

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

Act 325 of the Regular Session

1 State of Arkansas
2 86th General Assembly
3 Regular Session, 2007
4

As Engrossed: H2/1/07

A Bill

HOUSE BILL 1169

5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL
10 SERVICES AND OPERATING EXPENSES FOR THE OIL AND
11 GAS COMMISSION FOR THE BIENNIAL PERIOD ENDING
12 JUNE 30, 2009; AND FOR OTHER PURPOSES.
13

Subtitle

14
15 AN ACT FOR THE OIL AND GAS COMMISSION
16 APPROPRIATION FOR THE 2007-2009
17 BIENNIUM.
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19

20
21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 SECTION 1. REGULAR SALARIES - OPERATIONS. There is hereby established for
24 the Oil and Gas Commission for the 2007-2009 biennium, the following maximum
25 number of regular employees whose salaries shall be governed by the
26 provisions of the Uniform Classification and Compensation Act (Arkansas Code
27 §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.
28 Provided, however, that any position to which a specific maximum annual
29 salary is set out herein in dollars, shall be exempt from the provisions of
30 said Uniform Classification and Compensation Act. All persons occupying
31 positions authorized herein are hereby governed by the provisions of the
32 Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101),
33 or its successor.
34

35 Maximum Annual



1				Maximum	Salary Rate	
2	Item	Class		No. of	Fiscal Years	
3	No.	Code	Title	Employees	2007-2008	2008-2009
4	(1)	9914	OIL & GAS DIRECTOR	1	\$96,328	\$98,254
5	(2)	9897	OIL & GAS DEPUTY DIRECTOR	1	\$88,058	\$89,819
6	(3)	9895	SENIOR PETROLEUM ENGINEER	2	\$82,383	\$84,030
7	(4)	R170	ATTORNEY SPECIALIST	1	GRADE 25	
8	(5)	B015	SENIOR PETROLEUM GEOLOGIST	2	GRADE 24	
9	(6)	D130	INFORMATION SYSTEMS ADMINISTRATOR	1	GRADE 24	
10	(7)	X404	OIL AND GAS DISTRICT PETROLEUM SPVR	1	GRADE 23	
11	(8)	R266	MANAGEMENT PROJECT ANALYST II	2	GRADE 20	
12	(9)	X354	OIL & GAS TECHNICIAN II	9	GRADE 20	
13	(10)	D121	USER SUPPORT ANALYST	1	GRADE 20	
14	(11)	A110	ACCOUNTANT II	1	GRADE 19	
15	(12)	R264	MANAGEMENT PROJECT ANALYST I	1	GRADE 18	
16	(13)	R010	ADMINISTRATIVE ASSISTANT II	2	GRADE 17	
17	(14)	R009	ADMINISTRATIVE ASSISTANT I	1	GRADE 15	
18	(15)	A108	ACCOUNTING TECHNICIAN II	3	GRADE 15	
19	(16)	K153	SECRETARY II	1	GRADE 13	
20	(17)	K155	SECRETARY I	<u>2</u>	GRADE 11	
21			MAX. NO. OF EMPLOYEES	32		

22

23 SECTION 2. EXTRA HELP. There is hereby authorized, for the Oil and Gas
 24 Commission for the 2007-2009 biennium, the following maximum number of part-
 25 time or temporary employees, to be known as "Extra Help", payable from funds
 26 appropriated herein for such purposes: six (6) temporary or part-time
 27 employees, when needed, at rates of pay not to exceed those provided in the
 28 Uniform Classification and Compensation Act, or its successor, or this act
 29 for the appropriate classification.

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31 SECTION 3. APPROPRIATION - OPERATIONS. There is hereby appropriated, to
 32 the Oil and Gas Commission, to be payable from the Oil and Gas Commission
 33 Fund, for personal services and operating expenses of the Oil and Gas
 34 Commission for the biennial period ending June 30, 2009, the following:

35

36 ITEM FISCAL YEARS

NO.		2007-2008	2008-2009
(01)	REGULAR SALARIES	\$ 1,315,236	\$ 1,341,328
(02)	EXTRA HELP	45,000	45,000
(03)	PERSONAL SERVICES MATCHING	414,828	420,339
(04)	MAINT. & GEN. OPERATION		
(A)	OPER. EXPENSE	477,901	478,901
(B)	CONF. & TRAVEL	15,000	15,000
(C)	PROF. FEES	2,000	2,000
(D)	CAP. OUTLAY	115,000	100,000
(E)	DATA PROC.	20,000	0
(05)	POLLUTION CONTROL	10,000	10,000
(06)	DATA PROCESSING SERVICES	200,000	0
(07)	INTERSTATE OIL COMPACT	10,000	10,000
(08)	UNDERGROUND INJECTION CONTROL	60,000	60,000
(09)	GROUNDWATER PROTECTION	<u>5,000</u>	<u>5,000</u>
	TOTAL AMOUNT APPROPRIATED	<u>\$ 2,689,965</u>	<u>\$ 2,487,568</u>

SECTION 4. APPROPRIATIONS - REFUNDS AND REIMBURSEMENTS. There is hereby appropriated, to the Oil and Gas Commission, to be payable from cash funds as defined by Arkansas Code 19-4-801 of the Oil and Gas Commission, for refunds and reimbursements of the Oil and Gas Commission for the biennial period ending June 30, 2009, the following:

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009
(01) REFUNDS/REIMBURSEMENTS	<u>\$ 500,000</u>	<u>\$ 500,000</u>

SECTION 5. APPROPRIATION - WELL PLUGGING PROGRAM. There is hereby appropriated, to the Oil and Gas Commission, to be payable from the Abandoned and Orphaned Well Plugging Fund, for well plugging program expenses of the Oil and Gas Commission for the biennial period ending June 30, 2009, the sum of\$1,500,000.

SECTION 6. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY FORWARD. Any unexpended balance of the appropriation authorized for Data

1 Processing in Item (06) of Section 3 of this Act which remains at the close
2 of the fiscal year ending June 30, ~~2006~~ 2008, shall be carried forward and
3 made available for the same purpose for the fiscal year ending June 30, ~~2007~~
4 2009, after having sought prior review by the Arkansas Legislative Council or
5 the Joint Budget Committee.

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7 Any carry forward of unexpended balance of appropriation and/or funding as
8 authorized herein, may be carried forward under the following conditions:

9
10 (1) Prior to June 30, 2008 the Agency shall by written statement set forth
11 its reason(s) for the need to carry forward said appropriation and/or funding
12 to the Department of Finance and Administration Office of Budget;

13
14 (2) The Department of Finance and Administration Office of Budget shall
15 report to the Arkansas Legislative Council all amounts carried forward from
16 the first fiscal year of the biennium to the second fiscal year of the
17 biennium by the September Arkansas Legislative Council or Joint Budget
18 Committee meeting in the second fiscal year of the biennial period which
19 report shall include the name of the Agency, Board, Commission or Institution
20 and the amount of the appropriation and/or funding carried forward from the
21 first fiscal year to the second fiscal year, the program name or line item,
22 the funding source of that appropriation and a copy of the written request
23 set forth in (1) above;

24
25 (3) Each Agency, Board, Commission or Institution shall provide a written
26 report to the Arkansas Legislative Council or Joint Budget Committee
27 containing all information set forth in item (2) above, along with a written
28 statement as to the current status of the project, contract, purpose etc. for
29 which the carry forward was originally requested no later than thirty (30)
30 days prior to the time the Agency, Board, Commission or Institution presents
31 its budget request to the Arkansas Legislative Council/Joint Budget
32 Committee; and

33
34 (4) Thereupon, the Department of Finance and Administration shall include
35 all information obtained in item (3) above in the biennial budget manuals
36 and/or a statement of non-compliance by the Agency, Board, Commission or

1 Institution.

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3 The provisions of this section shall be in effect only from July 1, 2005
4 2007 through June 30, ~~2007~~ 2009.

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6 SECTION 7. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
7 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND
8 TRANSFER. ~~Immediately upon the effective date of this Act, The Oil and Gas~~
9 Commission after receiving review from the Chief Fiscal Officer of the State,
10 and the Legislative Council may request the Chief Fiscal Officer to shall
11 transfer up to \$750,000 on his or her books and the books of the State
12 Treasurer and the Auditor of the State from the Oil and Gas Commission Fund
13 to the Abandoned and Orphan Well Plugging Fund.

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

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

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34 SECTION 10. EMERGENCY CLAUSE. It is found and determined by the General
35 Assembly, that the Constitution of the State of Arkansas prohibits the
36 appropriation of funds for more than a two (2) year period; that the

1 effectiveness of this Act on July 1, 2007 is essential to the operation of
2 the agency for which the appropriations in this Act are provided, and that in
3 the event of an extension of the Regular Session, the delay in the effective
4 date of this Act beyond July 1, 2007 could work irreparable harm upon the
5 proper administration and provision of essential governmental programs.
6 Therefore, an emergency is hereby declared to exist and this Act being
7 necessary for the immediate preservation of the public peace, health and
8 safety shall be in full force and effect from and after July 1, 2007.

9
10 */s/ Joint Budget Committee*

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12 *APPROVED: 3/19/2007*
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