

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 86th General Assembly
3 Regular Session, 2007

A Bill

HOUSE BILL 1169

4
5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

8
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.
18
19
20

21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
22

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
36
Maximum Annual
Maximum Salary Rate



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

21

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

29

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

34

ITEM NO.	FISCAL YEARS	
	2007-2008	2008-2009

1	(01) REGULAR SALARIES	\$ 1,315,236	\$ 1,341,328
2	(02) EXTRA HELP	45,000	45,000
3	(03) PERSONAL SERVICES MATCHING	414,828	420,339
4	(04) MAINT. & GEN. OPERATION		
5	(A) OPER. EXPENSE	441,901	441,901
6	(B) CONF. & TRAVEL	15,000	15,000
7	(C) PROF. FEES	2,000	2,000
8	(D) CAP. OUTLAY	115,000	100,000
9	(E) DATA PROC.	0	0
10	(05) POLLUTION CONTROL	10,000	10,000
11	(06) DATA PROCESSING SERVICES	200,000	0
12	(07) INTERSTATE OIL COMPACT	10,000	10,000
13	(08) UNDERGROUND INJECTION CONTROL	60,000	60,000
14	(09) GROUNDWATER PROTECTION	<u>5,000</u>	<u>5,000</u>
15	TOTAL AMOUNT APPROPRIATED	<u>\$ 2,633,965</u>	<u>\$ 2,450,568</u>

16

17 SECTION 4. APPROPRIATIONS - REFUNDS AND REIMBURSEMENTS. 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 reimbursements of the Oil and Gas Commission for the biennial period
 21 ending June 30, 2009, the following:

22

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

26

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

32

33 SECTION 6. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 34 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY
 35 FORWARD. Any unexpended balance of the appropriation authorized for Data
 36 Processing in Item (06) of Section 3 of this Act which remains at the close

1 of the fiscal year ending June 30, ~~2006~~ 2008, shall be carried forward and
2 made available for the same purpose for the fiscal year ending June 30, ~~2007~~
3 2009, after having sought prior review by the Arkansas Legislative Council or
4 the Joint Budget Committee.

5
6 Any carry forward of unexpended balance of appropriation and/or funding as
7 authorized herein, may be carried forward under the following conditions:

8
9 (1) Prior to June 30, 2008 the Agency shall by written statement set forth
10 its reason(s) for the need to carry forward said appropriation and/or funding
11 to the Department of Finance and Administration Office of Budget;

12
13 (2) The Department of Finance and Administration Office of Budget shall
14 report to the Arkansas Legislative Council all amounts carried forward from
15 the first fiscal year of the biennium to the second fiscal year of the
16 biennium by the September Arkansas Legislative Council or Joint Budget
17 Committee meeting in the second fiscal year of the biennial period which
18 report shall include the name of the Agency, Board, Commission or Institution
19 and the amount of the appropriation and/or funding carried forward from the
20 first fiscal year to the second fiscal year, the program name or line item,
21 the funding source of that appropriation and a copy of the written request
22 set forth in (1) above;

23
24 (3) Each Agency, Board, Commission or Institution shall provide a written
25 report to the Arkansas Legislative Council or Joint Budget Committee
26 containing all information set forth in item (2) above, along with a written
27 statement as to the current status of the project, contract, purpose etc. for
28 which the carry forward was originally requested no later than thirty (30)
29 days prior to the time the Agency, Board, Commission or Institution presents
30 its budget request to the Arkansas Legislative Council/Joint Budget
31 Committee; and

32
33 (4) Thereupon, the Department of Finance and Administration shall include
34 all information obtained in item (3) above in the biennial budget manuals
35 and/or a statement of non-compliance by the Agency, Board, Commission or
36 Institution.

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

4
 5 SECTION 7. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 6 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND
 7 TRANSFER. ~~Immediately upon the effective date of this Act, The Oil and Gas~~
 8 Commission after receiving review from the Chief Fiscal Officer of the State,
 9 and the Legislative Council may request the Chief Fiscal Officer to shall
 10 transfer up to \$750,000 on his or her books and the books of the State
 11 Treasurer and the Auditor of the State from the Oil and Gas Commission Fund
 12 to the Abandoned and Orphan Well Plugging Fund.

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

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

32
 33 SECTION 10. EMERGENCY CLAUSE. It is found and determined by the General
 34 Assembly, that the Constitution of the State of Arkansas prohibits the
 35 appropriation of funds for more than a two (2) year period; that the
 36 effectiveness of this Act on July 1, 2007 is essential to the operation of

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

8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31
32
33
34
35
36