

State of Arkansas  
94th General Assembly  
Regular Session, 2023

# A Bill

HOUSE BILL 1138

By: Joint Budget Committee

## For An Act To Be Entitled

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

## Subtitle

AN ACT FOR THE DEPARTMENT OF ENERGY AND ENVIRONMENT - OIL AND GAS COMMISSION APPROPRIATION FOR THE 2023-2024 FISCAL YEAR.

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

SECTION 1. REGULAR SALARIES. There is hereby established for the Department of Energy and Environment - Oil and Gas Commission for the 2023-2024 fiscal year, the following maximum number of regular employees.

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2023-2024
(1)	U045U	OIL & GAS DIRECTOR	1	GRADE SE01
(2)	D015C	STATE NETWORK ENGINEER	1	GRADE IT07
(3)	D040C	GIS ANALYST	1	GRADE IT06
(4)	D052C	SOFTWARE SUPPORT ANALYST	1	GRADE IT05
(5)	D071C	COMPUTER SUPPORT ANALYST	1	GRADE IT03



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

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

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

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

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

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

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

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

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

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

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

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

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

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

15-71-118. Investments.

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

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

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

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

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

Assembly that any funds disbursed under the authority of the appropriations contained in this act shall be in compliance with the stated reasons for which this act was adopted, as evidenced by the Agency Requests, Executive Recommendations and Legislative Recommendations contained in the budget manuals prepared by the Department of Finance and Administration, letters, or summarized oral testimony in the official minutes of the Arkansas Legislative Council or Joint Budget Committee which relate to its passage and adoption.

SECTION 10. EMERGENCY CLAUSE. It is found and determined by the General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a one (1) year period; that the effectiveness of this Act on July 1, 2023 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 legislative session, the delay in the effective date of this Act beyond July 1, 2023 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, 2023.

**APPROVED: 1/30/23**