

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 85th General Assembly
3 Regular Session, 2005

A Bill

HOUSE BILL 1126

4
5 By: Joint Budget Committee
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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, 2007; AND FOR OTHER PURPOSES.
13
14

Subtitle

15 AN ACT FOR THE OIL AND GAS COMMISSION
16 APPROPRIATION FOR THE 2005-2007
17 BIENNIUM.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 SECTION 1. REGULAR SALARIES. There is hereby established for the Oil and
24 Gas Commission for the 2005-2007 biennium, the following maximum number of
25 regular employees whose salaries shall be governed by the provisions of the
26 Uniform Classification and Compensation Act (Arkansas Code §§21-5-201 et
27 seq.), or its successor, and all laws amendatory thereto. Provided, however,
28 that any position to which a specific maximum annual salary is set out herein
29 in dollars, shall be exempt from the provisions of said Uniform
30 Classification and Compensation Act. All persons occupying positions
31 authorized herein are hereby governed by the provisions of the Regular
32 Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its
33 successor.
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35 Maximum Annual
36 Maximum Salary Rate



Item	Class		No. of Employees	Fiscal Years	
	No.	Code Title		2005-2006	2006-2007
3	(1)	9914 OIL & GAS DIRECTOR	1	\$92,148	\$94,440
4	(2)	9897 OIL & GAS DEPUTY DIRECTOR	1	\$84,183	\$86,332
5	(3)	9895 SENIOR PETROLEUM ENGINEER	1	\$78,723	\$80,768
6	(4)	R170 ATTORNEY SPECIALIST	1	GRADE	25
7	(5)	B015 SENIOR PETROLEUM GEOLOGIST	2	GRADE	24
8	(6)	D038 SYSTEMS PROGRAMMER	1	GRADE	22
9	(7)	D121 USER SUPPORT ANALYST	1	GRADE	20
10	(8)	R266 MANAGEMENT PROJECT ANALYST II	2	GRADE	20
11	(9)	X354 OIL & GAS TECHNICIAN II	6	GRADE	20
12	(10)	X403 OIL & GAS DIST PETROLEUM TECH	1	GRADE	20
13	(11)	A110 ACCOUNTANT II	1	GRADE	19
14	(12)	R010 ADMINISTRATIVE ASSISTANT II	1	GRADE	17
15	(13)	R009 ADMINISTRATIVE ASSISTANT I	1	GRADE	15
16	(14)	A108 ACCOUNTING TECHNICIAN II	5	GRADE	15
17	(15)	K153 SECRETARY II	1	GRADE	13
18	(16)	K155 SECRETARY I	<u>2</u>	GRADE	11
19		MAX. NO. OF EMPLOYEES	28		

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21 SECTION 2. EXTRA HELP. There is hereby authorized, for the Oil and Gas
 22 Commission for the 2005-2007 biennium, the following maximum number of part-
 23 time or temporary employees, to be known as "Extra Help", payable from funds
 24 appropriated herein for such purposes: six (6) temporary or part-time
 25 employees, when needed, at rates of pay not to exceed those provided in the
 26 Uniform Classification and Compensation Act, or its successor, or this act
 27 for the appropriate classification.

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29 SECTION 3. APPROPRIATION - OPERATIONS. There is hereby appropriated, to
 30 the Oil and Gas Commission, to be payable from the Oil and Gas Commission
 31 Fund, for personal services and operating expenses of the Oil and Gas
 32 Commission for the biennial period ending June 30, 2007, the following:

33

ITEM	FISCAL YEARS		
	NO.	2005-2006	2006-2007
36	(01) REGULAR SALARIES	\$ 1,099,672	\$ 1,131,298

1	(02)	EXTRA HELP	45,000	45,000
2	(03)	PERSONAL SERVICES MATCHING	333,406	339,758
3	(04)	MAINT. & GEN. OPERATION		
4	(A)	OPER. EXPENSE	329,476	329,476
5	(B)	CONF. & TRAVEL	15,000	15,000
6	(C)	PROF. FEES	62,000	62,000
7	(D)	CAP. OUTLAY	75,000	75,000
8	(E)	DATA PROC.	0	0
9	(05)	POLLUTION CONTROL	10,000	10,000
10	(06)	DATA PROCESSING SERVICES	250,000	0
11	(07)	INTERSTATE OIL COMPACT	10,000	10,000
12	(08)	WELL CAPPING EXPENSE	750,000	0
13	(09)	UNDERGROUND INJECTION CONTROL	60,000	60,000
14	(10)	GROUNDWATER PROTECTION	<u>5,000</u>	<u>5,000</u>
15		TOTAL AMOUNT APPROPRIATED	<u>\$ 3,044,554</u>	<u>\$ 2,082,532</u>

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17 SECTION 4. APPROPRIATIONS - REFUNDS AND TRANSFERS. There is hereby
 18 appropriated, to the Oil and Gas Commission, to be payable from cash funds as
 19 defined by Arkansas Code 19-4-801 of the Oil and Gas Commission, for refunds
 20 and transfers to the State Treasury of the Oil and Gas Commission for the
 21 biennial period ending June 30, 2007, the following:

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23	ITEM	FISCAL YEARS	
24	<u>NO.</u>	<u>2005-2006</u>	<u>2006-2007</u>
25	(01) REFUNDS/TRANSFERS TO STATE TREASURY	<u>\$ 2,000,000</u>	<u>\$ 2,000,000</u>

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27 SECTION 5. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 28 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY
 29 FORWARD. Any unexpended balance of the appropriation authorized for Data
 30 Processing in Item (06) of Section 3 of this Act which remains at the close
 31 of the fiscal year ending June 30, ~~2004~~ 2006, shall be carried forward and
 32 made available for the same purpose for the fiscal year ending June 30, ~~2005~~
 33 2007, after having sought prior review by the Arkansas Legislative Council or
 34 the Joint Budget Committee.

35 The provisions of this section shall be in effect only from July 1, ~~2003~~
 36 2005 through June 30, ~~2005~~ 2007.

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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 Well Capping Expense in Item (08) of Section 3 of this Act which remains at the close of the fiscal year ending June 30, ~~2004~~ 2006, shall be carried forward and made available for the same purpose for the fiscal year ending June 30, ~~2005~~ 2007.

The provisions of this section shall be in effect only from July 1, ~~2003~~ 2005 through June 30, ~~2005~~ 2007.

SECTION 7. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND BALANCES. OIL AND GAS COMMISSION FUND. (A) For all appropriations as provided in this Act, the agency disbursing officer shall monitor the level of fund balances in relation to expenditures on a monthly basis. If any proposed expenditures would cause the Oil and Gas Commission Fund to decline below nine hundred seven thousand, four hundred eighty-seven dollars (\$907,487.00), the disbursing officer shall immediately notify the executive head of the agency. Prior to any obligations being made under these circumstances, the agency head shall file written documentation with the Chief Fiscal Officer of the State requesting approval of the expenditures. Such documentation shall provide sufficient financial data to justify the expenditures and shall include the following:

- 1) a plan that clearly indicates the specific fiscal impact of such expenditures on the fund balance.
- 2) information clearly indicating and explaining what programs would be cut or any other measures to be taken by the agency to restore the fund balance.
- 3) the extent to which any of the planned expenditures are for one-time costs or one-time purchase of capitalized items.
- 4) a statement certifying that the expenditure of fund balances will not jeopardize the financial health of the agency, nor result in a permanent depletion of the fund balance.

(B) The Chief Fiscal Officer of the State shall review the request and approve or disapprove all or any part of the request, after having sought prior review by the Legislative Council.

1 The provisions of this section shall be in effect only from July 1, 2003
 2 2005 through June 30, ~~2005~~ 2007.

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

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

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 23 SECTION 10. EMERGENCY CLAUSE. It is found and determined by the General
 24 Assembly, that the Constitution of the State of Arkansas prohibits the
 25 appropriation of funds for more than a two (2) year period; that the
 26 effectiveness of this Act on July 1, 2005 is essential to the operation of
 27 the agency for which the appropriations in this Act are provided, and that in
 28 the event of an extension of the Regular Session, the delay in the effective
 29 date of this Act beyond July 1, 2005 could work irreparable harm upon the
 30 proper administration and provision of essential governmental programs.
 31 Therefore, an emergency is hereby declared to exist and this Act being
 32 necessary for the immediate preservation of the public peace, health and
 33 safety shall be in full force and effect from and after July 1, 2005.