

1 State of Arkansas  
2 94th General Assembly  
3 Regular Session, 2023  
4

# A Bill

HOUSE BILL 1138

5 By: Joint Budget Committee  
6

## For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES  
9 AND OPERATING EXPENSES FOR THE DEPARTMENT OF ENERGY  
10 AND ENVIRONMENT - OIL AND GAS COMMISSION FOR THE  
11 FISCAL YEAR ENDING JUNE 30, 2024; AND FOR OTHER  
12 PURPOSES.  
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## Subtitle

15 AN ACT FOR THE DEPARTMENT OF ENERGY AND  
16 ENVIRONMENT - OIL AND GAS COMMISSION  
17 APPROPRIATION FOR THE 2023-2024 FISCAL  
18 YEAR.  
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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24 SECTION 1. REGULAR SALARIES. There is hereby established for the  
25 Department of Energy and Environment - Oil and Gas Commission for the 2023-  
26 2024 fiscal year, the following maximum number of regular employees.  
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Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2023-2024
32	(1) U045U	OIL & GAS DIRECTOR	1	GRADE SE01
33	(2) D015C	STATE NETWORK ENGINEER	1	GRADE IT07
34	(3) D040C	GIS ANALYST	1	GRADE IT06
35	(4) D052C	SOFTWARE SUPPORT ANALYST	1	GRADE IT05
36	(5) D071C	COMPUTER SUPPORT ANALYST	1	GRADE IT03



1	(6)	B008N SENIOR PETROLEUM ENGINEER	2	GRADE GS12
2	(7)	B014N SENIOR PETROLEUM GEOLOGIST	3	GRADE GS11
3	(8)	G063C E&E BRANCH MANAGER	2	GRADE GS10
4	(9)	B042C ENGINEER	1	GRADE GS09
5	(10)	B050C E&E INSPECTOR SUPERVISOR II	1	GRADE GS08
6	(11)	C037C ADMINISTRATIVE ANALYST	3	GRADE GS06
7	(12)	X082C E&E INSPECTOR II	9	GRADE GS06
8	(13)	C056C ADMINISTRATIVE SPECIALIST III	3	GRADE GS04
9	(14)	X098C OIL & GAS TECHNICIAN	2	GRADE GS04
10	(15)	C073C ADMINISTRATIVE SPECIALIST II	<u>3</u>	GRADE GS03
11		MAX. NO. OF EMPLOYEES	34	

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13 SECTION 2. EXTRA HELP. There is hereby authorized, for the Department  
 14 of Energy and Environment - Oil and Gas Commission for the 2023-2024 fiscal  
 15 year, the following maximum number of part-time or temporary employees, to be  
 16 known as "Extra Help", payable from funds appropriated herein for such  
 17 purposes: six (6) temporary or part-time employees, when needed, at rates of  
 18 pay not to exceed those provided in the Uniform Classification and  
 19 Compensation Act, or its successor, or this act for the appropriate  
 20 classification.

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22 SECTION 3. APPROPRIATION - OPERATIONS. There is hereby appropriated,  
 23 to the Department of Energy and Environment, to be payable from the Oil and  
 24 Gas Commission Fund, for personal services and operating expenses of the  
 25 Department of Energy and Environment - Oil and Gas Commission for the fiscal  
 26 year ending June 30, 2024, the following:

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28	ITEM	FISCAL YEAR
29	<u>NO.</u>	<u>2023-2024</u>
30	(01) REGULAR SALARIES	\$1,897,807
31	(02) EXTRA HELP	60,000
32	(03) PERSONAL SERVICES MATCHING	682,039
33	(04) MAINT. & GEN. OPERATION	
34	(A) OPER. EXPENSE	887,197
35	(B) CONF. & TRAVEL	40,000
36	(C) PROF. FEES	25,000

1	(D) CAP. OUTLAY	160,000
2	(E) DATA PROC.	0
3	(05) POLLUTION CONTROL	275,000
4	(06) REFUNDS/REIMBURSEMENTS	100,000
5	(07) DATA PROCESSING SERVICES	348,217
6	(08) INTERSTATE OIL COMPACT	35,000
7	(09) GEOLOGICAL RESEARCH	110,000
8	(10) UNDERGROUND INJECTION CONTROL	100,000
9	(11) GROUNDWATER PROTECTION	12,500
10	(12) ENERGY EDUCATION	<u>30,000</u>
11	TOTAL AMOUNT APPROPRIATED	<u>\$4,762,760</u>

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13 SECTION 4. APPROPRIATION - REFUNDS AND REIMBURSEMENTS. There is hereby  
 14 appropriated, to the Department of Energy and Environment, to be payable from  
 15 cash funds as defined by Arkansas Code 19-4-801, for refunds and  
 16 reimbursements of the Department of Energy and Environment - Oil and Gas  
 17 Commission for the fiscal year ending June 30, 2024, the following:

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19	ITEM	FISCAL YEAR
20	<u>NO.</u>	<u>2023-2024</u>
21	(01) REFUNDS/REIMBURSEMENTS	<u>\$200,000</u>

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23 SECTION 5. APPROPRIATION - WELL PLUGGING PROGRAM. There is hereby  
 24 appropriated, to the Department of Energy and Environment, to be payable from  
 25 the Abandoned and Orphaned Well Plugging Fund, for well plugging program  
 26 expenses of the Department of Energy and Environment - Oil and Gas Commission  
 27 - Well Plugging Program for the fiscal year ending June 30, 2024, the  
 28 following:

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30	ITEM	FISCAL YEAR
31	<u>NO.</u>	<u>2023-2024</u>
32	(01) WELL PLUGGING EXPENSES	<u>\$12,500,000</u>

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

1 Fiscal Officer of the State and reporting to the Arkansas Legislative Council  
2 or Joint Budget Committee, may request the Chief Fiscal Officer to transfer  
3 up to \$1,000,000 per year on his or her books and the books of the State  
4 Treasurer and the Auditor of the State from the Oil and Gas Commission Fund  
5 to the Abandoned and Orphaned Well Plugging Fund.

6 ~~The Oil and Gas Commission may request the Chief Fiscal Officer to~~  
7 ~~transfer \$10,000,000 in a one time, emergency transfer on his or her books~~  
8 ~~and the books of the State Treasurer and the Auditor of the State from the~~  
9 ~~Oil and Gas Commission Fund to the Abandoned and Orphaned Well Plugging Fund.~~

10 The provisions of this section shall be in effect only from July 1, 2022  
11 2023 through June 30, ~~2023~~ 2024.

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13 SECTION 7. SPECIAL LANGUAGE. CODE AMENDMENT. Arkansas Code Title 15,  
14 Chapter 71, Subchapter 101, is amended to add an additional section to read  
15 as follows:

16 15-71-118. Investments.

17 (a) All funds that are held in any trust or special revenue fund  
18 administered by the Oil and Gas Commission may be invested and reinvested  
19 subject to the written approval of the Treasurer of State.

20 (b) All investments as authorized for use by the Treasurer of State may be  
21 available for the funds held in any trust fund administered by the  
22 commission.

23 (c) The movement of funds into and out of investments under this section  
24 shall be by fund transfers as directed by the commission, or its designee.

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26 SECTION 8. COMPLIANCE WITH OTHER LAWS. Disbursement of funds  
27 authorized by this act shall be limited to the appropriation for such agency  
28 and funds made available by law for the support of such appropriations; and  
29 the restrictions of the State Procurement Law, the General Accounting and  
30 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
31 Procedures and Restrictions Act, or their successors, and other fiscal  
32 control laws of this State, where applicable, and regulations promulgated by  
33 the Department of Finance and Administration, as authorized by law, shall be  
34 strictly complied with in disbursement of said funds.

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36 SECTION 9. LEGISLATIVE INTENT. It is the intent of the General

1 Assembly that any funds disbursed under the authority of the appropriations  
2 contained in this act shall be in compliance with the stated reasons for  
3 which this act was adopted, as evidenced by the Agency Requests, Executive  
4 Recommendations and Legislative Recommendations contained in the budget  
5 manuals prepared by the Department of Finance and Administration, letters, or  
6 summarized oral testimony in the official minutes of the Arkansas Legislative  
7 Council or Joint Budget Committee which relate to its passage and adoption.  
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9 SECTION 10. EMERGENCY CLAUSE. It is found and determined by the  
10 General Assembly, that the Constitution of the State of Arkansas prohibits  
11 the appropriation of funds for more than a one (1) year period; that the  
12 effectiveness of this Act on July 1, 2023 is essential to the operation of  
13 the agency for which the appropriations in this Act are provided, and that in  
14 the event of an extension of the legislative session, the delay in the  
15 effective date of this Act beyond July 1, 2023 could work irreparable harm  
16 upon the proper administration and provision of essential governmental  
17 programs. Therefore, an emergency is hereby declared to exist and this Act  
18 being necessary for the immediate preservation of the public peace, health  
19 and safety shall be in full force and effect from and after July 1, 2023.  
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