

1 State of Arkansas
2 88th General Assembly
3 Regular Session, 2011
4

As Engrossed: H3/18/11
A Bill

HOUSE BILL 1125

5 By: Joint Budget Committee
6

7 **For An Act To Be Entitled**

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL
9 SERVICES AND OPERATING EXPENSES FOR THE OIL AND
10 GAS COMMISSION FOR THE FISCAL YEAR ENDING JUNE
11 30, 2012; AND FOR OTHER PURPOSES.
12

13 **Subtitle**

14 AN ACT FOR THE OIL AND GAS COMMISSION
15 APPROPRIATION FOR THE 2011-2012 FISCAL
16 YEAR.
17

18
19
20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
21

22 SECTION 1. REGULAR SALARIES - OPERATIONS. There is hereby established
23 for the Oil and Gas Commission for the 2011-2012 fiscal year, the following
24 maximum number of regular employees.
25

| 26 | | | | Maximum Annual |
|----|------|-------|-------------------------------------|----------------|
| 27 | | | | Salary Rate |
| 28 | Item | Class | Maximum | Fiscal Year |
| 29 | No. | Code | No. of | 2011-2012 |
| | No. | Code | Employees | |
| 30 | (1) | U045U | OIL & GAS DIRECTOR | 1 \$107,501 |
| 31 | (2) | U056U | OIL & GAS DEPUTY DIRECTOR | 1 \$98,272 |
| 32 | (3) | B008N | SENIOR PETROLEUM ENGINEER | 2 GRADE N905 |
| 33 | (4) | B014N | SENIOR PETROLEUM GEOLOGIST | 2 GRADE N901 |
| 34 | (5) | G024C | DEPARTMENT ADMINISTRATIVE LAW JUDGE | 1 GRADE C127 |
| 35 | (6) | G047C | ATTORNEY SPECIALIST | 1 GRADE C126 |
| 36 | (7) | B013C | PETROLEUM ENGINEER | 1 GRADE C126 |



| | | | | | |
|----|------|-------|-------------------------------------|----------|------------|
| 1 | (8) | D030C | INFORMATION SYSTEMS COORDINATOR | 1 | GRADE C124 |
| 2 | (9) | D040C | GIS ANALYST | 1 | GRADE C123 |
| 3 | (10) | G094C | OIL & GAS PROGRAM MANAGER | 1 | GRADE C122 |
| 4 | (11) | A050C | AGENCY FISCAL MANAGER | 1 | GRADE C121 |
| 5 | (12) | B050C | OIL & GAS DISTRICT PETROLEUM SUPERV | 3 | GRADE C120 |
| 6 | (13) | X082C | OIL & GAS INSPECTOR | 9 | GRADE C118 |
| 7 | (14) | D071C | COMPUTER SUPPORT ANALYST | 1 | GRADE C117 |
| 8 | (15) | X098C | OIL & GAS TECHNICIAN | 2 | GRADE C117 |
| 9 | (16) | C037C | ADMINISTRATIVE ANALYST | 3 | GRADE C115 |
| 10 | (17) | C056C | ADMINISTRATIVE SPECIALIST III | 3 | GRADE C112 |
| 11 | (18) | A098C | FISCAL SUPPORT SPECIALIST | 1 | GRADE C112 |
| 12 | (19) | C073C | ADMINISTRATIVE SPECIALIST II | 3 | GRADE C109 |
| 13 | (20) | C087C | ADMINISTRATIVE SPECIALIST I | <u>2</u> | GRADE C106 |
| 14 | | | MAX. NO. OF EMPLOYEES | 40 | |

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16 SECTION 2. EXTRA HELP - OPERATIONS. There is hereby authorized, for
 17 the Oil and Gas Commission for the 2011-2012 fiscal year, the following
 18 maximum number of part-time or temporary employees, to be known as "Extra
 19 Help", payable from funds appropriated herein for such purposes: ten (10)
 20 temporary or part-time employees, when needed, at rates of pay not to exceed
 21 those provided in the Uniform Classification and Compensation Act, or its
 22 successor, or this act for the appropriate classification.

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24 SECTION 3. APPROPRIATION - OPERATIONS. There is hereby appropriated,
 25 to the Oil and Gas Commission, to be payable from the Oil and Gas Commission
 26 Fund, for personal services and operating expenses of the Oil and Gas
 27 Commission for the fiscal year ending June 30, 2012, the following:

28

| 29 | ITEM | FISCAL YEAR |
|----|---------------------------------|------------------|
| 30 | <u>NO.</u> | <u>2011-2012</u> |
| 31 | (01) REGULAR SALARIES | \$1,894,253 |
| 32 | (02) EXTRA HELP | 100,000 |
| 33 | (03) PERSONAL SERVICES MATCHING | 592,507 |
| 34 | (04) MAINT. & GEN. OPERATION | |
| 35 | (A) OPER. EXPENSE | 987,797 |
| 36 | (B) CONF. & TRAVEL | 40,000 |

| | | |
|----|------------------------------------|---------------------------|
| 1 | (C) PROF. FEES | 52,000 |
| 2 | (D) CAP. OUTLAY | 0 |
| 3 | (E) DATA PROC. | 0 |
| 4 | (05) POLLUTION CONTROL | 10,000 |
| 5 | (06) REFUNDS/REIMBURSEMENTS | 100,000 |
| 6 | (07) DATA PROCESSING SERVICES | 348,217 |
| 7 | (08) INTERSTATE OIL COMPACT | 10,000 |
| 8 | (09) UNDERGROUND INJECTION CONTROL | 100,000 |
| 9 | (10) GROUNDWATER PROTECTION | 5,000 |
| 10 | (11) CONSTRUCTION | <u>100,000</u> |
| 11 | TOTAL AMOUNT APPROPRIATED | <u><u>\$4,339,774</u></u> |

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13 SECTION 4. APPROPRIATION - REFUNDS AND REIMBURSEMENTS. There is hereby
 14 appropriated, to the Oil and Gas Commission, to be payable from cash funds as
 15 defined by Arkansas Code 19-4-801 of the Oil and Gas Commission, for refunds
 16 and reimbursements of the Oil and Gas Commission for the fiscal year ending
 17 June 30, 2012, the following:

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| 19 | ITEM | FISCAL YEAR |
|----|-----------------------------|-------------------------|
| 20 | <u>NO.</u> | <u>2011-2012</u> |
| 21 | (01) REFUNDS/REIMBURSEMENTS | <u><u>\$500,000</u></u> |

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23 SECTION 5. APPROPRIATION - WELL PLUGGING PROGRAM. There is hereby
 24 appropriated, to the Oil and Gas Commission, to be payable from the Abandoned
 25 and Orphaned Well Plugging Fund, for well plugging program expenses of the
 26 Oil and Gas Commission for the fiscal year ending June 30, 2012, the
 27 following:

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| 29 | ITEM | FISCAL YEAR |
|----|-----------------------------|---------------------------|
| 30 | <u>NO.</u> | <u>2011-2012</u> |
| 31 | (01) WELL PLUGGING EXPENSES | <u><u>\$1,500,000</u></u> |

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33 SECTION 6. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 34 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND
 35 TRANSFER. The Oil and Gas Commission, after receiving review from the Chief
 36 Fiscal Officer of the State and the Legislative Council, may request the

1 Chief Fiscal Officer to transfer up to \$750,000 per year on his or her books
2 and the books of the State Treasurer and the Auditor of the State from the
3 Oil and Gas Commission Fund to the Abandoned and Orphan Well Plugging Fund.
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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.*

7 *FAYETTEVILLE SHALE QUARTERLY REPORTING. The Arkansas Oil and Gas Commission*
8 *shall report on a quarterly basis to the Arkansas Legislative Council or the*
9 *Joint Budget Committee the number of inspections and any hearings, findings,*
10 *orders, fines, or other agency regulatory or enforcement actions or*
11 *activities involving the Fayetteville Shale. The quarterly reports shall be*
12 *provided no later than the 15th day of the month immediately following the*
13 *end of each quarter.*

14 *The provisions of this section shall be in effect only from July 1, 2011*
15 *through June 30, 2012.*
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17 *SECTION 8. COMPLIANCE WITH OTHER LAWS.* Disbursement of funds
18 authorized by this act shall be limited to the appropriation for such agency
19 and funds made available by law for the support of such appropriations; and
20 the restrictions of the State Procurement Law, the General Accounting and
21 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
22 Procedures and Restrictions Act, or their successors, and other fiscal
23 control laws of this State, where applicable, and regulations promulgated by
24 the Department of Finance and Administration, as authorized by law, shall be
25 strictly complied with in disbursement of said funds.
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27 *SECTION 9. LEGISLATIVE INTENT.* It is the intent of the General
28 Assembly that any funds disbursed under the authority of the appropriations
29 contained in this act shall be in compliance with the stated reasons for
30 which this act was adopted, as evidenced by the Agency Requests, Executive
31 Recommendations and Legislative Recommendations contained in the budget
32 manuals prepared by the Department of Finance and Administration, letters, or
33 summarized oral testimony in the official minutes of the Arkansas Legislative
34 Council or Joint Budget Committee which relate to its passage and adoption.
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36 *SECTION 10. EMERGENCY CLAUSE.* It is found and determined by the

1 General Assembly, that the Constitution of the State of Arkansas prohibits
2 the appropriation of funds for more than a one (1) year period; that the
3 effectiveness of this Act on July 1, 2011 is essential to the operation of
4 the agency for which the appropriations in this Act are provided, and that in
5 the event of an extension of the legislative session, the delay in the
6 effective date of this Act beyond July 1, 2011 could work irreparable harm
7 upon the proper administration and provision of essential governmental
8 programs. Therefore, an emergency is hereby declared to exist and this Act
9 being necessary for the immediate preservation of the public peace, health
10 and safety shall be in full force and effect from and after July 1, 2011.

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12 */s/Joint Budget Committee*
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