

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  
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.  
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14

**Subtitle**

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:  
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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.  
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35 Maximum Annual  
36 Maximum Salary Rate



Item	Class		No. of	Fiscal Years	
	No.	Code Title		Employees	2007-2008
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		

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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:

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ITEM	FISCAL YEARS	
	NO.	2007-2008

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	477,901	478,901
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.	20,000	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>\$ 2,689,965</u>	<u>\$ 2,487,568</u>

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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:

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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>

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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.

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

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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;

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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.

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

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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.

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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.

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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.

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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

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

8  
9 */s/ Joint Budget Committee*

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