

1 **State of Arkansas**  
2 **78th General Assembly**  
3 **Regular Session, 1991**  
4 **By: Joint Budget Committee**

# A Bill

**HOUSE BILL**

## For An Act To Be Entitled

8 "AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND  
9 OPERATING EXPENSES FOR THE OIL AND GAS COMMISSION FOR THE  
10 BIENNIAL PERIOD ENDING JUNE 30, 1993; AND FOR OTHER  
11 PURPOSES."

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

15 SECTION 1. REGULAR SALARIES - OPERATIONS. There is hereby established  
16 for the Oil and Gas Commission for the 1991-93 biennium, the following maximum  
17 number of regular employees whose salaries shall be governed by the provisions  
18 of the Uniform Classification and Compensation Act (Arkansas Code §§21-5-201  
19 et seq.), or its successor, and all laws amendatory thereto. Provided,  
20 however, that any position to which a specific maximum annual salary is set  
21 out herein in dollars, shall be exempt from the provisions of said Uniform  
22 Classification and Compensation Act. All persons occupying positions  
23 authorized herein are hereby governed by the provisions of the Regular  
24 Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its  
25 successor.

			Maximum Annual		
			Maximum	Salary Rate	
Item	Class		No. of	Fiscal Years	
No.	Code	Title	Employees	1991-92	1992-93
31	(1) 9914	OIL & GAS DIRECTOR	1	\$ 57,090	\$ 59,944
32	(2) 9897	OIL & GAS DEPUTY DIRECTOR	1	\$ 52,081	\$ 54,685
33	(3) 9896	SENIOR PETROLEUM ENGINEER SUPV	1	\$ 49,018	\$ 51,468
34	(4) 9895	SENIOR PETROLEUM ENGINEER	3	\$ 48,646	\$ 51,078
35	(5) B108	PETROLEUM GEOLOGIST	3		GRADE 23

1	(6) X403 OIL & GAS DIST PETROLEUM TECH	1	GRADE 20
2	(7) X379 OIL & GAS TECHNICIAN	9	GRADE 18
3	(8) N310 CARTOGRAPHER SUPV	1	GRADE 17
4	R162 STATISTICIAN/STATISTICIAN II	1	
5	(9) R440 BUSINESS CONTROLLER II	1	GRADE 16
6	(10) R009 ADMINISTRATIVE ASSISTANT I	2	GRADE 15
7	(11) K153 SECRETARY II	4	GRADE 13
8	(12) K155 SECRETARY I	<u>9</u>	GRADE 11
9	MAX NO. OF EMPLOYEES	37	

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11 SECTION 2. EXTRA HELP. There is hereby authorized, for the Oil and  
 12 Gas Commission for the 1991-93 biennium, the following maximum number of  
 13 part-time or temporary employees, to be known as "Extra Help", payable from  
 14 funds appropriated herein for such purposes: four (4) temporary or part-time  
 15 employees, when needed, at rates of pay not to exceed those provided in the  
 16 Uniform Classification and Compensation Act, or its successor, or this act for  
 17 the appropriate classification.

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19 SECTION 3. APPROPRIATIONS - OPERATIONS. There is hereby appropriated,  
 20 to the Oil and Gas Commission, to be payable from the Oil and Gas Commission  
 21 Fund, for personal services and operating expenses of the Oil and Gas  
 22 Commission for the biennial period ending June 30, 1993, the following:

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24	<u>ITEM</u>	<u>FISCAL YEARS</u>	
25	NO.	1991-92	1992-93
26	(01) REGULAR SALARIES	\$ 920,507	\$ 965,850
27	(02) EXTRA HELP	30,000	30,000
28	(03) PERSONAL SERV MATCHING	225,291	237,928
29	(04) MAINT. & GEN. OPERATION		
30	(A) OPER. EXPENSES	\$ 301,476	\$ 301,476
31	(B) CONF. & TRAVEL	15,000	15,000
32	(C) PROF. FEES	250,000	250,000
33	(D) CAPITAL OUTLAY	100,000	100,000
34	(E) DATA PROCESSING	<u>0</u>	<u>0</u>
35	TOTAL MAINT. & GEN. OPER.	666,476	666,476

1	(05)	POLLUTION CONTROL	10,000	10,000
2	(06)	DATA PROCESSING	190,000	0
3	(07)	INTERSTATE OIL COMPACT	5,000	5,000
4	(08)	WELL CAPPING EXPENSE	150,000	150,000
5	(09)	UNDERGROUND INJECTION	60,000	60,000
6	(10)	MICROFILM EQUIP/EXPENSES	<u>50,000</u>	<u>50,000</u>
7		TOTAL AMOUNT APPROPRIATED	<u>\$ 2,307,274</u>	<u>\$ 2,175,254</u>

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9 SECTION 4. APPROPRIATIONS - CASH. There is hereby appropriated, to the

10 Oil and Gas Commission, to be payable from cash funds as defined by Arkansas

11 Code 19-4-801 of the Oil and Gas Commission, for refunds/transfers to the

12 State Treasury for the biennial period ending June 30, 1993, the following:

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14	ITEM		FISCAL YEARS	
15	NO.		1991-92	1992-93
16	(01)	REFUNDS/TRANSFERS TO TREASURY	<u>\$ 2,000,000</u>	<u>\$ 2,000,000</u>

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18 SECTION 5. The Oil and Gas Commission is authorized to request special

19 rates of pay to attract exceptionally well qualified applicants (as defined in

20 Arkansas Code 21-5-201 et seq.) to fill vacant positions in the

21 classifications listed in Section 1 of this Act. Special rates of pay may

22 also be requested for current and new employees in these classifications when

23 prevailing wage rates for these classifications prevent recruitment and

24 retention of adequately skilled employees subject to the following

25 restrictions:

26 (a) That applications for special rates of pay above Pay Level II shall

27 have been reviewed and approved by the Office of Personnel Management after

28 seeking prior review by the Arkansas Legislative Council.

29 (b) That special rates may be authorized up to the maximum authorized for

30 the grade assigned the classification of any position listed in Section 1 of

31 this Act.

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33 SECTION 6. CARRY FORWARD. Any unexpended balance of the appropriation

34 authorized for Data Processing in Item (06) of Section 3 of this Act which

35 remains at the close of the fiscal year ending June 30, 1992, shall be carried

1 forward and made available for the same purpose for the fiscal year ending  
2 June 30, 1993.

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4 SECTION 7. Before the Oil and Gas Commission implements the collection  
5 process of any increase in the millage assessment that may be authorized by  
6 law on each barrel of oil or on each thousand cubic feet of gas, the  
7 Commission shall first seek review from the Arkansas Legislative Council or  
8 Joint Budget Committee.

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10 SECTION 8. COMPLIANCE WITH OTHER LAWS. Disbursement of funds  
11 authorized by this Act shall be limited to the appropriation for such agency  
12 and funds made available by law for the support of such appropriations; and  
13 the restrictions of the State Purchasing Law, the General Accounting and  
14 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
15 Procedures and Restrictions Act, or their successors, and other fiscal control  
16 laws of this State, where applicable, and regulations promulgated by the  
17 Department of Finance and Administration, as authorized by law, shall be  
18 strictly complied with in disbursement of said funds.

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20 SECTION 9. LEGISLATIVE INTENT. It is the intent of the General  
21 Assembly that any funds disbursed under the authority of the appropriations  
22 contained in this Act shall be in compliance with the stated reasons for which  
23 this Act was adopted, as evidenced by the Agency Requests, Executive  
24 Recommendations and Legislative Recommendations contained in the budget  
25 manuals prepared by the Department of Finance and Administration, letters, or  
26 summarized oral testimony in the official minutes of the Arkansas Legislative  
27 Council or Joint Budget Committee which relate to its passage and adoption.

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29 SECTION 10. CODE. All provisions of this Act of a general and  
30 permanent nature are amendatory to the Arkansas Code of 1987 Annotated and  
31 the Arkansas Code Revision Commission shall incorporate the same in the Code.

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33 SECTION 11. SEVERABILITY. If any provision of this Act or the  
34 application thereof to any person or circumstance is held invalid, such  
35 invalidity shall not affect other provisions or applications of the Act which

1 can be given effect without the invalid provision or application, and to this  
2 end the provisions of this Act are declared to be severable.

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4 SECTION 12. GENERAL REPEALER. All laws and parts of laws in conflict  
5 with this Act are hereby repealed.

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7 SECTION 13. HEALTH PREMIUMS. The Oil and Gas Commission shall not,  
8 during the 1992-93 fiscal year, spend more for health insurance per employee  
9 than the amount being contributed to the State Employees Health Insurance  
10 Program.

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12 SECTION 14. EMERGENCY CLAUSE. It is hereby found and determined by the  
13 Seventy-Eighth General Assembly, that the Constitution of the State of  
14 Arkansas prohibits the appropriation of funds for more than a two (2) year  
15 period; that the effectiveness of this Act on July 1, 1991 is essential to the  
16 operation of the agency for which the appropriations in this Act are provided,  
17 and that in the event of an extension of the Regular Session, the delay in the  
18 effective date of this Act beyond July 1, 1991 could work irreparable harm  
19 upon the proper administration and provision of essential governmental  
20 programs. Therefore, an emergency is hereby declared to exist and this Act  
21 being necessary for the immediate preservation of the public peace, health and  
22 safety shall be in full force and effect from and after July 1, 1991.

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