

Stricken language will be deleted and underlined language will be added.  
Act 89 of the Fiscal Session

State of Arkansas  
92nd General Assembly  
Fiscal Session, 2020

As Engrossed: H4/15/20

**A Bill**

HOUSE BILL 1016

By: Joint Budget Committee

**For An Act To Be Entitled**

AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES  
AND OPERATING EXPENSES FOR THE DEPARTMENT OF ENERGY  
AND ENVIRONMENT - DIVISION OF ENVIRONMENTAL QUALITY  
FOR THE FISCAL YEAR ENDING JUNE 30, 2021; AND FOR  
OTHER PURPOSES.

**Subtitle**

AN ACT FOR THE DEPARTMENT OF ENERGY AND  
ENVIRONMENT - DIVISION OF ENVIRONMENTAL  
QUALITY APPROPRIATION FOR THE 2020-2021  
FISCAL YEAR.

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

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

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

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



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

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

SECTION 3. REGULAR SALARIES. There is hereby established for the Department of Energy and Environment - Division of Environmental Quality for the 2020-2021 fiscal year, the following maximum number of regular employees.

| Item | Class                                  | Maximum   | Maximum Annual |
|------|--|-----------|----------------|
| No.  | Code                                   | No. of    | Salary Rate    |
|      | Title                                  | Employees | Fiscal Year    |
|      |  |           | 2020-2021      |
| (1)  | U015U ADEQ DIRECTOR                    | 1         | GRADE SE03     |
| (2)  | N218N ADEQ SENIOR DEPUTY DIRECTOR      | 1         | GRADE SE02     |
| (3)  | D129C ADEQ DIRECTOR OF INFO TECHNOLOGY | 1         | GRADE IT10     |
| (4)  | D007C INFORMATION SYSTEMS MANAGER      | 1         | GRADE IT08     |
| (5)  | D030C INFORMATION SYSTEMS COORDINATOR  | 3         | GRADE IT07     |
| (6)  | D039C NETWORK SUPPORT SPECIALIST       | 1         | GRADE IT06     |
| (7)  | D063C COMPUTER SUPPORT SPECIALIST      | 1         | GRADE IT05     |
| (8)  | D052C SOFTWARE SUPPORT ANALYST         | 7         | GRADE IT05     |
| (9)  | D068C INFORMATION SYSTEMS ANALYST      | 1         | GRADE IT04     |
| (10) | D065C NETWORK SUPPORT ANALYST          | 1         | GRADE IT04     |
| (11) | D064C WEBSITE DEVELOPER                | 1         | GRADE IT04     |

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

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

|                                  |          |            |
|----------------------------------|----------|------------|
| (84) S065C MAINTENANCE ASSISTANT | <u>1</u> | GRADE GS01 |
| MAX. NO. OF EMPLOYEES            | 421      |            |

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

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

| ITEM                            | FISCAL YEAR               |
|---------------------------------|---------------------------|
| <u>NO.</u>                      | <u>2020-2021</u>          |
| (01) REGULAR SALARIES           | \$3,795,961               |
| (02) EXTRA HELP                 | 25,674                    |
| (03) PERSONAL SERVICES MATCHING | 1,231,522                 |
| (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.                  | <u>0</u>                  |
| TOTAL AMOUNT APPROPRIATED       | <u><u>\$5,442,555</u></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, 2021, the following:

| ITEM<br>NO.                           | FISCAL YEAR<br>2020-2021  |
|---------------------------------------|---------------------------|
| (01) REGULAR SALARIES                 | \$4,414,181               |
| (02) EXTRA HELP                       | 148,585                   |
| (03) PERSONAL SERVICES MATCHING       | 1,483,046                 |
| (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 GRANTS | <u>450,000</u>            |
| TOTAL AMOUNT APPROPRIATED             | <u><u>\$9,012,294</u></u> |

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

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

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

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

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

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

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

the following:

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

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

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

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

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

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

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

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

SECTION 14. APPROPRIATION - SOLID WASTE PERFORMANCE BONDS PROGRAM.

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

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

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

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

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

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

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

| ITEM<br>NO.           | FISCAL YEAR<br>2020-2021 |
|-----------------------|--------------------------|
| (01) REGULAR SALARIES | \$244,742                |

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

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

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

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

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

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

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, 2021, the following:

| ITEM<br>NO.                     | FISCAL YEAR<br>2020-2021 |
|---------------------------------|--------------------------|
| (01) REGULAR SALARIES           | \$304,682                |
| (02) PERSONAL SERVICES MATCHING | 97,638                   |
| (03) MAINT. & GEN. OPERATION    |                          |
| (A) OPER. EXPENSE               | 18,999,800               |
| (B) CONF. & TRAVEL              | 3,005                    |
| (C) PROF. FEES                  | 2,500,156                |
| (D) CAP. OUTLAY                 | 0                        |
| (E) DATA PROC.                  | <u>0</u>                 |
| TOTAL AMOUNT APPROPRIATED       | <u>\$21,905,281</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, 2021, the following:

| ITEM<br>NO.   | FISCAL YEAR<br>2020-2021 |
|---|--------------------------|
| (01) REGULATED STORAGE TANK & CONTRACTUAL<br>SERVICES | <u>\$3,925,000</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 ending June 30, 2021, the following:

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

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

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

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

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

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

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

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

| ITEM                      | FISCAL YEAR      |
|---------------------------|------------------|
| <u>NO.</u>                | <u>2020-2021</u> |
| (01) SMALL BUSINESS LOANS | <u>\$550,000</u> |

SECTION 26. APPROPRIATION - SMALL BUSINESS REVOLVING LOAN PROGRAM.

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

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

SECTION 27. APPROPRIATION - PERFORMANCE PARTNERSHIP SYSTEM EXPENSES.

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

| ITEM   | FISCAL YEAR      |
|--|------------------|
| <u>NO.</u>   | <u>2020-2021</u> |
| (01) PERFORMANCE INTEGRATED INFORMATION<br>SYSTEM EXPENSES | <u>\$563,000</u> |

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

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

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

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

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

| Item<br>No. | Class<br>Code Title        | Maximum<br>No. of<br>Employees | Maximum Annual<br>Salary Rate<br>Fiscal Year<br>2020-2021 |
|-------------|----------------------------|--------------------------------|---|
| (1)         | G032N PC&E HEARING OFFICER | 1                              | GRADE GS14  |

|                                     |          |            |
|-------------------------------------|----------|------------|
| (2) G179C LEGAL SERVICES SPECIALIST | <u>1</u> | GRADE GS06 |
| MAX. NO. OF EMPLOYEES               | 2        |            |

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

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

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

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

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

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

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

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

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

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

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

the following:

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

SECTION 37. APPROPRIATION - STATE ENERGY PLAN - 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 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, 2021, the following:

| ITEM<br>NO.                             | FISCAL YEAR<br>2020-2021  |
|---|---------------------------|
| (01) REGULAR SALARIES                   | \$167,232                 |
| (02) PERSONAL SERVICES MATCHING         | 55,364                    |
| (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>\$1,197,694</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, 2021, the following:

| ITEM<br>NO.                            | FISCAL YEAR<br>2020-2021  |
|--|---------------------------|
| (01) REGULAR SALARIES                  | \$102,647                 |
| (02) PERSONAL SERVICES MATCHING        | 33,751                    |
| (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>\$1,432,298</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, 2021, the following:

| ITEM<br>NO.                               | FISCAL YEAR<br>2020-2021 |
|---|--------------------------|
| (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, 2021, the following:

| ITEM<br>NO.                            | FISCAL YEAR<br>2020-2021 |
|--|--------------------------|
| (01) REGULAR SALARIES                  | \$383,637                |
| (02) PERSONAL SERVICES MATCHING        | 137,916                  |
| (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) DATA PROCESSING SERVICES          | 25,046                   |
| (05) WEATHERIZATION ASSISTANCE PROGRAM | 5,561,541                |
| (06) LIHEAP GRANTS                     | <u>28,000,000</u>        |
| TOTAL AMOUNT APPROPRIATED              | <u>\$34,206,270</u>      |

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

(a) The General Assembly finds that:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

*/s/Joint Budget Committee*

**APPROVED: 4/20/20**