

Stricken language will be deleted and underlined language will be added.

1 State of Arkansas As Engrossed: H2/4/21 H3/15/21 H3/31/21 H4/5/21

2 93rd General Assembly

A Bill

3 Regular Session, 2021

HOUSE BILL 1207

4

5 By: Joint Budget Committee

6

7

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.

13

14

15

Subtitle

16

AN ACT FOR THE DEPARTMENT OF ENERGY AND

17

ENVIRONMENT - DIVISION OF ENVIRONMENTAL

18

QUALITY APPROPRIATION FOR THE 2021-2022

19

FISCAL YEAR.

20

21

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

23

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

28

Maximum Annual

29

Maximum

Salary Rate

30

Item Class

No. of

Fiscal Year

31

No. Code Title

Employees

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	4	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	<u>108</u>	

22

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:

29

30	ITEM	FISCAL YEAR
31	<u>NO.</u>	<u>2021-2022</u>
32	(01) REGULAR SALARIES	\$6,165,986
33	(02) PERSONAL SERVICES MATCHING	1,996,997
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>\$8,162,983</u></u>

5
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.
9

10			Maximum Annual
11			Salary Rate
12	Item Class		Fiscal Year
13	No. Code Title	Maximum No. of Employees	2021-2022
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	19	GRADE GS04
19	(42)	C073C ADMINISTRATIVE SPECIALIST II	<u>4</u>	GRADE GS03
20		MAX. NO. OF EMPLOYEES	319	

21

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.

30

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:

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

14

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

21

22	ITEM	FISCAL YEAR
23	<u>NO.</u>	<u>2021-2022</u>
24	(01) REGULAR SALARIES	\$3,524,520
25	(02) EXTRA HELP	148,585
26	(03) PERSONAL SERVICES MATCHING	1,222,606
27	(04) MAINT. & GEN. OPERATION	
28	(A) OPER. EXPENSE	1,083,180
29	(B) CONF. & TRAVEL	168,901
30	(C) PROF. FEES	484,401
31	(D) CAP. OUTLAY	780,000
32	(E) DATA PROC.	0
33	(05) DIESEL EMISSION REDUCTION AWARD GRANTS	<u>450,000</u>
34	TOTAL AMOUNT APPROPRIATED	<u><u>\$7,862,193</u></u>

35

36 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>

18
 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>

28
 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	\$705,320
3	(02) EXTRA HELP	15,795
4	(03) PERSONAL SERVICES MATCHING	236,235
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>\$1,369,994</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:

23		
24	ITEM	FISCAL YEAR
25	<u>NO.</u>	<u>2021-2022</u>
26	(01) REGULAR SALARIES	\$6,949,424
27	(02) EXTRA HELP	45,000
28	(03) PERSONAL SERVICES MATCHING	2,368,805
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 \$13,742,686

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:

9

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>

35

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	\$199,684
21 (02) PERSONAL SERVICES MATCHING	73,566
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>\$458,892</u>

30

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:

2

3 ITEM	FISCAL YEAR
4 <u>NO.</u>	<u>2021-2022</u>
5 (01) REGULAR SALARIES	\$593,488
6 (02) PERSONAL SERVICES MATCHING	201,855
7 (03) MAINT. & GEN. OPERATION	201,855
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>\$8,158,190</u>

17

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>\$1,070,153</u>

36

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

8	ITEM	FISCAL YEAR
9	<u>NO.</u>	<u>2021-2022</u>
10	(01) REGULAR SALARIES	\$264,342
11	(02) PERSONAL SERVICES MATCHING	94,355
12	(03) MAINT. & GEN. OPERATION	
13	(A) OPER. EXPENSE	18,999,800
14	(B) CONF. & TRAVEL	3,005
15	(C) PROF. FEES	2,500,156
16	(D) CAP. OUTLAY	0
17	(E) DATA PROC.	<u>0</u>
18	TOTAL AMOUNT APPROPRIATED	<u>\$21,861,658</u>

19
 20 SECTION 21. APPROPRIATION - REGULATED STORAGE TANK PROGRAM - FEDERAL.
 21 There is hereby appropriated, to the Department of Energy and Environment, to
 22 be payable from the federal funds as designated by the Chief Fiscal Officer
 23 of the State, for contractual services of the Department of Energy and
 24 Environment - Division of Environmental Quality - Regulated Storage Tank
 25 Program - Federal for the fiscal year ending June 30, 2022, the following:

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

31
 32 SECTION 22. APPROPRIATION - LANDFILL POST-CLOSURE PROGRAM. There is
 33 hereby appropriated, to the Department of Energy and Environment, to be
 34 payable from the Landfill Post-Closure Trust Fund, for personal services and
 35 operating expenses of the Department of Energy and Environment - Division of
 36 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>\$14,431,345</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>\$28,326</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
----	------	-------------

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	Fiscal Year
19	<u>No. Code Title</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:

2		
3	ITEM	FISCAL YEAR
4	<u>NO.</u>	<u>2021-2022</u>
5	(01) REGULAR SALARIES	\$226,898
6	(02) PERSONAL SERVICES MATCHING	75,447
7	(03) MAINT. & GEN. OPERATION	
8	(A) OPER. EXPENSE	118,273
9	(B) CONF. & TRAVEL	36,788
10	(C) PROF. FEES	268,085
11	(D) CAP. OUTLAY	0
12	(E) DATA PROC.	0
13	(04) ENERGY CONSERVATION GRANTS AND AID	<u>551,952</u>
14	TOTAL AMOUNT APPROPRIATED	<u><u>\$1,277,443</u></u>

15

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

23

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

36

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

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

18
 19 SECTION 40. APPROPRIATION - FEDERAL OPERATIONS - ENERGY OFFICE. There
 20 is hereby appropriated, to the Department of Energy and Environment, to be
 21 payable from the federal funds as designated by the Chief Fiscal Officer of
 22 the State, for personal services, operating expenses, and grants and aid of
 23 the Department of Energy and Environment - Division of Environmental Quality
 24 for the fiscal year ending June 30, 2022, the following:

26	ITEM	FISCAL YEAR
27	<u>NO.</u>	<u>2021-2022</u>
28	(01) REGULAR SALARIES	\$411,270
29	(02) PERSONAL SERVICES MATCHING	148,281
30	(03) MAINT. & GEN. OPERATION	
31	(A) OPER. EXPENSE	67,880
32	(B) CONF. & TRAVEL	16,750
33	(C) PROF. FEES	13,500
34	(D) CAP. OUTLAY	0
35	(E) DATA PROC.	0
36	(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. APPROPRIATION - DESIGNATED ENVIRONMENTAL SITE REMEDIATION
 4 PROGRAM. There is hereby appropriated, to the Department of Energy and
 5 Environment, to be payable from the Division of Environmental Quality
 6 Designated Environmental Site Remediation Trust Fund, for environmental
 7 cleanup and remediation activities at designated sites of the Department of
 8 Energy and Environment - Division of Environmental Quality - Designated
 9 Environmental Site Remediation Program for the fiscal year ending June 30,
 10 2022, the following:

11

12 ITEM	FISCAL YEAR
13 <u>NO.</u>	<u>2021-2022</u>
14 (01) DESIGNATED ENVIRONMENTAL SITE	
15 REMEDIATION PROGRAM EXPENSES	<u>\$2,000,000</u>

16

17 SECTION 44. APPROPRIATION - ALTERNATIVE FUELS VEHICLE CHARGING AND
 18 INFRASTRUCTURE PROGRAM - FEDERAL. There is hereby appropriated, to the
 19 Department of Energy and Environment, to be payable from the federal funds as
 20 designated by the Chief Fiscal Officer of the State, for program expenses of
 21 the Department of Energy and Environment - Division of Environmental Quality
 22 - Alternative Fuels Vehicle Charging and Infrastructure Program - Federal for
 23 the fiscal year ending June 30, 2022, the following:

24

25 ITEM	FISCAL YEAR
26 <u>NO.</u>	<u>2021-2022</u>
27 (01) ALTERNATIVE FUELS VEHICLE CHARGING	
28 AND INFRASTRUCTURE PROGRAM EXPENSES	<u>\$5,000,000</u>

29

30 SECTION 45. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 31 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EQUIPMENT
 32 PURCHASE RESTRICTIONS. Expenditures from the Hazardous Substance Remedial
 33 Action Trust Fund for the purchase of ~~departmental~~ division laboratory
 34 equipment, including maintenance contracts, data processing equipment and
 35 mission-critical software, including maintenance contracts, as appropriated
 36 in the Capital Outlay and Data Processing Purchases line items of the

1 Hazardous Waste Cleanup appropriation section, shall be funded through
2 interest earnings and investment earnings from the Hazardous Substance
3 Remedial Action Trust Fund and additional funding from the Hazardous
4 Substance Remedial Action Trust Fund on July 1, ~~2020~~ 2021. Further, the
5 ~~Department~~ Division shall report annually to the Arkansas Legislative Council
6 or Joint Budget Committee all expenditures for these purchases.

7 The provisions of this section shall be in effect only from July 1, ~~2020~~
8 2021 through June 30, ~~2021~~ 2022.

9
10 SECTION 46. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
11 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
12 APPROPRIATIONS RESTRICTIONS. No expenditure from the Environmental Settlement
13 Trust Fund for information technology needs may be made without prior
14 approval of the Chief Fiscal Officer of the State, after seeking review of
15 the Arkansas Legislative Council or Joint Budget Committee. Further,
16 utilization of this appropriation for information technology needs of the
17 Arkansas ~~Department~~ Division of Environmental Quality must also be approved
18 by the Executive Chief Information Officer after the project is evaluated on
19 the methodology recommended by the Chief Information Officer and the CIO
20 Council, including an analysis of the return on investment and linkage to the
21 ~~Department's~~ Division's business objectives. Any approved projects and
22 expenditures for information technology from the Environmental Settlement
23 Trust Fund shall be reported annually to the Joint Committee on Advanced
24 Communications and Information Technology.

25 The provisions of this section shall be in effect only from July 1, ~~2020~~
26 2021 through June 30, ~~2021~~ 2022.

27
28 SECTION 47. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
29 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND
30 TRANSFER PROVISION. Upon approval of the Chief Fiscal Officer of the State,
31 the Arkansas ~~Department~~ Division of Environmental Quality may transfer from
32 various department funds to the Division of Environmental Quality Fund
33 Account the sum of \$1,500,000 in fiscal year ~~2020-2021~~ 2021-2022 for the
34 exclusive purpose of supplementing funding for the appropriation provided in
35 the State Operations appropriation section. The funds shall be used for
36 personal services and operating expenses of the Arkansas ~~Department~~ Division

1 of Environmental Quality - State Operations. Funds which remain in the
2 Division of Environmental Quality Fund Account at the close of the fiscal
3 year shall be carried forward and made available for the same purpose for the
4 following fiscal year. These funds shall be used for the purpose stated
5 above.

6 The provisions of this section shall be in effect only from July 1, ~~2020~~
7 2021 through June 30, ~~2021~~ 2022.

8

9 SECTION 48. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
10 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. REPORTING
11 REQUIREMENTS. For the purposes of the fund transfers provided for in the
12 preceding Fund Transfer Provision special language section, the amounts
13 transferred shall not be considered as part of any statutory limitation on
14 the use of funds for administration of programs of the ~~Department~~ Division.

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 49. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
19 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. LANDFILL
20 POST-CLOSURE CLEAN UP RESTRICTIONS. Any expenditures in excess of ~~\$50,000~~
21 \$2,000,000 per site from the Landfill Post-Closure Trust Fund, as
22 appropriated in the Contractual Services line item of the Landfill Post-
23 Closure Program appropriation section, for corrective action to remedy
24 environmental impacts of closed disposal sites previously operated as a
25 landfill pursuant to state law, ~~will be prioritized and authorized~~ shall be
26 subject to review and approval by the Arkansas Pollution Control and Ecology
27 Commission after addressing corrective actions needed to address
28 environmental impacts from permitted landfills closed properly. ~~Expenditures~~
29 ~~exceeding \$2,000,000 per fiscal year must be approved by the Arkansas~~
30 ~~Pollution Control and Ecology Commission.~~

31 The provisions of this section shall be in effect only from July 1, ~~2020~~
32 2021 through June 30, ~~2021~~ 2022.

33

34 SECTION 50. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
35 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. NON
36 HAZARDOUS SITE CLEAN UP RESTRICTIONS. Expenditures from the Division of

1 Environmental Quality Fee Trust Fund for the cleanup of non hazardous sites
2 which pose a threat to the environment, as appropriated in the Non Hazardous
3 Site Cleanup appropriation section, shall be funded only through interest
4 earnings from the Division of Environmental Quality Fee Trust Fund. The
5 Arkansas ~~Department~~ Division of Environmental Quality shall seek cost
6 recovery from parties responsible for damages to the environment that dictate
7 the use of appropriation authorized in the Non Hazardous Site Cleanup
8 appropriation section of this act, as well as any other funds spent by a
9 governmental entity to remediate such non hazardous sites.

10 The provisions of this section shall be in effect only from July 1, ~~2020~~
11 2021 through June 30, ~~2021~~ 2022.

12
13 SECTION 51. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
14 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. LANDFILL
15 POST-CLOSURE TRUST FUND.

16 (a) The General Assembly finds that:

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

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

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

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

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

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

34 (C) Is otherwise insolvent.

35 (c) This section is in effect only from July 1, ~~2020~~ 2021 through June
36 30, ~~2021~~ 2022.

1
2 SECTION 52. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
3 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
4 INVESTMENTS. All funds that are held in any trust fund administered by the
5 Arkansas ~~Department~~ Division of Environmental Quality may be invested and
6 reinvested, subject to the written approval of the Office of the Treasurer,
7 and all investments as authorized for use by the Office of the Treasurer may
8 be available to the listed funds. The movement of these funds into and out
9 of investments shall be by fund transfers as directed by the Director of the
10 Arkansas ~~Department~~ Division of Environmental Quality or the Director's
11 designee.

12 The provisions of this section shall be in effect only from July 1, ~~2020~~
13 2021 through June 30, ~~2021~~ 2022.

14
15 SECTION 53. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
16 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. SHARED
17 SERVICES.

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

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

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

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

1 authorized for the department.

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

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

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

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

19 (c)(1) It is the intent of the Ninety-Second General Assembly that the
20 authority under this section to transfer positions is intended for use for
21 the time period prior to Fiscal Year ~~2022~~ 2023 to allow cabinet-level
22 departments to establish a centralized Regular Salaries - Shared Services
23 section, with the recommendation that the position transfer authority granted
24 under this section be discontinued after that time.

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

30 (d) Determining the maximum number of employees and the maximum amount
31 of appropriation and general revenue funding for a cabinet-level department
32 each fiscal year is the prerogative of the General Assembly and is usually
33 accomplished by delineating the maximums in the appropriation act or acts and
34 establishing authorized positions and the general revenue allocations
35 authorized for each fund and fund account by amendment to the Revenue
36 Stabilization Law. Further, the General Assembly has determined that the

1 cabinet-level departments created under Acts 2019, No. 910, may operate more
2 efficiently if some flexibility is provided as authorized under this section.
3 Therefore, it is both necessary and appropriate that the General Assembly
4 maintain oversight by requiring prior approval of the Legislative Council or,
5 if the General Assembly is in session, the Joint Budget Committee, as
6 provided by this section. The requirement of approval by the Legislative
7 Council or Joint Budget Committee is not a severable part of this section.
8 If the requirement of approval by the Legislative Council or Joint Budget
9 Committee is ruled unconstitutional by a court of competent jurisdiction,
10 this entire section is void.

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

13

14 SECTION 54. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
15 authorized by this act shall be limited to the appropriation for such agency
16 and funds made available by law for the support of such appropriations; and
17 the restrictions of the State Procurement Law, the General Accounting and
18 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
19 Procedures and Restrictions Act, or their successors, and other fiscal
20 control laws of this State, where applicable, and regulations promulgated by
21 the Department of Finance and Administration, as authorized by law, shall be
22 strictly complied with in disbursement of said funds.

23

24 SECTION 55. LEGISLATIVE INTENT. It is the intent of the General
25 Assembly that any funds disbursed under the authority of the appropriations
26 contained in this act shall be in compliance with the stated reasons for
27 which this act was adopted, as evidenced by the Agency Requests, Executive
28 Recommendations and Legislative Recommendations contained in the budget
29 manuals prepared by the Department of Finance and Administration, letters, or
30 summarized oral testimony in the official minutes of the Arkansas Legislative
31 Council or Joint Budget Committee which relate to its passage and adoption.

32

33 SECTION 56. EMERGENCY CLAUSE. It is found and determined by the
34 General Assembly, that the Constitution of the State of Arkansas prohibits
35 the appropriation of funds for more than a one (1) year period; that the
36 effectiveness of this Act on July 1, 2021 is essential to the operation of

1 the agency for which the appropriations in this Act are provided, and that in
2 the event of an extension of the legislative session, the delay in the
3 effective date of this Act beyond July 1, 2021 could work irreparable harm
4 upon the proper administration and provision of essential governmental
5 programs. Therefore, an emergency is hereby declared to exist and this Act
6 being necessary for the immediate preservation of the public peace, health
7 and safety shall be in full force and effect from and after July 1, 2021.

8
9 */s/Joint Budget Committee*

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