

REPORT OF CONFERENCE COMMITTEE

MR. SPEAKER AND MR. PRESIDENT:

We, the undersigned conferees, have had under consideration the amendments to the following entitled BILL:

H. B. No. 1629: Appropriation; Department of Environmental Quality.

We, therefore, respectfully submit the following report and recommendation:

1. That the Senate recede from its Amendment No. 1.

2. That the House and Senate adopt the following amendment:

AMEND by striking lines 10 through 43 and inserting in lieu thereof the following:

.....\$ 17,461,333.00.

SECTION 2. The following sum, or so much thereof as may be necessary, is hereby appropriated out of any money in any special fund in the State Treasury to the credit of the Department of Environmental Quality which is comprised of special source funds collected by or otherwise available to the department, for the support of the various offices of the department for the fiscal year beginning July 1, 2000, and ending June 30, 2001.....

.....\$ 94,694,575.00.

SECTION 3. Of the funds appropriated under the provisions of Sections 1 and 2, not more than the amounts set forth below shall be expended for the respective major objects or purposes of

expenditure:

ENVIRONMENTAL QUALITY - CONSOLIDATED

MAJOR OBJECTS OF EXPENDITURE:

Personal Services:

Salaries, Wages and Fringe Benefits..\$	24,045,426.00
Travel and Subsistence.....	935,982.00
Contractual Services.....	13,689,741.00
Commodities.....	1,316,316.00

Capital Outlay:

Other Than Equipment.....	0.00
Equipment.....	1,750,071.00
Subsidies, Loans and Grants.....	<u>70,418,372.00</u>
Total.....\$	112,155,908.00

FUNDING:

General Funds.....\$	17,461,333.00
Special Funds.....	<u>94,694,575.00</u>
Total.....\$	112,155,908.00

AUTHORIZED POSITIONS:

Permanent:	Full Time	308
	Part Time	0
Time-Limited:	Full Time	216

AMEND FURTHER by adding the following new SECTION 8 and SECTION 9 after line 157 and renumbering succeeding sections:

SECTION 8. Of the funds appropriated in Section 2 and allocated in Section 3, an amount no greater than One Hundred Fifty Thousand Dollars (\$150,000.00) shall be derived from the Pollution Emergency Fund within the Pollution Operating Fund for transfer to the Department of Environmental Quality - Office of Administrative Services for support of Legal Division environmental protection activities.

SECTION 9. The Department of Environmental Quality (DEQ) may request that the Department of Economic and Community Development (DECD) staff shall provide an economic viability assessment for any complete application or group of related complete applications submitted to DEQ after July 1, 1999, for which DEQ estimates that DEQ will be required to devote extraordinary effort to process the application or group of related applications within the one hundred and eighty (180) days required by Section 49-17-29(3)(c). For purposes of this paragraph, "extraordinary effort" means the constant dedication of more than three (3) full-time equivalent positions for a period of at least one hundred eighty (180) days. The economic viability assessment shall include, but not be limited to: (i) An analysis of the current and future market viability of the project concerning which application(s) has been made to DEQ; and (ii) an analysis of the applicant's economic ability to construct, develop, maintain and operate the project as described in the application(s) submitted to DEQ. If the economic viability assessment concludes that the project is not economically viable for any reason, DEQ shall suspend processing the

permit application(s), notwithstanding the provisions of Section 49-17-29(3)(c). Within thirty (30) days of the decision of DECD staff, the permit applicant may present any additional information on its behalf to the Executive Director of DECD, and the Executive Director shall review the DECD staff assessment. If additional information is received in writing from the applicant, the Executive Director of DECD shall make a decision in review of the DECD staff decision within sixty (60) days of the staff decision, and the decision of the Executive Director of DECD shall be the final administrative action of DECD in the matter.

CONFEREES FOR THE HOUSE

CONFEREES FOR THE SENATE

X _____

X _____

—

Charlie Capps, Jr.

Jack Gordon

X _____

X _____

—

Bill Denny

Vincent Scoper

X _____

X _____

—

Billy Bowles

Terry C. Burton