

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.

1 State of Arkansas
2 83rd General Assembly
3 Regular Session, 2001

A Bill

HOUSE BILL 1215

4
5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
10 AND OPERATING EXPENSES FOR THE OIL AND GAS COMMISSION
11 FOR THE BIENNIAL PERIOD ENDING JUNE 30, 2003; AND FOR
12 OTHER PURPOSES.

Subtitle

13
14
15 AN ACT FOR THE OIL AND GAS COMMISSION
16 APPROPRIATION FOR THE 2001-2003 BIENNIAL.
17
18
19

20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
21

22 SECTION 1. REGULAR SALARIES. There is hereby established for the Oil and
23 Gas Commission for the 2001-2003 biennium, the following maximum number of
24 regular employees whose salaries shall be governed by the provisions of the
25 Uniform Classification and Compensation Act (Arkansas Code §§21-5-201 et
26 seq.), or its successor, and all laws amendatory thereto. Provided, however,
27 that any position to which a specific maximum annual salary is set out herein
28 in dollars, shall be exempt from the provisions of said Uniform Classification
29 and Compensation Act. All persons occupying positions authorized herein are
30 hereby governed by the provisions of the Regular Salaries Procedures and
31 Restrictions Act (Arkansas Code §21-5-101), or its successor.
32

| | | Maximum Annual | |
|------|------------|----------------|---------------------|
| | | Maximum | Salary Rate |
| Item | Class | No. of | Fiscal Years |
| No. | Code Title | Employees | 2001-2002 2002-2003 |

| | | | | | | |
|----|------|------|-------------------------------|----------|----------|----------|
| 1 | (1) | 9914 | OIL & GAS DIRECTOR | 1 | \$83,619 | \$85,793 |
| 2 | (2) | 9897 | OIL & GAS DEPUTY DIRECTOR | 1 | \$76,281 | \$78,264 |
| 3 | (3) | 9895 | SENIOR PETROLEUM ENGINEER | 1 | \$71,252 | \$73,104 |
| 4 | (4) | B015 | SENIOR PETROLEUM GEOLOGIST | 2 | | GRADE 24 |
| 5 | (5) | D038 | SYSTEMS PROGRAMMER | 1 | | GRADE 22 |
| 6 | (6) | R266 | MANAGEMENT PROJECT ANALYST II | 2 | | GRADE 20 |
| 7 | (7) | X403 | OIL & GAS DIST PETROLEUM TECH | 1 | | GRADE 20 |
| 8 | (8) | X354 | OIL & GAS TECHNICIAN II | 6 | | GRADE 20 |
| 9 | (9) | A111 | ACCOUNTANT | 1 | | GRADE 18 |
| 10 | (10) | D128 | P C SUPPORT SPECIALIST | 1 | | GRADE 18 |
| 11 | (11) | R010 | ADMINISTRATIVE ASSISTANT II | 1 | | GRADE 17 |
| 12 | (12) | A108 | ACCOUNTING TECHNICIAN II | 5 | | GRADE 15 |
| 13 | (13) | K153 | SECRETARY II | 2 | | GRADE 13 |
| 14 | (14) | K155 | SECRETARY I | <u>2</u> | | GRADE 11 |
| 15 | | | MAX. NO. OF EMPLOYEES | 27 | | |

16

17 SECTION 2. EXTRA HELP. There is hereby authorized, for the Oil and Gas
 18 Commission for the 2001-2003 biennium, the following maximum number of part-
 19 time or temporary employees, to be known as "Extra Help", payable from funds
 20 appropriated herein for such purposes: six (6) temporary or part-time
 21 employees, when needed, at rates of pay not to exceed those provided in the
 22 Uniform Classification and Compensation Act, or its successor, or this act for
 23 the appropriate classification.

24

25 SECTION 3. APPROPRIATION. There is hereby appropriated, to the Oil and Gas
 26 Commission, to be payable from the Oil and Gas Commission Fund, for personal
 27 services and operating expenses of the Oil and Gas Commission for the biennial
 28 period ending June 30, 2003, the following:

29

| 30 | ITEM | | FISCAL YEARS | |
|----|------------|-------------------------|------------------|------------------|
| 31 | <u>NO.</u> | | <u>2001-2002</u> | <u>2002-2003</u> |
| 32 | (01) | REGULAR SALARIES | \$ 972,480 | \$ 997,762 |
| 33 | (02) | EXTRA HELP | 45,000 | 45,000 |
| 34 | (03) | PERSONAL SERV MATCHING | 254,841 | 260,150 |
| 35 | (04) | MAINT. & GEN. OPERATION | | |
| 36 | (A) | OPER. EXPENSE | 301,476 | 301,476 |

| | | | |
|----|-------------------------------|---------------------|---------------------|
| 1 | (B) CONF. & TRAVEL | 15,000 | 15,000 |
| 2 | (C) PROF. FEES | 172,000 | 172,000 |
| 3 | (D) CAP. OUTLAY | 75,000 | 75,000 |
| 4 | (E) DATA PROC. | 0 | 0 |
| 5 | (05) POLLUTION CONTROL | 10,000 | 10,000 |
| 6 | (06) DATA PROCESSING SERVICES | 500,000 | 0 |
| 7 | (07) INTERSTATE OIL COMPACT | 5,000 | 5,000 |
| 8 | (08) WELL CAPPING EXPENSE | 250,000 | 250,000 |
| 9 | (09) UNDERGROUND INJECTION | 60,000 | 60,000 |
| 10 | (10) GROUND WATER PROTECTION | <u>5,000</u> | <u>5,000</u> |
| 11 | TOTAL AMOUNT APPROPRIATED | <u>\$ 2,665,797</u> | <u>\$ 2,196,388</u> |

12

13 SECTION 4. APPROPRIATIONS - CASH. There is hereby appropriated, to the Oil
 14 and Gas Commission, to be payable from cash funds as defined by Arkansas Code
 15 19-4-801 of the Oil and Gas Commission, for refunds/transfers to the State
 16 Treasury of the Oil and Gas Commission for the biennial period ending June 30,
 17 2003, the following:

18

| 19 | ITEM | FISCAL YEARS | |
|----|--|---------------------|---------------------|
| 20 | <u>NO.</u> | <u>2001-2002</u> | <u>2002-2003</u> |
| 21 | (01) REFUNDS/TRANSFERS TO STATE TREASURY | <u>\$ 2,000,000</u> | <u>\$ 2,000,000</u> |

22

23 SECTION 5. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE
 24 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY FORWARD.

25 Any unexpended balance of the appropriation authorized for Data Processing in
 26 Item (06) of Section 3 of this Act which remains at the close of the fiscal
 27 year ending June 30, ~~2000~~ 2002, shall be carried forward and made available
 28 for the same purpose for the fiscal year ending June 30, ~~2001~~ 2003.

29 The provisions of this section shall be in effect only from July 1, 2001
 30 through June 30, 2003.

31

32 SECTION 6. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED
 33 SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND BALANCES. (A) For all
 34 appropriations as provided in this Act, the agency disbursing officer shall
 35 monitor the level of fund balances in relation to expenditures on a monthly
 36 basis. If any proposed expenditures would cause a fund balance to decline to

1 less than fifty percent (50%) of the balance available on July 1, 2001, the
 2 disbursing officer shall immediately notify the executive head of the agency.
 3 Prior to any obligations being made under these circumstances, the agency
 4 head shall file written documentation with the Chief Fiscal Officer of the
 5 State requesting approval of the expenditures. Such documentation shall
 6 provide sufficient financial data to justify the expenditures and shall
 7 include the following:
 8 1) a plan that clearly indicates the specific fiscal impact of such
 9 expenditures on the fund balance.
 10 2) information clearly indicating and explaining what programs would be cut or
 11 any other measures to be taken by the agency to restore the fund balance.
 12 3) the extent to which any of the planned expenditures are for one-time costs
 13 or one-time purchase of capitalized items.
 14 4) a statement certifying that the expenditure of fund balances will not
 15 jeopardize the financial health of the agency, nor result in a permanent
 16 depletion of the fund balance.
 17 (B) The Chief Fiscal Officer of the State shall review the request and
 18 approve or disapprove all or any part of the request , after having sought
 19 prior review by the Legislative Council.

20
 21 SECTION 7. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized by
 22 this act shall be limited to the appropriation for such agency and funds made
 23 available by law for the support of such appropriations; and the restrictions
 24 of the State Purchasing Law, the General Accounting and Budgetary Procedures
 25 Law, the Revenue Stabilization Law, the Regular Salary Procedures and
 26 Restrictions Act, or their successors, and other fiscal control laws of this
 27 State, where applicable, and regulations promulgated by the Department of
 28 Finance and Administration, as authorized by law, shall be strictly complied
 29 with in disbursement of said funds.

30
 31 SECTION 8. LEGISLATIVE INTENT. It is the intent of the General Assembly
 32 that any funds disbursed under the authority of the appropriations contained
 33 in this act shall be in compliance with the stated reasons for which this act
 34 was adopted, as evidenced by the Agency Requests, Executive Recommendations
 35 and Legislative Recommendations contained in the budget manuals prepared by
 36 the Department of Finance and Administration, letters, or summarized oral

1 testimony in the official minutes of the Arkansas Legislative Council or Joint
2 Budget Committee which relate to its passage and adoption.

3
4 SECTION 9. EMERGENCY CLAUSE. It is found and determined by the General
5 Assembly, that the Constitution of the State of Arkansas prohibits the
6 appropriation of funds for more than a two (2) year period; that the
7 effectiveness of this Act on July 1, 2001 is essential to the operation of the
8 agency for which the appropriations in this Act are provided, and that in the
9 event of an extension of the Regular Session, the delay in the effective date
10 of this Act beyond July 1, 2001 could work irreparable harm upon the proper
11 administration and provision of essential governmental programs. Therefore, an
12 emergency is hereby declared to exist and this Act being necessary for the
13 immediate preservation of the public peace, health and safety shall be in full
14 force and effect from and after July 1, 2001.