

Act 190 of the First Special Session of 1989.

Act 190

HB1038

By: Joint Budget Committee

For An Act To Be Entitled
"AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND
OPERATING EXPENSES OF THE OIL AND GAS COMMISSION FOR THE
BIENNIAL PERIOD ENDING JUNE 30, 1991; AND FOR OTHER
PURPOSES."

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

SECTION 1. REGULAR SALARIES. There is hereby established for the Oil and Gas Commission for the 1989-91 biennium, the following maximum number of regular employees whose salaries shall be governed by the provisions of the Uniform Classification and Compensation Act, or its successor, and all laws amendatory thereto. Provided, however, that any position to which a specific maximum annual salary is set out herein in dollars, shall be exempt from the provisions of said Uniform Classification and Compensation Act. All persons occupying positions authorized herein are hereby governed by the provisions of the Regular Salaries Procedures and Restrictions Act, or its successor.

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate	
				1989-90	1990-91
(1)	9914	OIL & GAS DIRECTOR	1	\$50,596	\$51,857
(2)	9897	OIL & GAS DEPUTY DIRECTOR	1	\$46,163	\$47,307
(3)	9896	SENIOR PETROLEUM ENGINEER SUPV	1	\$43,446	\$44,525
(4)	9895	SENIOR PETROLEUM ENGINEER	3	\$43,108	\$44,187
(5)	B108	PETROLEUM GEOLOGIST	3		GRADE 23
(6)	X403	OIL & GAS DIST PETROLEUM TECH	1		GRADE 20
(7)	X379	PETROLEUM TECHNICIAN	9		GRADE 17
(8)	N310	CARTOGRAPHER SUPV II	1		GRADE 16
	R162	STATISTICIAN/STATISTICIAN II	1		
	R440	BUSINESS CONTROLLER II	1		
(9)	R009	ADMINISTRATIVE ASSISTANT I	2		GRADE 14
(10)	K133	MANAGEMENT SUPPORT TECHNICIAN	1		GRADE 13
(11)	K153	SECRETARY II	3		GRADE 11
(12)	K155	SECRETARY I	9		GRADE 09
(13)	G171	CUSTODIAL WRKR I	1		GRADE 02
		MAX NO. OF EMPLOYEES	38		

SECTION 2. EXTRA HELP. There is hereby authorized, for the Oil and Gas Commission for the 1989-91 biennium, the following maximum number of part-time or temporary employees, to be known as "Extra Help", payable from funds appropriated herein for such purposes: Four (4) 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, for the appropriate classification.

SECTION 3. APPROPRIATIONS. There is hereby appropriated, to the Oil and Gas Commission, to be payable from the Oil and Gas Commission Fund, for personal services and operating expenses of the Oil and Gas Commission for the biennial period ending June 30, 1991, the following:

ITEM NO.	FISCAL YEARS	
	1989-90	1990-91
(01) REGULAR SALARIES	\$ 823,078	\$ 844,867
(02) EXTRA HELP	30,000	30,000
(03) PERSONAL SERV MATCHING	197,218	208,411
(04) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSES	\$ 301,476	\$ 301,476
(B) CONF. & TRAVEL	15,000	15,000
(C) PROF. FEES	100,000	100,000
(D) CAPITAL OUTLAY	134,000	134,000
(E) DATA PROCESSING	0	0
TOTAL MAINT. & GEN. OPER.	550,476	550,476
(05) POLLUTION CONTROL	10,000	10,000
(06) DATA PROCESSING	195,321	
(07) INTERSTATE OIL COMPACT	5,000	5,000
(08) WELL CAPPING EXPENSE	100,000	100,000
(09) UNDERGROUND INJECTION	60,000	60,000
(10) MICROFILM EQUIP/EXPENSES	50,000	50,000
TOTAL AMOUNT APPROPRIATED	\$ 2,021,093	\$ 1,858,754

SECTION 4. APPROPRIATIONS - REFUNDS - CASH. There is hereby appropriated to the Oil and Gas Commission, to be payable from cash funds of the Oil and Gas Commission, for refunds for overpayments/transfers to the State Treasury for the biennial period ending June 30, 1991, the following:

ITEM NO.	FISCAL YEARS	
	1989-90	1990-91
(01) REFUNDS/TRANSFERS TO TREASURY	\$ 2,000,000	\$ 2,000,000

SECTION 5. SPECIAL LANGUAGE. The Oil and Gas Commission is authorized to request special rates of pay to attract exceptionally well qualified applicants (as defined in Act 199 of 1969, as amended) to fill vacant positions in the classifications listed in Section 1 of this Act. Special rates of pay may also be requested for current and new employees in these classifications when prevailing wage rates for these classifications prevent recruitment and retention of adequately skilled employees subject to the following restrictions:

(a) That applications for special rates of pay above step 4 shall have been reviewed and approved by the Office of Personnel Management after seeking prior review by the Arkansas Legislative Council.

(b) That special rates may be authorized up to the maximum authorized for the grade assigned the classification of any position listed in Section 1 of this Act.

SECTION 6. CARRY FORWARD. Any unexpended balance of the appropriation authorized for Data Processing in Item (06) of Section 3 of this Act which remains at the close of the fiscal year ending June 30, 1990, shall be carried forward and made available for the same purpose for the fiscal year ending June 30, 1991.

SECTION 7. 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 Purchasing 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 8. 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 9. All provisions of this Act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code. Act 149 of 1989 is hereby repealed.

SECTION 10. EMERGENCY CLAUSE. It is hereby found and determined by the Seventy-Seventh General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1989 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 Regular Session, the delay in the effective date of this Act beyond July 1, 1989 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, 1989.

APPROVED: June 23, 1989
