

1 State of Arkansas
2 93rd General Assembly
3 Regular Session, 2021
4

A Bill

HOUSE BILL 1207

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, 2022; AND FOR
12 OTHER PURPOSES.
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Subtitle

15 AN ACT FOR THE DEPARTMENT OF ENERGY AND
16 ENVIRONMENT - DIVISION OF ENVIRONMENTAL
17 QUALITY APPROPRIATION FOR THE 2021-2022
18 FISCAL YEAR.
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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 - SHARED SERVICES. There is hereby
25 established for the Department of Energy and Environment for the 2021-2022
26 fiscal year, the following maximum number of regular employees.
27

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2021-2022
32	(1) SC005	SECRETARY OF ENERGY & ENVIRONMENT	1	GRADE SE05
33	(2) N218N	E&E CHIEF ADMINISTRATOR	1	GRADE SE02
34	(3) D129C	E&E DIRECTOR OF INFORMATION TECH	1	GRADE IT10
35	(4) D007C	INFORMATION SYSTEMS MANAGER	1	GRADE IT08
36	(5) D030C	INFORMATION SYSTEMS COORDINATOR	3	GRADE IT07



1	(6)	D015C STATE NETWORK ENGINEER	1	GRADE IT07
2	(7)	D040C GIS ANALYST	2	GRADE IT06
3	(8)	D039C NETWORK SUPPORT SPECIALIST	1	GRADE IT06
4	(9)	D063C COMPUTER SUPPORT SPECIALIST	1	GRADE IT05
5	(10)	D052C SOFTWARE SUPPORT ANALYST	8	GRADE IT05
6	(11)	D044C SYSTEMS ANALYST	1	GRADE IT05
7	(12)	D062C DATABASE ANALYST	1	GRADE IT04
8	(13)	D068C INFORMATION SYSTEMS ANALYST	1	GRADE IT04
9	(14)	D065C NETWORK SUPPORT ANALYST	1	GRADE IT04
10	(15)	D064C WEBSITE DEVELOPER	1	GRADE IT04
11	(16)	D071C COMPUTER SUPPORT ANALYST	1	GRADE IT03
12	(17)	D078C GIS TECHNICIAN	2	GRADE IT02
13	(18)	G298C E&E CHIEF COUNSEL	1	GRADE GS15
14	(19)	N230N E&E CHIEF OF STAFF	1	GRADE GS15
15	(20)	N205N E&E DIRECTOR OF COMPLIANCE	1	GRADE GS13
16	(21)	N204N E&E DIRECTOR OF SPECIAL PROJECTS	1	GRADE GS13
17	(22)	B012C E&E SENIOR MANAGER	2	GRADE GS13
18	(23)	G019C GENERAL COUNSEL	3	GRADE GS13
19	(24)	G004C MANAGING ATTORNEY	1	GRADE GS13
20	(25)	G024C DEPARTMENT ADMINISTRATIVE LAW JUDGE	1	GRADE GS12
21	(26)	G031C E&E ADMIN OPERATIONS MANAGER	1	GRADE GS12
22	(27)	P079C E&E CHIEF OF COMMUNICATIONS	1	GRADE GS12
23	(28)	A137C E&E FINANCIAL MANAGER	1	GRADE GS12
24	(29)	G028C E&E TECHNICAL OPERATIONS MANAGER	1	GRADE GS12
25	(30)	A014C FISCAL DIVISION MANAGER	1	GRADE GS12
26	(31)	R006C HUMAN RESOURCES ADMINISTRATOR	1	GRADE GS12
27	(32)	G047C ATTORNEY SPECIALIST	6	GRADE GS11
28	(33)	G076C ADMINISTRATIVE SERVICES MANAGER	1	GRADE GS10
29	(34)	A044C AUDIT COORDINATOR	1	GRADE GS10
30	(35)	G063C E&E BRANCH MANAGER	1	GRADE GS10
31	(36)	B037C CHEMIST SUPERVISOR	3	GRADE GS09
32	(37)	A038C FISCAL SUPPORT MANAGER	1	GRADE GS09
33	(38)	G139C E&E FACILITY SUPPORT SVCS MANAGER	1	GRADE GS08
34	(39)	R014C PERSONNEL MANAGER	1	GRADE GS08
35	(40)	V007C PROCUREMENT COORDINATOR	1	GRADE GS08
36	(41)	A089C ACCOUNTANT I	2	GRADE GS07

1	(42)	B081C CHEMIST	7	GRADE GS07
2	(43)	X054C ENVIRONMENTAL PROGRAM COORDINATOR	4	GRADE GS07
3	(44)	C010C EXECUTIVE ASSISTANT TO THE DIRECTOR	2	GRADE GS07
4	(45)	A075C FINANCIAL ANALYST I	1	GRADE GS07
5	(46)	B051C GEOLOGIST	1	GRADE GS07
6	(47)	S017C MAINTENANCE COORDINATOR	1	GRADE GS07
7	(48)	P013C PUBLIC INFORMATION COORDINATOR	2	GRADE GS07
8	(49)	X082C E&E INSPECTOR II	1	GRADE GS06
9	(50)	P049C GRAPHIC ARTIST	2	GRADE GS06
10	(51)	R025C HUMAN RESOURCES ANALYST	2	GRADE GS06
11	(52)	G179C LEGAL SERVICES SPECIALIST	6	GRADE GS06
12	(53)	P027C PUBLIC INFORMATION SPECIALIST	2	GRADE GS06
13	(54)	V014C BUYER	1	GRADE GS05
14	(55)	A091C FISCAL SUPPORT ANALYST	2	GRADE GS05
15	(56)	C056C ADMINISTRATIVE SPECIALIST III	4	GRADE GS04
16	(57)	A098C FISCAL SUPPORT SPECIALIST	1	GRADE GS04
17	(58)	R036C HUMAN RESOURCES SPECIALIST	1	GRADE GS04
18	(59)	S046C MAINTENANCE TECHNICIAN	3	GRADE GS04
19	(60)	C073C ADMINISTRATIVE SPECIALIST II	2	GRADE GS03
20	(61)	S065C MAINTENANCE ASSISTANT	<u>1</u>	GRADE GS01
21		MAX. NO. OF EMPLOYEES	109	

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23 SECTION 2. APPROPRIATION - SHARED SERVICES PAYING ACCOUNT. There is
 24 hereby appropriated, to the Department of Energy and Environment, to be
 25 payable from the paying account as determined by the Chief Fiscal Officer of
 26 the State, for personal services and operating expenses of the Department of
 27 Energy and Environment for the fiscal year ending June 30, 2022, the
 28 following:

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30	ITEM	FISCAL YEAR
31	<u>NO.</u>	<u>2021-2022</u>
32	(01) REGULAR SALARIES	\$6,195,032
33	(02) PERSONAL SERVICES MATCHING	2,009,069
34	(03) MAINT. & GEN. OPERATION	
35	(A) OPER. EXPENSE	0
36	(B) CONF. & TRAVEL	0

1	(C) PROF. FEES	0
2	(D) CAP. OUTLAY	0
3	(E) DATA PROC.	<u>0</u>
4	TOTAL AMOUNT APPROPRIATED	<u><u>\$8,204,101</u></u>

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6 SECTION 3. REGULAR SALARIES. There is hereby established for the
 7 Department of Energy and Environment - Division of Environmental Quality for
 8 the 2021-2022 fiscal year, the following maximum number of regular employees.
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10				Maximum Annual
11				Salary Rate
12	Item	Class	Maximum	Fiscal Year
13	No.	Code Title	No. of	2021-2022
			Employees	
14	(1)	U015U DEQ DIRECTOR	1	GRADE SE03
15	(2)	N195N DEQ ASSOCIATE DIRECTOR	3	GRADE GS15
16	(3)	N180N E&E ASSOCIATE DIRECTOR ENERGY	1	GRADE GS14
17	(4)	B146C E&E PROF ENGINEER SENIOR MANAGER	3	GRADE GS13
18	(5)	B012C E&E SENIOR MANAGER	2	GRADE GS13
19	(6)	G032C E&E ENERGY OPERATIONS MANAGER	1	GRADE GS12
20	(7)	B142C E&E ENVIRONMENTAL OPERATIONS MANAGER	4	GRADE GS12
21	(8)	B015C ENGINEER SUPERVISOR	11	GRADE GS12
22	(9)	G047C ATTORNEY SPECIALIST	1	GRADE GS11
23	(10)	N203N E&E DIRECTOR OF ENTERPRISE SERVICES	1	GRADE GS11
24	(11)	A021N E&E ENERGY FISCAL OFFICER	1	GRADE GS11
25	(12)	G013C E&E ENERGY PROGRAM MANAGER	2	GRADE GS11
26	(13)	B023C ENGINEER, P.E.	16	GRADE GS11
27	(14)	G063C E&E BRANCH MANAGER	14	GRADE GS10
28	(15)	L099C EPIDEMIOLOGY SUPERVISOR	2	GRADE GS10
29	(16)	A052C ACCOUNTING COORDINATOR	1	GRADE GS09
30	(17)	B042C ENGINEER	28	GRADE GS09
31	(18)	L028C EPIDEMIOLOGIST	4	GRADE GS09
32	(19)	B035C GEOLOGY SUPERVISOR	3	GRADE GS09
33	(20)	G109C GRANTS MANAGER	3	GRADE GS09
34	(21)	B055C ECOLOGIST COORDINATOR	3	GRADE GS08
35	(22)	B043C PROFESSIONAL GEOLOGIST	16	GRADE GS08
36	(23)	E023C TRAINING PROJECT MANAGER	1	GRADE GS08

1	(24)	B081C CHEMIST	2	GRADE GS07
2	(25)	G159C DEPARTMENT BUSINESS COORDINATOR	1	GRADE GS07
3	(26)	X059C E&E COMPLIANCE COORDINATOR	6	GRADE GS07
4	(27)	X036C E&E INSPECTOR SUPERVISOR I	13	GRADE GS07
5	(28)	B065C ECOLOGIST	9	GRADE GS07
6	(29)	G248C ENERGY PROGRAM COORDINATOR	1	GRADE GS07
7	(30)	G148C ENERGY PROGRAM MANAGER	1	GRADE GS07
8	(31)	X054C ENVIRONMENTAL PROGRAM COORDINATOR	20	GRADE GS07
9	(32)	A075C FINANCIAL ANALYST I	1	GRADE GS07
10	(33)	G147C GRANTS COORDINATOR	3	GRADE GS07
11	(34)	P020C PRODUCTION ARTIST	1	GRADE GS07
12	(35)	A072C RESEARCH & STATISTICS MANAGER	1	GRADE GS07
13	(36)	C037C ADMINISTRATIVE ANALYST	18	GRADE GS06
14	(37)	X075C E&E COMPLIANCE ANALYST	14	GRADE GS06
15	(38)	X093C E&E INSPECTOR II	76	GRADE GS06
16	(39)	G180C GRANTS ANALYST	6	GRADE GS06
17	(40)	G178C POLICY DEVELOPMENT COORDINATOR	1	GRADE GS06
18	(41)	C056C ADMINISTRATIVE SPECIALIST III	28	GRADE GS04
19	(42)	C073C ADMINISTRATIVE SPECIALIST II	<u>8</u>	GRADE GS03
20		MAX. NO. OF EMPLOYEES	332	

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22 SECTION 4. EXTRA HELP. There is hereby authorized, for the Department
 23 of Energy and Environment - Division of Environmental Quality for the 2021-
 24 2022 fiscal year, the following maximum number of part-time or temporary
 25 employees, to be known as "Extra Help", payable from funds appropriated
 26 herein for such purposes: seventy (70) temporary or part-time employees,
 27 when needed, at rates of pay not to exceed those provided in the Uniform
 28 Classification and Compensation Act, or its successor, or this act for the
 29 appropriate classification.

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31 SECTION 5. APPROPRIATION - STATE OPERATIONS. There is hereby
 32 appropriated, to the Department of Energy and Environment, to be payable from
 33 the Division of Environmental Quality Fund Account, for personal services and
 34 operating expenses of the Department of Energy and Environment - Division of
 35 Environmental Quality - State Operations for the fiscal year ending June 30,
 36 2022, the following:

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ITEM NO.	FISCAL YEAR
	2021-2022
(01) REGULAR SALARIES	\$1,746,099
(02) EXTRA HELP	25,674
(03) PERSONAL SERVICES MATCHING	587,068
(04) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	353,183
(B) CONF. & TRAVEL	32,115
(C) PROF. FEES	4,100
(D) CAP. OUTLAY	0
(E) DATA PROC.	0
TOTAL AMOUNT APPROPRIATED	<u>\$2,748,239</u>

SECTION 6. APPROPRIATION - FEDERAL OPERATIONS. There is hereby appropriated, to the Department of Energy and Environment, to be payable from the federal funds as designated by the Chief Fiscal Officer of the State, for personal services and operating expenses of the Department of Energy and Environment - Division of Environmental Quality - Federal Operations for the fiscal year ending June 30, 2022, the following:

ITEM NO.	FISCAL YEAR
	2021-2022
(01) REGULAR SALARIES	\$3,582,612
(02) EXTRA HELP	148,585
(03) PERSONAL SERVICES MATCHING	1,246,953
(04) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	1,083,180
(B) CONF. & TRAVEL	168,901
(C) PROF. FEES	484,401
(D) CAP. OUTLAY	780,000
(E) DATA PROC.	0
(05) DIESEL EMISSION REDUCTION AWARD GRANTS	<u>450,000</u>
TOTAL AMOUNT APPROPRIATED	<u>\$7,944,632</u>

SECTION 7. APPROPRIATION - WASTE WATER LICENSING. There is hereby

1 appropriated, to the Department of Energy and Environment, to be payable from
 2 the Wastewater Licensing Fund, for personal services and operating expenses
 3 of the Department of Energy and Environment - Division of Environmental
 4 Quality - Waste Water Licensing for the fiscal year ending June 30, 2022, the
 5 following:

7 ITEM	FISCAL YEAR
8 <u>NO.</u>	<u>2021-2022</u>
9 (01) REGULAR SALARIES	\$62,742
10 (02) PERSONAL SERVICES MATCHING	21,489
11 (03) MAINT. & GEN. OPERATION	
12 (A) OPER. EXPENSE	26,721
13 (B) CONF. & TRAVEL	5,000
14 (C) PROF. FEES	50,000
15 (D) CAP. OUTLAY	0
16 (E) DATA PROC.	<u>0</u>
17 TOTAL AMOUNT APPROPRIATED	<u><u>\$165,952</u></u>

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 19 SECTION 8. APPROPRIATION - LAND RECLAMATION. There is hereby
 20 appropriated, to the Department of Energy and Environment, to be payable from
 21 the Land Reclamation Fund, for land reclamation contracts of the Department
 22 of Energy and Environment - Division of Environmental Quality - Land
 23 Reclamation for the fiscal year ending June 30, 2022, the following:

25 ITEM	FISCAL YEAR
26 <u>NO.</u>	<u>2021-2022</u>
27 (01) RECLAMATION CONTRACTS	<u><u>\$950,000</u></u>

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 29 SECTION 9. APPROPRIATION - HAZARDOUS WASTE PERMIT PROGRAM. There is
 30 hereby appropriated, to the Department of Energy and Environment, to be
 31 payable from the Hazardous Waste Permit Fund, for personal services and
 32 operating expenses of the Department of Energy and Environment - Division of
 33 Environmental Quality - Hazardous Waste Permit Program for the fiscal year
 34 ending June 30, 2022, the following:

36 ITEM	FISCAL YEAR
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1	<u>NO.</u>	<u>2021-2022</u>
2	(01) REGULAR SALARIES	\$734,366
3	(02) EXTRA HELP	15,795
4	(03) PERSONAL SERVICES MATCHING	248,409
5	(04) OVERTIME	1,250
6	(05) MAINT. & GEN. OPERATION	
7	(A) OPER. EXPENSE	141,544
8	(B) CONF. & TRAVEL	47,700
9	(C) PROF. FEES	47,150
10	(D) CAP. OUTLAY	175,000
11	(E) DATA PROC.	<u>0</u>
12	TOTAL AMOUNT APPROPRIATED	<u><u>\$1,411,214</u></u>

13
 14 SECTION 10. APPROPRIATION - RECLAMATION OF ABANDONED MINES. There is
 15 hereby appropriated, to the Department of Energy and Environment, to be
 16 payable from the Abandoned Mine Reclamation Fund, for contractual services of
 17 the Department of Energy and Environment - Division of Environmental Quality
 18 - Reclamation of Abandoned Mines for the fiscal year ending June 30, 2022,
 19 the following:

20		
21	ITEM	FISCAL YEAR
22	<u>NO.</u>	<u>2021-2022</u>
23	(01) ABANDONED MINE RECLAMATION	
24	CONTRACTUAL SERVICES	<u><u>\$5,700,000</u></u>

25
 26 SECTION 11. APPROPRIATION - SURFACE COAL MINING. There is hereby
 27 appropriated, to the Department of Energy and Environment, to be payable from
 28 the Surface Coal Mining Operation Fund, for operating expenses of the
 29 Department of Energy and Environment - Division of Environmental Quality -
 30 Surface Coal Mining for the fiscal year ending June 30, 2022, the following:

31		
32	ITEM	FISCAL YEAR
33	<u>NO.</u>	<u>2021-2022</u>
34	(01) MAINT. & GEN. OPERATION	
35	(A) OPER. EXPENSE	\$15,000
36	(B) CONF. & TRAVEL	0

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

5
6 SECTION 12. APPROPRIATION - MINING RECLAMATION. There is hereby
7 appropriated, to the Department of Energy and Environment, to be payable from
8 the Mine Reclamation Trust Fund, for contractual services of the Department
9 of Energy and Environment - Division of Environmental Quality - Mining
10 Reclamation for the fiscal year ending June 30, 2022, the following:

11		
12	ITEM	FISCAL YEAR
13	<u>NO.</u>	<u>2021-2022</u>
14	(01) MINING RECLAMATION CONTRACTUAL	
15	SERVICES	<u><u>\$1,520,000</u></u>
16		

17 SECTION 13. APPROPRIATION - FEE ADMINISTRATION. There is hereby
18 appropriated, to the Department of Energy and Environment, to be payable from
19 the Division of Environmental Quality Fee Trust Fund, for personal services
20 and operating expenses of the Department of Energy and Environment - Division
21 of Environmental Quality - Fee Administration for the fiscal year ending June
22 30, 2022, the following:

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24	ITEM	FISCAL YEAR
25	<u>NO.</u>	<u>2021-2022</u>
26	(01) REGULAR SALARIES	\$7,146,722
27	(02) EXTRA HELP	45,000
28	(03) PERSONAL SERVICES MATCHING	2,452,615
29	(04) MAINT. & GEN. OPERATION	
30	(A) OPER. EXPENSE	2,290,941
31	(B) CONF. & TRAVEL	175,516
32	(C) PROF. FEES	500,000
33	(D) CAP. OUTLAY	1,050,000
34	(E) DATA PROC.	0
35	(05) DIESEL EMISSION REDUCTION AWARDS	
36	GRANTS	<u><u>363,000</u></u>

1 TOTAL AMOUNT APPROPRIATED \$14,023,794

2

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

4 There is hereby appropriated, to the Department of Energy and Environment, to
 5 be payable from the Solid Waste Performance Bond Fund, for contractual
 6 services of the Department of Energy and Environment - Division of
 7 Environmental Quality - Solid Waste Performance Bonds Program for the fiscal
 8 year ending June 30, 2022, the following:

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10 ITEM	FISCAL YEAR
11 <u>NO.</u>	<u>2021-2022</u>
12 (01) SOLID WASTE PERFORMANCE BONDS	
13 CONTRACTUAL SERVICES	<u>\$3,000,000</u>

14

15 SECTION 15. APPROPRIATION - HAZARDOUS WASTE CLEANUP. There is hereby
 16 appropriated, to the Department of Energy and Environment, to be payable from
 17 the Hazardous Substance Remedial Action Trust Fund, for personal services and
 18 operating expenses of the Department of Energy and Environment - Division of
 19 Environmental Quality - Hazardous Waste Cleanup for the fiscal year ending
 20 June 30, 2022, the following:

21

22 ITEM	FISCAL YEAR
23 <u>NO.</u>	<u>2021-2022</u>
24 (01) REGULAR SALARIES	\$116,608
25 (02) PERSONAL SERVICES MATCHING	37,993
26 (03) MAINT. & GEN. OPERATION	
27 (A) OPER. EXPENSE	302,191
28 (B) CONF. & TRAVEL	35,960
29 (C) PROF. FEES	215,000
30 (D) CAP. OUTLAY	0
31 (E) DATA PROC.	0
32 (04) CONTRACTUAL SERVICES	6,194,000
33 (05) DATA PROCESSING PURCHASES	<u>453,937</u>
34 TOTAL AMOUNT APPROPRIATED	<u>\$7,355,689</u>

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36 SECTION 16. APPROPRIATION - EMERGENCY RESPONSE PROGRAM. There is

1 hereby appropriated, to the Department of Energy and Environment, to be
 2 payable from the Hazardous Substance Remedial Action Trust Fund, for
 3 contractual services of the Department of Energy and Environment - Division
 4 of Environmental Quality - Emergency Response Program for the fiscal year
 5 ending June 30, 2022, the following:

6

7 ITEM	FISCAL YEAR
8 <u>NO.</u>	<u>2021-2022</u>
9 (01) CONTRACTUAL SERVICES	<u>\$372,655</u>

10

11 SECTION 17. APPROPRIATION - ASBESTOS CONTROL PROGRAM. There is hereby
 12 appropriated, to the Department of Energy and Environment, to be payable from
 13 the Asbestos Control Fund, for personal services and operating expenses of
 14 the Department of Energy and Environment - Division of Environmental Quality
 15 - Asbestos Control Program for the fiscal year ending June 30, 2022, the
 16 following:

17

18 ITEM	FISCAL YEAR
19 <u>NO.</u>	<u>2021-2022</u>
20 (01) REGULAR SALARIES	\$225,718
21 (02) PERSONAL SERVICES MATCHING	85,037
22 (03) MAINT. & GEN. OPERATION	
23 (A) OPER. EXPENSE	29,452
24 (B) CONF. & TRAVEL	4,090
25 (C) PROF. FEES	2,100
26 (D) CAP. OUTLAY	0
27 (E) DATA PROC.	0
28 (04) ASBESTOS CONTROL PROGRAM GRANTS	<u>150,000</u>
29 TOTAL AMOUNT APPROPRIATED	<u>\$496,397</u>

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31 SECTION 18. APPROPRIATION - SOLID WASTE MANAGEMENT AND RECYCLING
 32 PROGRAM. There is hereby appropriated, to the Department of Energy and
 33 Environment, to be payable from the Solid Waste Management and Recycling
 34 Fund, for personal services and operating expenses of the Department of
 35 Energy and Environment - Division of Environmental Quality - Solid Waste
 36 Management and Recycling Program for the fiscal year ending June 30, 2022,

1 the following:

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3 ITEM	FISCAL YEAR
4 <u>NO.</u>	<u>2021-2022</u>
5 (01) REGULAR SALARIES	\$648,568
6 (02) PERSONAL SERVICES MATCHING	225,500
7 (03) MAINT. & GEN. OPERATION	
8 (A) OPER. EXPENSE	97,179
9 (B) CONF. & TRAVEL	15,668
10 (C) PROF. FEES	0
11 (D) CAP. OUTLAY	100,000
12 (E) DATA PROC.	0
13 (04) REFUNDS/REIMBURSEMENTS	4,650,000
14 (05) ELECTRONIC WASTE RECYCLING	
15 INFRASTRUCTURE	<u>2,500,000</u>
16 TOTAL AMOUNT APPROPRIATED	<u><u>\$8,236,915</u></u>

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

19 There is hereby appropriated, to the Department of Energy and Environment, to
 20 be payable from the Regulated Substance Storage Tank Program Fund, for
 21 personal services and operating expenses of the Department of Energy and
 22 Environment - Division of Environmental Quality - Regulated Substance Storage
 23 Tank Program for the fiscal year ending June 30, 2022, the following:

24

25 ITEM	FISCAL YEAR
26 <u>NO.</u>	<u>2021-2022</u>
27 (01) REGULAR SALARIES	\$731,609
28 (02) PERSONAL SERVICES MATCHING	262,411
29 (03) MAINT. & GEN. OPERATION	
30 (A) OPER. EXPENSE	71,128
31 (B) CONF. & TRAVEL	5,005
32 (C) PROF. FEES	0
33 (D) CAP. OUTLAY	0
34 (E) DATA PROC.	<u>0</u>
35 TOTAL AMOUNT APPROPRIATED	<u><u>\$1,070,153</u></u>

36

SECTION 20. APPROPRIATION - PETROLEUM STORAGE TANK TRUST FUND. There is hereby appropriated, to the Department of Energy and Environment, to be payable from the Petroleum Storage Tank Trust Fund, for personal services and operating expenses of the Department of Energy and Environment - Division of Environmental Quality - Petroleum Storage Tank Trust Fund for the fiscal year ending June 30, 2022, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2021-2022</u>
(01) REGULAR SALARIES	\$264,342
(02) PERSONAL SERVICES MATCHING	94,355
(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><u>\$21,861,658</u></u>

SECTION 21. APPROPRIATION - REGULATED STORAGE TANK PROGRAM - FEDERAL. There is hereby appropriated, to the Department of Energy and Environment, to be payable from the federal funds as designated by the Chief Fiscal Officer of the State, for contractual services of the Department of Energy and Environment - Division of Environmental Quality - Regulated Storage Tank Program - Federal for the fiscal year ending June 30, 2022, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2021-2022</u>
(01) REGULATED STORAGE TANK & CONTRACTUAL SERVICES	<u><u>\$3,925,000</u></u>

SECTION 22. APPROPRIATION - LANDFILL POST-CLOSURE PROGRAM. There is hereby appropriated, to the Department of Energy and Environment, to be payable from the Landfill Post-Closure Trust Fund, for personal services and operating expenses of the Department of Energy and Environment - Division of Environmental Quality - Landfill Post-Closure Program for the fiscal year

1 ending June 30, 2022, the following:

2

3 ITEM	FISCAL YEAR
4 <u>NO.</u>	<u>2021-2022</u>
5 (01) REGULAR SALARIES	\$213,630
6 (02) PERSONAL SERVICES MATCHING	71,419
7 (03) MAINT. & GEN. OPERATION	
8 (A) OPER. EXPENSE	30,923
9 (B) CONF. & TRAVEL	6,000
10 (C) PROF. FEES	0
11 (D) CAP. OUTLAY	0
12 (E) DATA PROC.	0
13 (04) CONTRACTUAL SERVICES	<u>14,109,373</u>
14 TOTAL AMOUNT APPROPRIATED	<u><u>\$14,431,345</u></u>

15

16 SECTION 23. APPROPRIATION - MARKETING RECYCLABLES PROGRAM OF THE
 17 COMPLIANCE ADVISORY PANEL. There is hereby appropriated, to the Department
 18 of Energy and Environment, to be payable from the Marketing Recyclables
 19 Program Fund, for personal services and operating expenses of the Department
 20 of Energy and Environment - Division of Environmental Quality - Marketing
 21 Recyclables Program of the Compliance Advisory Panel for the fiscal year
 22 ending June 30, 2022, the following:

23

24 ITEM	FISCAL YEAR
25 <u>NO.</u>	<u>2021-2022</u>
26 (01) REGULAR SALARIES	\$1,500
27 (02) PERSONAL SERVICES MATCHING	115
28 (03) MAINT. & GEN. OPERATION	
29 (A) OPER. EXPENSE	13,296
30 (B) CONF. & TRAVEL	6,415
31 (C) PROF. FEES	7,000
32 (D) CAP. OUTLAY	0
33 (E) DATA PROC.	<u>0</u>
34 TOTAL AMOUNT APPROPRIATED	<u><u>\$28,326</u></u>

35

36 SECTION 24. APPROPRIATION - ENVIRONMENTAL EDUCATION PROGRAM. There is

1 hereby appropriated, to the Department of Energy and Environment - Division
 2 of Environmental Quality, to be payable from the Environmental Education
 3 Fund, for operating expenses of the Department of Energy and Environment -
 4 Division of Environmental Quality - Environmental Education Program for the
 5 fiscal year ending June 30, 2022, the following:

6	7 ITEM	FISCAL YEAR
8	<u>NO.</u>	<u>2021-2022</u>
9	(01) MAINT. & GEN. OPERATION	
10	(A) OPER. EXPENSE	\$111,300
11	(B) CONF. & TRAVEL	8,000
12	(C) PROF. FEES	26,700
13	(D) CAP. OUTLAY	0
14	(E) DATA PROC.	<u>0</u>
15	TOTAL AMOUNT APPROPRIATED	<u><u>\$146,000</u></u>

16

17 SECTION 25. APPROPRIATION - SMALL BUSINESS LOANS. There is hereby
 18 appropriated, to the Department of Energy and Environment, to be payable from
 19 the Small Business Revolving Loan Fund, for providing loans to small
 20 businesses for projects to meet regulatory mandates in pollution control and
 21 prevention technologies of the Department of Energy and Environment -
 22 Division of Environmental Quality for the fiscal year ending June 30, 2022,
 23 the following:

24	25 ITEM	FISCAL YEAR
26	<u>NO.</u>	<u>2021-2022</u>
27	(01) SMALL BUSINESS LOANS	<u><u>\$550,000</u></u>

28

29 SECTION 26. APPROPRIATION - SMALL BUSINESS REVOLVING LOAN PROGRAM.
 30 There is hereby appropriated, to the Department of Energy and Environment, to
 31 be payable from the Small Business Revolving Loan Fund, for operating
 32 expenses of the Department of Energy and Environment - Division of
 33 Environmental Quality - Small Business Revolving Loan Program for the fiscal
 34 year ending June 30, 2022, the following:

35	36 ITEM	FISCAL YEAR
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1	<u>NO.</u>	<u>2021-2022</u>
2	(01) MAINT. & GEN. OPERATION	
3	(A) OPER. EXPENSE	\$11,010
4	(B) CONF. & TRAVEL	3,650
5	(C) PROF. FEES	5,000
6	(D) CAP. OUTLAY	0
7	(E) DATA PROC.	<u>0</u>
8	TOTAL AMOUNT APPROPRIATED	<u><u>\$19,660</u></u>

9

10 SECTION 27. APPROPRIATION - PERFORMANCE PARTNERSHIP SYSTEM EXPENSES.

11 There is hereby appropriated, to the Department of Energy and Environment, to
 12 be payable from the Performance Partnership Trust Fund, for expenses of
 13 designing and establishing a management organization of the Department of
 14 Energy and Environment - Division of Environmental Quality for the fiscal
 15 year ending June 30, 2022, the following:

16

17	ITEM	FISCAL YEAR
18	<u>NO.</u>	<u>2021-2022</u>
19	(01) PERFORMANCE INTEGRATED INFORMATION	
20	SYSTEM EXPENSES	<u><u>\$563,000</u></u>

21

22 SECTION 28. APPROPRIATION - ENVIRONMENTAL SETTLEMENT TRUST. There is
 23 hereby appropriated, to the Department of Energy and Environment, to be
 24 payable from the Environmental Settlement Trust Fund, for expenses as
 25 authorized through various settlement agreements benefiting the State of
 26 Arkansas as administered through the Department of Energy and Environment -
 27 Division of Environmental Quality for the fiscal year ending June 30, 2022,
 28 the following:

29

30	ITEM	FISCAL YEAR
31	<u>NO.</u>	<u>2021-2022</u>
32	(01) ENVIRONMENTAL SETTLEMENT TRUST	
33	EXPENSES	<u><u>\$5,650,000</u></u>

34

35 SECTION 29. APPROPRIATION - COMPUTER AND ELECTRONIC RECYCLING. There
 36 is hereby appropriated, to the Department of Energy and Environment, to be

1 payable from the Computer and Electronic Recycling Fund, for grants and
 2 expenses of the Department of Energy and Environment - Division of
 3 Environmental Quality - Computer and Electronic Recycling for the fiscal year
 4 ending June 30, 2022, the following:

6	ITEM	FISCAL YEAR
7	<u>NO.</u>	<u>2021-2022</u>
8	(01) COMPUTER AND ELECTRONICS RECYCLING	
9	MANAGEMENT EXPENSES OR GRANTS	<u>\$250,000</u>

10
 11 SECTION 30. REGULAR SALARIES - POLLUTION CONTROL AND ECOLOGY COMMISSION
 12 - ADMINISTRATIVE HEARING OFFICER. There is hereby established for the
 13 Department of Energy and Environment - Division of Environmental Quality for
 14 the 2021-2022 fiscal year, the following maximum number of regular employees.

16			Maximum Annual
17			Salary Rate
18	Item Class	Maximum	Fiscal Year
19	<u>No. Code Title</u>	<u>No. of</u>	<u>2021-2022</u>
20	(1) G032N PC&E HEARING OFFICER	1	GRADE GS14
21	(2) G179C LEGAL SERVICES SPECIALIST	<u>1</u>	GRADE GS06
22	MAX. NO. OF EMPLOYEES	2	

23
 24 SECTION 31. APPROPRIATION - POLLUTION CONTROL AND ECOLOGY COMMISSION -
 25 ADMINISTRATIVE HEARING OFFICER. There is hereby appropriated, to the
 26 Department of Energy and Environment, to be payable from the Division of
 27 Environmental Quality Fee Trust Fund, for personal services and operating
 28 expenses of the Department of Energy and Environment - Division of
 29 Environmental Quality - Pollution Control and Ecology Commission -
 30 Administrative Hearing Officer for the fiscal year ending June 30, 2022, the
 31 following:

33	ITEM	FISCAL YEAR
34	<u>NO.</u>	<u>2021-2022</u>
35	(01) REGULAR SALARIES	\$164,847
36	(02) PERSONAL SERVICES MATCHING	47,777

1	(03) MAINT. & GEN. OPERATION	
2	(A) OPER. EXPENSE	49,217
3	(B) CONF. & TRAVEL	6,922
4	(C) PROF. FEES	38,000
5	(D) CAP. OUTLAY	0
6	(E) DATA PROC.	<u>0</u>
7	TOTAL AMOUNT APPROPRIATED	<u><u>\$306,763</u></u>

8

9 SECTION 32. APPROPRIATION - NON HAZARDOUS SITE CLEANUP. There is
 10 hereby appropriated, to the Department of Energy and Environment, to be
 11 payable from the Division of Environmental Quality Fee Trust Fund, for the
 12 cleanup of non hazardous sites which pose a threat to the environment for the
 13 fiscal year ending June 30, 2022, the following:

14

15	ITEM	FISCAL YEAR
16	<u>NO.</u>	<u>2021-2022</u>
17	(01) CONTRACTUAL SERVICES	<u><u>\$100,000</u></u>

18

19 SECTION 33. APPROPRIATION - WATER PERFORMANCE BOND FUND. There is
 20 hereby appropriated, to the Department of Energy and Environment, to be
 21 payable from the Water Performance Bond Fund, for contractual services of the
 22 Department of Energy and Environment - Division of Environmental Quality -
 23 Water Performance Bond Fund for the fiscal year ending June 30, 2022, the
 24 following:

25

26	ITEM	FISCAL YEAR
27	<u>NO.</u>	<u>2021-2022</u>
28	(01) NON MUNICIPAL DOMESTIC SEWAGE	
29	CONTRACTUAL SERVICES	<u><u>\$500,000</u></u>

30

31 SECTION 34. APPROPRIATION - NONMUNICIPAL DOMESTIC SEWAGE TREATMENT
 32 WORKS. There is hereby appropriated, to the Department of Energy and
 33 Environment, to be payable from the Nonmunicipal Domestic Sewage Treatment
 34 Works Trust Fund, for personal services and operating expenses of the
 35 Department of Energy and Environment - Division of Environmental Quality -
 36 Nonmunicipal Domestic Sewage Treatment Works for the fiscal year ending June

1 30, 2022, the following:

2

3 ITEM	FISCAL YEAR
4 <u>NO.</u>	<u>2021-2022</u>
5 (01) NONMUNICIPAL DOMESTIC SEWAGE TREATMENT	<u>\$55,000</u>

6

7 SECTION 35. APPROPRIATION - USED TIRE RECYCLING AND ACCOUNTABILITY
 8 PROGRAM. There is hereby appropriated, to the Department of Energy and
 9 Environment, to be payable from the Used Tire Recycling Fund, for expenses of
 10 the Department of Energy and Environment - Division of Environmental Quality
 11 - Used Tire Recycling and Accountability Program for the fiscal year ending
 12 June 30, 2022, the following:

13

14 ITEM	FISCAL YEAR
15 <u>NO.</u>	<u>2021-2022</u>
16 (01) USED TIRE RECYCLING AND 17 ACCOUNTABILITY PROGRAM EXPENSES	<u>\$10,788,000</u>

18

19 SECTION 36. APPROPRIATION - STATE OPERATIONS - ENERGY OFFICE. There is
 20 hereby appropriated, to the Department of Energy and Environment - Division
 21 of Environmental Quality, to be payable from the Division of Environmental
 22 Quality Fund Account, for personal services of the Department of Energy and
 23 Environment - Division of Environmental Quality for the fiscal year ending
 24 June 30, 2022, the following:

25

26 ITEM	FISCAL YEAR
27 <u>NO.</u>	<u>2021-2022</u>
28 (01) REGULAR SALARIES	\$170,799
29 (02) PERSONAL SERVICES MATCHING	<u>50,630</u>
30 TOTAL AMOUNT APPROPRIATED	<u>\$221,429</u>

31

32 SECTION 37. APPROPRIATION - STATE ENERGY PLAN - FEDERAL. There is
 33 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, 2022, the following:

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ITEM	FISCAL YEAR
<u>NO.</u>	<u>2021-2022</u>
(01) REGULAR SALARIES	\$226,898
(02) PERSONAL SERVICES MATCHING	75,447
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	118,273
(B) CONF. & TRAVEL	36,788
(C) PROF. FEES	268,085
(D) CAP. OUTLAY	0
(E) DATA PROC.	0
(04) ENERGY CONSERVATION GRANTS AND AID	<u>551,952</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$1,277,443</u></u>

SECTION 38. APPROPRIATION - ENERGY EFFICIENCY ARKANSAS - CASH. There is hereby appropriated, to the Department of Energy and Environment, to be payable from the cash fund deposited in the State Treasury as determined by the Chief Fiscal Officer of the State, for personal services, operating expenses, and grants and aid of the Department of Energy and Environment - Division of Environmental Quality for the fiscal year ending June 30, 2022, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2021-2022</u>
(01) REGULAR SALARIES	\$103,871
(02) PERSONAL SERVICES MATCHING	35,946
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	158,900
(B) CONF. & TRAVEL	6,000
(C) PROF. FEES	746,000
(D) CAP. OUTLAY	0
(E) DATA PROC.	0
(04) ENERGY EFFICIENCY ARKANSAS GRANTS	<u>385,000</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$1,435,717</u></u>

SECTION 39. APPROPRIATION - CLEAN CITIES COALITION - CASH. There is hereby appropriated, to the Department of Energy and Environment, to be payable from the cash fund deposited in the State Treasury as determined by the Chief Fiscal Officer of the State, for operating expenses and grants and aid of the Department of Energy and Environment - Division of Environmental Quality for the fiscal year ending June 30, 2022, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2021-2022</u>
(01) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	\$20,000
(B) CONF. & TRAVEL	8,750
(C) PROF. FEES	105,255
(D) CAP. OUTLAY	0
(E) DATA PROC.	0
(02) GRANTS FOR ALTERNATIVE FUEL PROJECTS	<u>55,000</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$189,005</u></u>

SECTION 40. APPROPRIATION - FEDERAL OPERATIONS - ENERGY OFFICE. There is hereby appropriated, to the Department of Energy and Environment, to be payable from the federal funds as designated by the Chief Fiscal Officer of the State, for personal services, operating expenses, and grants and aid of the Department of Energy and Environment - Division of Environmental Quality for the fiscal year ending June 30, 2022, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2021-2022</u>
(01) REGULAR SALARIES	\$411,270
(02) PERSONAL SERVICES MATCHING	148,281
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	67,880
(B) CONF. & TRAVEL	16,750
(C) PROF. FEES	13,500
(D) CAP. OUTLAY	0
(E) DATA PROC.	0
(04) LIHEAP GRANTS	37,108,910

1	(05) DATA PROCESSING SERVICES	25,046
2	(06) WEATHERIZATION ASSISTANCE PROGRAM	<u>5,561,541</u>
3	TOTAL AMOUNT APPROPRIATED	<u>\$43,353,178</u>

4
 5 SECTION 41. APPROPRIATION - ALTERNATIVE FUELS VEHICLES PROGRAM. There
 6 is hereby appropriated, to the Department of Energy and Environment, to be
 7 payable from the cash fund deposited in the State Treasury as determined by
 8 the Chief Fiscal Officer of the State, for operating expenses of the
 9 Department of Energy and Environment - Division of Environmental Quality for
 10 the fiscal year ending June 30, 2022, the following:

11	ITEM	FISCAL YEAR
12	NO.	2021-2022
13	<hr/>	
14	(01) MAINT. & GEN. OPERATION	
15	(A) OPER. EXPENSE	\$435,000
16	(B) CONF. & TRAVEL	0
17	(C) PROF. FEES	0
18	(D) CAP. OUTLAY	0
19	(E) DATA PROC.	<u>0</u>
20	TOTAL AMOUNT APPROPRIATED	<u>\$435,000</u>

21
 22 SECTION 42. APPROPRIATION - ENERGY PERFORMANCE CONTRACTS. There is
 23 hereby appropriated, to the Department of Energy and Environment, to be
 24 payable from the cash fund deposited in the State Treasury as determined by
 25 the Chief Fiscal Officer of the State, for operating expenses of the
 26 Department of Energy and Environment - Division of Environmental Quality for
 27 the fiscal year ending June 30, 2022, the following:

28	ITEM	FISCAL YEAR
29	NO.	2021-2022
30	<hr/>	
31	(01) MAINT. & GEN. OPERATION	
32	(A) OPER. EXPENSE	\$25,000
33	(B) CONF. & TRAVEL	0
34	(C) PROF. FEES	300,000
35	(D) CAP. OUTLAY	0
36	(E) DATA PROC.	<u>0</u>

1 TOTAL AMOUNT APPROPRIATED \$325,000

2
 3 SECTION 43. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 4 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EQUIPMENT
 5 PURCHASE RESTRICTIONS. Expenditures from the Hazardous Substance Remedial
 6 Action Trust Fund for the purchase of ~~departmental~~ division laboratory
 7 equipment, including maintenance contracts, data processing equipment and
 8 mission-critical software, including maintenance contracts, as appropriated
 9 in the Capital Outlay and Data Processing Purchases line items of the
 10 Hazardous Waste Cleanup appropriation section, shall be funded through
 11 interest earnings and investment earnings from the Hazardous Substance
 12 Remedial Action Trust Fund and additional funding from the Hazardous
 13 Substance Remedial Action Trust Fund on July 1, ~~2020~~ 2021. Further, the
 14 ~~Department~~ Division shall report annually to the Arkansas Legislative Council
 15 or Joint Budget Committee all expenditures for these purchases.

16 The provisions of this section shall be in effect only from July 1, ~~2020~~
 17 2021 through June 30, ~~2021~~ 2022.

18
 19 SECTION 44. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 20 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
 21 APPROPRIATIONS RESTRICTIONS. No expenditure from the Environmental Settlement
 22 Trust Fund for information technology needs may be made without prior
 23 approval of the Chief Fiscal Officer of the State, after seeking review of
 24 the Arkansas Legislative Council or Joint Budget Committee. Further,
 25 utilization of this appropriation for information technology needs of the
 26 Arkansas ~~Department~~ Division of Environmental Quality must also be approved
 27 by the Executive Chief Information Officer after the project is evaluated on
 28 the methodology recommended by the Chief Information Officer and the CIO
 29 Council, including an analysis of the return on investment and linkage to the
 30 ~~Department's~~ Division's business objectives. Any approved projects and
 31 expenditures for information technology from the Environmental Settlement
 32 Trust Fund shall be reported annually to the Joint Committee on Advanced
 33 Communications and Information Technology.

34 The provisions of this section shall be in effect only from July 1, ~~2020~~
 35 2021 through June 30, ~~2021~~ 2022.

1 SECTION 45. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
2 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND
3 TRANSFER PROVISION. Upon approval of the Chief Fiscal Officer of the State,
4 the Arkansas ~~Department~~ Division of Environmental Quality may transfer from
5 various department funds to the Division of Environmental Quality Fund
6 Account the sum of \$1,500,000 in fiscal year ~~2020-2021~~ 2021-2022 for the
7 exclusive purpose of supplementing funding for the appropriation provided in
8 the State Operations appropriation section. The funds shall be used for
9 personal services and operating expenses of the Arkansas ~~Department~~ Division
10 of Environmental Quality - State Operations. Funds which remain in the
11 Division of Environmental Quality Fund Account at the close of the fiscal
12 year shall be carried forward and made available for the same purpose for the
13 following fiscal year. These funds shall be used for the purpose stated
14 above.

15 The provisions of this section shall be in effect only from July 1, ~~2020~~
16 2021 through June 30, ~~2021~~ 2022.

17
18 SECTION 46. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
19 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. REPORTING
20 REQUIREMENTS. For the purposes of the fund transfers provided for in the
21 preceding Fund Transfer Provision special language section, the amounts
22 transferred shall not be considered as part of any statutory limitation on
23 the use of funds for administration of programs of the ~~Department~~ Division.

24 The provisions of this section shall be in effect only from July 1, ~~2020~~
25 2021 through June 30, ~~2021~~ 2022.

26
27 SECTION 47. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
28 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. LANDFILL
29 POST-CLOSURE CLEAN UP RESTRICTIONS. Any expenditures in excess of ~~\$50,000~~
30 \$2,000,000 per site from the Landfill Post-Closure Trust Fund, as
31 appropriated in the Contractual Services line item of the Landfill Post-
32 Closure Program appropriation section, for corrective action to remedy
33 environmental impacts of closed disposal sites previously operated as a
34 landfill pursuant to state law, ~~will be prioritized and authorized~~ shall be
35 subject to review and approval by the Arkansas Pollution Control and Ecology
36 Commission after addressing corrective actions needed to address

1 environmental impacts from permitted landfills closed properly. ~~Expenditures~~
 2 ~~exceeding \$2,000,000 per fiscal year must be approved by the Arkansas~~
 3 ~~Pollution Control and Ecology Commission.~~

4 The provisions of this section shall be in effect only from July 1, ~~2020~~
 5 2021 through June 30, ~~2021~~ 2022.

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

19 The provisions of this section shall be in effect only from July 1, ~~2020~~
 20 2021 through June 30, ~~2021~~ 2022.

21
 22 SECTION 49. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 23 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. LANDFILL
 24 POST-CLOSURE TRUST FUND.

25 (a) The General Assembly finds that:

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

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

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

34 (1) Expend monies from the Landfill Post-Closure Trust Fund to a
 35 state-approved contractor or the regional solid waste management district to
 36 complete all actions necessary to achieve the ~~final closure and~~ post-closure

1 care of a landfill owned by a regional solid waste management district if the
 2 ~~department~~ division determines that the regional solid waste management
 3 district:

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

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

7 (C) Is otherwise insolvent.

8 (c) This section is in effect only from July 1, ~~2020~~ 2021 through June
 9 30, ~~2021~~ 2022.

10
 11 SECTION 50. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 12 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

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

21 The provisions of this section shall be in effect only from July 1, ~~2020~~
 22 2021 through June 30, ~~2021~~ 2022.

23
 24 SECTION 51. SPECIAL LANGUAGE. SPECIAL LANGUAGE - CODE AMENDMENT.
 25 Arkansas Code § 8-4-203, concerning the issuance, modification, renewal or
 26 transfer of a National Pollutant Discharge Elimination System permit, is
 27 amended to add an additional subsection to read as follows:

28 (p) For the purpose of collecting trust fund contribution fees under
 29 subsection (b) of this section, the division shall treat a public facilities
 30 board or a public water authority as a municipal system.

31
 32 SECTION 52. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 33 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SHARED
 34 SERVICES.

35 (a)(1)(A) The Chief Fiscal Officer of the State may create paying
 36 accounts on his or her books and on the books of the Treasurer of State and

1 the Auditor of State for the payment of personal services and operating
2 expenses by the Department of Energy and Environment.

3 (B) Upon prior approval of the Arkansas Legislative Council, or
4 if meeting in Legislative Session the Joint Budget Committee, the Chief
5 Fiscal Officer of the State shall direct the transfer of funds and
6 appropriations to the Shared Services Paying Account appropriation section of
7 this act and the transfer of positions to the Regular Salaries – Shared
8 Services appropriation section of this act on the books of the Treasurer of
9 State, the Auditor of State, and the Chief Fiscal Officer of the State.

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

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

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

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

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

32 (B) The fund center, appropriation, appropriation amount,
33 commitment item or items, business area, and name of the division, section,
34 or unit for the fund or appropriation being transferred to the Shared
35 Services Paying Account.

36 (c)(1) It is the intent of the Ninety-Second General Assembly that the

1 authority under this section to transfer positions is intended for use for
2 the time period prior to Fiscal Year ~~2022~~ 2023 to allow cabinet-level
3 departments to establish a centralized Regular Salaries - Shared Services
4 section, with the recommendation that the position transfer authority granted
5 under this section be discontinued after that time.

6 (2) The Bureau of Legislative Research shall bring the
7 recommendation in subdivision (c)(1) of this section to the attention of the
8 chairs conducting the ~~2021~~ 2022 ~~Regular~~ Fiscal Session pre-session budget
9 hearings, the chairs of the Special Language Subcommittee, and the members of
10 the Special Language Subcommittee during pre-session budget hearings.

11 (d) Determining the maximum number of employees and the maximum amount
12 of appropriation and general revenue funding for a cabinet-level department
13 each fiscal year is the prerogative of the General Assembly and is usually
14 accomplished by delineating the maximums in the appropriation act or acts and
15 establishing authorized positions and the general revenue allocations
16 authorized for each fund and fund account by amendment to the Revenue
17 Stabilization Law. Further, the General Assembly has determined that the
18 cabinet-level departments created under Acts 2019, No. 910, may operate more
19 efficiently if some flexibility is provided as authorized under this section.
20 Therefore, it is both necessary and appropriate that the General Assembly
21 maintain oversight by requiring prior approval of the Legislative Council or,
22 if the General Assembly is in session, the Joint Budget Committee, as
23 provided by this section. The requirement of approval by the Legislative
24 Council or Joint Budget Committee is not a severable part of this section.
25 If the requirement of approval by the Legislative Council or Joint Budget
26 Committee is ruled unconstitutional by a court of competent jurisdiction,
27 this entire section is void.

28 (e) The provisions of this section shall be in effect from the date of
29 passage through June 30, ~~2021~~ 2022.

30
31 SECTION 53. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
32 authorized by this act shall be limited to the appropriation for such agency
33 and funds made available by law for the support of such appropriations; and
34 the restrictions of the State Procurement Law, the General Accounting and
35 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
36 Procedures and Restrictions Act, or their successors, and other fiscal

1 control laws of this State, where applicable, and regulations promulgated by
2 the Department of Finance and Administration, as authorized by law, shall be
3 strictly complied with in disbursement of said funds.
4

5 SECTION 54. LEGISLATIVE INTENT. It is the intent of the General
6 Assembly that any funds disbursed under the authority of the appropriations
7 contained in this act shall be in compliance with the stated reasons for
8 which this act was adopted, as evidenced by the Agency Requests, Executive
9 Recommendations and Legislative Recommendations contained in the budget
10 manuals prepared by the Department of Finance and Administration, letters, or
11 summarized oral testimony in the official minutes of the Arkansas Legislative
12 Council or Joint Budget Committee which relate to its passage and adoption.
13

14 SECTION 55. EMERGENCY CLAUSE. It is found and determined by the
15 General Assembly, that the Constitution of the State of Arkansas prohibits
16 the appropriation of funds for more than a one (1) year period; that the
17 effectiveness of this Act on July 1, 2021 is essential to the operation of
18 the agency for which the appropriations in this Act are provided, and that in
19 the event of an extension of the legislative session, the delay in the
20 effective date of this Act beyond July 1, 2021 could work irreparable harm
21 upon the proper administration and provision of essential governmental
22 programs. Therefore, an emergency is hereby declared to exist and this Act
23 being necessary for the immediate preservation of the public peace, health
24 and safety shall be in full force and effect from and after July 1, 2021.
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