

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

A Bill ACT 252 OF 1991

HOUSE BILL 1581

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.

Item	Class		Maximum	Maximum Annual	
			No. of	Salary Rate	
			Employees	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
36	(6) X403	OIL & GAS DIST PETROLEUM TECH	1		GRADE 20

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

SECTION 2. EXTRA HELP. There is hereby authorized, for the Oil and Gas Commission for the 1991-93 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, or this act for the appropriate classification.

SECTION 3. APPROPRIATIONS - OPERATIONS. 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, 1993, the following:

ITEM	FISCAL YEARS	
NO.	1991-92	1992-93
(01) REGULAR SALARIES	\$ 920,507	\$ 965,850
(02) EXTRA HELP	30,000	30,000
(03) PERSONAL SERV MATCHING	225,291	237,928
(04) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSES	\$ 301,476	\$ 301,476
(B) CONF. & TRAVEL	15,000	15,000
(C) PROF. FEES	250,000	250,000
(D) CAPITAL OUTLAY	100,000	100,000
(E) DATA PROCESSING	<u>0</u>	<u>0</u>
TOTAL MAINT. & GEN. OPER.	666,476	666,476
(05) POLLUTION CONTROL	10,000	10,000

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

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8 SECTION 4. APPROPRIATIONS - CASH. There is hereby appropriated, to the
9 Oil and Gas Commission, to be payable from cash funds as defined by Arkansas
10 Code 19-4-801 of the Oil and Gas Commission, for refunds/transfers to the
11 State Treasury for the biennial period ending June 30, 1993, the following:

12			
13	<u>ITEM</u>	<u>FISCAL YEARS</u>	
14	NO.	1991-92	1992-93
15	(01) REFUNDS/TRANSFERS TO TREASURY	<u>\$ 2,000,000</u>	<u>\$ 2,000,000</u>

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17 SECTION 5. The Oil and Gas Commission is authorized to request special
18 rates of pay to attract exceptionally well qualified applicants (as defined in
19 Arkansas Code 21-5-201 et seq.) to fill vacant positions in the
20 classifications listed in Section 1 of this Act. Special rates of pay may
21 also be requested for current and new employees in these classifications when
22 prevailing wage rates for these classifications prevent recruitment and
23 retention of adequately skilled employees subject to the following
24 restrictions:

25 (a) That applications for special rates of pay above Pay Level II shall
26 have been reviewed and approved by the Office of Personnel Management after
27 seeking prior review by the Arkansas Legislative Council.

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

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32 SECTION 6. CARRY FORWARD. Any unexpended balance of the appropriation
33 authorized for Data Processing in Item (06) of Section 3 of this Act which
34 remains at the close of the fiscal year ending June 30, 1992, shall be carried
35 forward and made available for the same purpose for the fiscal year ending

1 June 30, 1993.

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

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

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

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

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32 SECTION 11. SEVERABILITY. If any provision of this Act or the
33 application thereof to any person or circumstance is held invalid, such
34 invalidity shall not affect other provisions or applications of the Act which
35 can be given effect without the invalid provision or application, and to this

1 end the provisions of this Act are declared to be severable.

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

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

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

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APPROVED: 2-27-91

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