, the
4 following:

6 ITEM	FISCAL YEAR
7 <u>NO.</u>	<u>2020-2021</u>
8 (01) NON-MUNICIPAL DOMESTIC SEWAGE	
9 CONTRACTUAL SERVICES	<u>\$500,000</u>

10

11 SECTION 34. APPROPRIATION - NONMUNICIPAL DOMESTIC SEWAGE TREATMENT
12 WORKS. There is hereby appropriated, to the Department of Energy and
13 Environment, to be payable from the Nonmunicipal Domestic Sewage Treatment
14 Works Trust Fund, for personal services, operating expenses, professional
15 fees, maintenance, and completed closure of a nonmunicipal domestic sewage
16 treatment works of the Department of Energy and Environment - Division of
17 Environmental Quality for the fiscal year ending June 30, 2021, the sum
18 of..... \$55,000.

19

20 SECTION 35. APPROPRIATION - USED TIRE RECYCLING AND ACCOUNTABILITY
21 PROGRAM. There is hereby appropriated, to the Department of Energy and
22 Environment, to be payable from the Used Tire Recycling Fund, for expenses of
23 the Department of Energy and Environment - Division of Environmental Quality
24 - Used Tire Recycling and Accountability Program for the fiscal year ending
25 June 30, 2021, the following:

26

27 ITEM	FISCAL YEAR
28 <u>NO.</u>	<u>2020-2021</u>
29 (01) USED TIRE RECYCLING AND	
30 ACCOUNTABILITY PROGRAM EXPENSES	<u>\$10,788,000</u>

31

32 SECTION 36. APPROPRIATION - STATE OPERATIONS - ENERGY OFFICE. There is
33 hereby appropriated, to the Department of Energy and Environment, to be
34 payable from the Division of Environmental Quality Fund Account, for personal
35 services and operating expenses of the Department of Energy and Environment -
36 Division of Environmental Quality for the fiscal year ending June 30, 2021,

1 the following:

2

3 ITEM	FISCAL YEAR
4 <u>NO.</u>	<u>2020-2021</u>
5 (01) REGULAR SALARIES	\$131,472
6 (02) PERSONAL SERVICES MATCHING	<u>38,734</u>
7 TOTAL AMOUNT APPROPRIATED	<u><u>\$170,206</u></u>

8

9 SECTION 37. APPROPRIATION - STATE ENERGY PLAN - FEDERAL. There is
 10 hereby appropriated, to the Department of Energy and Environment, to be
 11 payable from the federal funds as designated by the Chief Fiscal Officer of
 12 the State, for personal services, operating expenses, and grants and aid of
 13 the Department of Energy and Environment - Division of Environmental Quality
 14 for the fiscal year ending June 30, 2021, the following:

15

16 ITEM	FISCAL YEAR
17 <u>NO.</u>	<u>2020-2021</u>
18 (01) REGULAR SALARIES	\$167,232
19 (02) PERSONAL SERVICES MATCHING	55,364
20 (03) MAINT. & GEN. OPERATION	
21 (A) OPER. EXPENSE	118,273
22 (B) CONF. & TRAVEL	36,788
23 (C) PROF. FEES	268,085
24 (D) CAP. OUTLAY	0
25 (E) DATA PROC.	0
26 (04) ENERGY CONSERVATION GRANTS AND AID	<u>551,952</u>
27 TOTAL AMOUNT APPROPRIATED	<u><u>\$1,197,694</u></u>

28

29 SECTION 38. APPROPRIATION - ENERGY EFFICIENCY ARKANSAS - CASH. There
 30 is hereby appropriated, to the Department of Energy and Environment, to be
 31 payable from the cash fund deposited in the State Treasury as determined by
 32 the Chief Fiscal Officer of the State, for personal services, operating
 33 expenses, and grants and aid of the Department of Energy and Environment -
 34 Division of Environmental Quality for the fiscal year ending June 30, 2021,
 35 the following:

36

1	ITEM	FISCAL YEAR
2	<u>NO.</u>	<u>2020-2021</u>
3	(01) REGULAR SALARIES	\$102,647
4	(02) PERSONAL SERVICES MATCHING	33,751
5	(03) MAINT. & GEN. OPERATION	
6	(A) OPER. EXPENSE	158,900
7	(B) CONF. & TRAVEL	6,000
8	(C) PROF. FEES	746,000
9	(D) CAP. OUTLAY	0
10	(E) DATA PROC.	0
11	(04) ENERGY EFFICIENCY ARKANSAS GRANTS	<u>385,000</u>
12	TOTAL AMOUNT APPROPRIATED	<u><u>\$1,432,298</u></u>

13

14 SECTION 39. APPROPRIATION - CLEAN CITIES COALITION - CASH. There is
 15 hereby appropriated, to the Department of Energy and Environment, to be
 16 payable from the cash fund deposited in the State Treasury as determined by
 17 the Chief Fiscal Officer of the State, for operating expenses and grants and
 18 aid of the Department of Energy and Environment - Division of Environmental
 19 Quality for the fiscal year ending June 30, 2021, the following:

20

21	ITEM	FISCAL YEAR
22	<u>NO.</u>	<u>2020-2021</u>
23	(01) MAINT. & GEN. OPERATION	
24	(A) OPER. EXPENSE	\$20,000
25	(B) CONF. & TRAVEL	8,750
26	(C) PROF. FEES	105,255
27	(D) CAP. OUTLAY	0
28	(E) DATA PROC.	0
29	(02) GRANTS FOR ALTERNATIVE FUEL PROJECTS	<u>55,000</u>
30	TOTAL AMOUNT APPROPRIATED	<u><u>\$189,005</u></u>

31

32 SECTION 40. APPROPRIATION - FEDERAL OPERATIONS - ENERGY OFFICE. There
 33 is hereby appropriated, to the Department of Energy and Environment, to be
 34 payable from the federal funds as designated by the Chief Fiscal Officer of
 35 the State, for personal services, operating expenses, and grants and aid of
 36 the Department of Energy and Environment - Division of Environmental Quality

1 for the fiscal year ending June 30, 2021, the following:

2		
3	ITEM	FISCAL YEAR
4	<u>NO.</u>	<u>2020-2021</u>
5	(01) REGULAR SALARIES	\$383,637
6	(02) PERSONAL SERVICES MATCHING	137,916
7	(03) MAINT. & GEN. OPERATION	
8	(A) OPER. EXPENSE	67,880
9	(B) CONF. & TRAVEL	16,750
10	(C) PROF. FEES	13,500
11	(D) CAP. OUTLAY	0
12	(E) DATA PROC.	0
13	(04) DATA PROCESSING SERVICES	25,046
14	(05) WEATHERIZATION ASSISTANCE PROGRAM	5,561,541
15	(06) LIHEAP GRANTS	<u>28,000,000</u>
16	TOTAL AMOUNT APPROPRIATED	<u>\$34,206,270</u>

17

18 SECTION 41. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 19 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EQUIPMENT
 20 PURCHASE RESTRICTIONS. Expenditures from the Hazardous Substance Remedial
 21 Action Trust Fund for the purchase of departmental laboratory equipment,
 22 including maintenance contracts, data processing equipment and mission-
 23 critical software, including maintenance contracts, as appropriated in the
 24 Capital Outlay and Data Processing Purchases line items of the Hazardous
 25 Waste Cleanup appropriation section, shall be funded through interest
 26 earnings and investment earnings from the Hazardous Substance Remedial Action
 27 Trust Fund and additional funding from the Hazardous Substance Remedial
 28 Action Trust Fund on July 1, ~~2019~~ 2020. Further, the Department shall report
 29 annually to the Arkansas Legislative Council or Joint Budget Committee all
 30 expenditures for these purchases.

31 The provisions of this section shall be in effect only from July 1, ~~2019~~
 32 2020 through June 30, ~~2020~~ 2021.

33

34 SECTION 42. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 35 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
 36 APPROPRIATIONS RESTRICTIONS. No expenditure from the Environmental Settlement

1 Trust Fund for information technology needs may be made without prior
2 approval of the Chief Fiscal Officer of the State, after seeking review of
3 the Arkansas Legislative Council or Joint Budget Committee. Further,
4 utilization of this appropriation for information technology needs of the
5 Arkansas Department of Environmental Quality must also be approved by the
6 Executive Chief Information Officer after the project is evaluated on the
7 methodology recommended by the Chief Information Officer and the CIO Council,
8 including an analysis of the return on investment and linkage to the
9 Department's business objectives. Any approved projects and expenditures for
10 information technology from the Environmental Settlement Trust Fund shall be
11 reported annually to the Joint Committee on Advanced Communications and
12 Information Technology.

13 The provisions of this section shall be in effect only from July 1, ~~2019~~
14 2020 through June 30, ~~2020~~ 2021.

15

16 SECTION 43. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
17 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND
18 TRANSFER PROVISION. Upon approval of the Chief Fiscal Officer of the State,
19 the Arkansas Department of Environmental Quality may transfer from various
20 department funds to the Division of Environmental Quality Fund Account the
21 sum of \$1,500,000 in fiscal year ~~2019-2020~~ 2020-2021 for the exclusive
22 purpose of supplementing funding for the appropriation provided in the State
23 Operations appropriation section. The funds shall be used for personal
24 services and operating expenses of the Arkansas Department of Environmental
25 Quality - State Operations. Funds which remain in the Division of
26 Environmental Quality Fund Account at the close of the fiscal year shall be
27 carried forward and made available for the same purpose for the following
28 fiscal year. These funds shall be used for the purpose stated above.

29 The provisions of this section shall be in effect only from July 1, ~~2019~~
30 2020 through June 30, ~~2020~~ 2021.

31

32 SECTION 44. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
33 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. REPORTING
34 REQUIREMENTS. For the purposes of the fund transfers provided for in the
35 preceding Fund Transfer Provision special language section, the amounts
36 transferred shall not be considered as part of any statutory limitation on

1 the use of funds for administration of programs of the Department.

2 The provisions of this section shall be in effect only from July 1, ~~2019~~
3 2020 through June 30, ~~2020~~ 2021.

4
5 SECTION 45. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
6 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. LANDFILL
7 POST-CLOSURE CLEAN UP RESTRICTIONS. Any expenditures in excess of \$50,000
8 per site from the Landfill Post-Closure Trust Fund, as appropriated in the
9 Contractual Services line item of the Landfill Post-Closure Program
10 appropriation section, for corrective action to remedy environmental impacts
11 of closed disposal sites previously operated as a landfill pursuant to state
12 law, will be prioritized and authorized by the Commission after addressing
13 corrective actions needed to address environmental impacts from permitted
14 landfills closed properly. Expenditures exceeding \$2,000,000 per fiscal year
15 must be approved by the Arkansas Pollution Control and Ecology Commission.

16 The provisions of this section shall be in effect only from July 1, ~~2019~~
17 2020 through June 30, ~~2020~~ 2021.

18
19 SECTION 46. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
20 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. NON
21 HAZARDOUS SITE CLEAN UP RESTRICTIONS. Expenditures from the Division of
22 Environmental Quality Fee Trust Fund for the cleanup of non hazardous sites
23 which pose a threat to the environment, as appropriated in the Non Hazardous
24 Site Cleanup appropriation section, shall be funded only through interest
25 earnings from the Division of Environmental Quality Fee Trust Fund. The
26 Arkansas Department of Environmental Quality shall seek cost recovery from
27 parties responsible for damages to the environment that dictate the use of
28 appropriation authorized in the Non Hazardous Site Cleanup appropriation
29 section of this act, as well as any other funds spent by a governmental
30 entity to remediate such non hazardous sites.

31 The provisions of this section shall be in effect only from July 1, ~~2019~~
32 2020 through June 30, ~~2020~~ 2021.

33
34 SECTION 47. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
35 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. LANDFILL
36 POST-CLOSURE TRUST FUND.

1 (a) The General Assembly finds that:

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

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

7 (b) Notwithstanding Arkansas Code § 8-6-1001 et seq. and any Landfill
8 Post-Closure Trust Fund cleanup restrictions enumerated in this Act, the
9 Arkansas Department of Environmental Quality also may:

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

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

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

18 (C) *Is otherwise insolvent, ~~†~~ and*

19 ~~(2) Institute a civil action against the regional solid waste~~
20 ~~management district and all of the entities composing the regional solid~~
21 ~~waste management district to seek the recovery of any funds expended from the~~
22 ~~Landfill Post-Closure Trust Fund under subdivision (b)(1) of this section,~~
23 ~~unless satisfactory repayment arrangements are reached and agreed upon by the~~
24 ~~department with the district and the bondholders.~~

25 (c) *This section is in effect only from July 1, 2019 2020 through June*
26 *30, ~~2020~~ 2021.*

27
28 SECTION 48. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
29 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
30 SUSPENSION OF LANDFILL DISPOSAL FEES TO SUPPORT A COMPUTER AND ELECTRONIC
31 EQUIPMENT RECYCLING PROGRAM.

32 (a) The landfill disposal fee to support a computer and electronic
33 equipment recycling program levied under Arkansas Code § 8-6-612(a) shall not
34 be levied from the effective date of this act through June 30, ~~2020~~ 2021.

35 (b) Any landfill disposal fees collected under Arkansas Code § 8-6-
36 612(a) before the effective date of this act shall be:

- 1 (1) Collected as provided under Arkansas Code § 8-6-612(c); and
2 (2) Distributed as provided under Arkansas Code § 8-6-616 and
3 this Act.

4 The provision of this section shall be in effect only from July 1, ~~2019~~
5 2020 through June 30, ~~2020~~ 2021.

6
7 SECTION 49. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
8 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

9 INVESTMENTS. All funds that are held in any trust fund administered by the
10 Arkansas Department of Environmental Quality may be invested and reinvested,
11 subject to the written approval of the Officer of the Treasurer, and all
12 investments as authorized for use by the Office of the Treasurer may be
13 available to the listed funds. The movement of these funds into and out of
14 investments shall be by fund transfers as directed by the Director of the
15 Arkansas Department of Environmental Quality or the Director's designee.

16 The provisions of this section shall be in effect only from July 1, ~~2019~~
17 2020 through June 30, ~~2020~~ 2021.

18

19 SECTION 50. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
20 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRUST
21 FUND CONTRIBUTION FEES.

22 (a) For purposes of collecting trust fund contribution fees under § 8-
23 4-203(b), the Arkansas Department of Environmental Quality shall treat a
24 public facilities boards and public water authorities as municipal systems.

25 (b) This section expires on June 30, ~~2019~~ 2021.

26

27 SECTION 51. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
28 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. LOAN

29 Notwithstanding the provisions of Arkansas Code Annotated § 19-5-
30 501(b)(1)(C)(ii) and (D)(i), immediately upon the effective date of this act,
31 the director of the Arkansas Department of Environmental Quality is
32 authorized to request the Chief Fiscal Officer of the State to make a loan on
33 his or her books in the amount not to exceed ten million dollars
34 (\$10,000,000) from the Budget Stabilization Trust Fund to the Hazardous
35 Substance Remedial Action Trust Fund. Loan repayments shall be made from time
36 to time from any legal fund of the Arkansas Department of Environmental

1 Quality and the entire amount of the loan shall be repaid to the Budget
2 Stabilization Trust Fund by June 30, 2023.

3 By October 15, January 15, April 15, and July 15 of each fiscal year
4 the Arkansas Department of Environmental Quality shall report to Arkansas
5 Legislative Council or Joint Budget Committee the status of hazardous waste
6 cleanup efforts at the Trafalgar Road site in Bella Vista, Arkansas. The
7 report shall include:

- 8 (a) all funds expended by each quarter of the fiscal year
- 9 (b) source of funds expended
- 10 (c) estimated total of funds to be expended
- 11 (d) expected date for completion of cleanup
- 12 (e) all efforts of cost recovery from responsible parties

13

14 SECTION 52. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
15 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SHARED
16 SERVICES.

17 (a)(1)(A) The Chief Fiscal Officer of the State may create paying
18 accounts on his or her books and on the books of the Treasurer of State and
19 the Auditor of State for the payment of personal services and operating
20 expenses by the Department of Energy and Environment.

21 (B) Upon prior approval of the Arkansas Legislative Council, or
22 if meeting in Legislative Session the Joint Budget Committee, the Chief
23 Fiscal Officer of the State shall direct the transfer of funds and
24 appropriations to the Shared Services Paying Account appropriation section of
25 this act and the transfer of positions to the Regular Salaries – Shared
26 Services appropriation section of this act on the books of the Treasurer of
27 State, the Auditor of State, and the Chief Fiscal Officer of the State.

28 (2) The transfer authority provided in subdivision (a)(1) of
29 this section for efficiencies and to eliminate duplication of services are
30 limited only to those services that are provided for multiple divisions of a
31 department, including without limitation to administration, human resources,
32 procurement, communications, fleet operations, and information services.

33 (3) The transfer authority provided to the department in
34 subdivision (a)(1) of this section may be used to make transfers only within
35 the department's appropriation act or between other appropriation acts
36 authorized for the department.

1 (b)(1) Each department utilizing the Shared Services Paying Account
2 section or Regular Salaries – Shared Services section of this act shall
3 submit a report to be included in the Budget Manuals for hearings, conducted
4 by the General Assembly, listing all shared services transfers of positions,
5 funds, and appropriation under this section, which shall be submitted as
6 instructed by the Department of Finance and Administration - Office of Budget
7 for uniformity.

8 (2) A report submitted under subdivision (b)(1) of this section
9 shall include the following:

10 (A) The position number, authorized position title, class
11 code, grade, business area, and name of the division, section, or unit for
12 the position being transferred to the Regular Salaries – Shared Services
13 section of this act; and

14 (B) The fund center, appropriation, appropriation amount,
15 commitment item or items, business area, and name of the division, section,
16 or unit for the fund or appropriation being transferred to the Shared
17 Services Paying Account.

18 (c)(1) It is the intent of the Ninety-Second General Assembly that the
19 authority under this section to transfer positions is intended for use for
20 the time period prior to Fiscal Year 2022 to allow cabinet-level departments
21 to establish a centralized Regular Salaries - Shared Services section, with
22 the recommendation that the position transfer authority granted under this
23 section be discontinued after that time.

24 (2) The Bureau of Legislative Research shall bring the
25 recommendation in subdivision (c)(1) of this section to the attention of the
26 chairs conducting the 2021 Regular Session pre-session budget hearings, the
27 chairs of the Special Language Subcommittee, and the members of the Special
28 Language Subcommittee during pre-session budget hearings.

29 (d) Determining the maximum number of employees and the maximum amount
30 of appropriation and general revenue funding for a cabinet-level department
31 each fiscal year is the prerogative of the General Assembly and is usually
32 accomplished by delineating the maximums in the appropriation act or acts and
33 establishing authorized positions and the general revenue allocations
34 authorized for each fund and fund account by amendment to the Revenue
35 Stabilization Law. Further, the General Assembly has determined that the
36 cabinet-level departments created under Acts 2019, No. 910, may operate more

1 efficiently if some flexibility is provided as authorized under this section.
2 Therefore, it is both necessary and appropriate that the General Assembly
3 maintain oversight by requiring prior approval of the Legislative Council or,
4 if the General Assembly is in session, the Joint Budget Committee, as
5 provided by this section. The requirement of approval by the Legislative
6 Council or Joint Budget Committee is not a severable part of this section.
7 If the requirement of approval by the Legislative Council or Joint Budget
8 Committee is ruled unconstitutional by a court of competent jurisdiction,
9 this entire section is void.

10 (e) The provisions of this section shall be in effect from the date of
11 passage through June 30, 2021.

12
13 SECTION 53. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
14 authorized by this act shall be limited to the appropriation for such agency
15 and funds made available by law for the support of such appropriations; and
16 the restrictions of the State Procurement Law, the General Accounting and
17 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
18 Procedures and Restrictions Act, or their successors, and other fiscal
19 control laws of this State, where applicable, and regulations promulgated by
20 the Department of Finance and Administration, as authorized by law, shall be
21 strictly complied with in disbursement of said funds.

22
23 SECTION 54. LEGISLATIVE INTENT. It is the intent of the General
24 Assembly that any funds disbursed under the authority of the appropriations
25 contained in this act shall be in compliance with the stated reasons for
26 which this act was adopted, as evidenced by the Agency Requests, Executive
27 Recommendations and Legislative Recommendations contained in the budget
28 manuals prepared by the Department of Finance and Administration, letters, or
29 summarized oral testimony in the official minutes of the Arkansas Legislative
30 Council or Joint Budget Committee which relate to its passage and adoption.

31
32 SECTION 55. EMERGENCY CLAUSE. It is found and determined by the
33 General Assembly, that the Constitution of the State of Arkansas prohibits
34 the appropriation of funds for more than a one (1) year period; that the
35 effectiveness of this Act on July 1, 2020 is essential to the operation of
36 the agency for which the appropriations in this Act are provided, and that in

1 the event of an extension of the legislative session, the delay in the
2 effective date of this Act beyond July 1, 2020 could work irreparable harm
3 upon the proper administration and provision of essential governmental
4 programs. Therefore, an emergency is hereby declared to exist and this Act
5 being necessary for the immediate preservation of the public peace, health
6 and safety shall be in full force and effect from and after July 1, 2020.

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8 */s/Joint Budget Committee*
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