

State of Arkansas
88th General Assembly
Fiscal Session, 2012

A Bill

HOUSE BILL 1034

By: Joint Budget Committee

For An Act To Be Entitled

AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES FOR THE OIL AND GAS COMMISSION FOR THE FISCAL YEAR ENDING JUNE 30, 2013; AND FOR OTHER PURPOSES.

Subtitle

AN ACT FOR THE OIL AND GAS COMMISSION APPROPRIATION FOR THE 2012-2013 FISCAL YEAR.

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

SECTION 1. REGULAR SALARIES - OPERATIONS. There is hereby established for the Oil and Gas Commission for the 2012-2013 fiscal year, the following maximum number of regular employees.

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2012-2013
(1)	U045U	OIL & GAS DIRECTOR	1	\$110,059
(2)	U056U	OIL & GAS DEPUTY DIRECTOR	1	\$100,610
(3)	B008N	SENIOR PETROLEUM ENGINEER	2	GRADE N905
(4)	B014N	SENIOR PETROLEUM GEOLOGIST	2	GRADE N901
(5)	G024C	DEPARTMENT ADMINISTRATIVE LAW JUDGE	1	GRADE C127
(6)	G047C	ATTORNEY SPECIALIST	1	GRADE C126
(7)	B013C	PETROLEUM ENGINEER	1	GRADE C126



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

SECTION 2. EXTRA HELP - OPERATIONS. There is hereby authorized, for the Oil and Gas Commission for the 2012-2013 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: ten (10) 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 Oil and Gas Commission, to be payable from the Oil and Gas Commission Fund, for personal services and operating expenses of the Oil and Gas Commission for the fiscal year ending June 30, 2013, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2012-2013</u>
(01) REGULAR SALARIES	\$1,935,531
(02) EXTRA HELP	100,000
(03) PERSONAL SERVICES MATCHING	601,020
(04) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	987,797
(B) CONF. & TRAVEL	40,000

(C) PROF. FEES	52,000
(D) CAP. OUTLAY	0
(E) DATA PROC.	0
(05) POLLUTION CONTROL	10,000
(06) REFUNDS/REIMBURSEMENTS	100,000
(07) DATA PROCESSING SERVICES	348,217
(08) INTERSTATE OIL COMPACT	10,000
(09) UNDERGROUND INJECTION CONTROL	100,000
(10) GROUNDWATER PROTECTION	5,000
(11) CONSTRUCTION	<u>100,000</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$4,389,565</u></u>

SECTION 4. APPROPRIATION - REFUNDS AND REIMBURSEMENTS. There is hereby appropriated, to the Oil and Gas Commission, to be payable from cash funds as defined by Arkansas Code 19-4-801 of the Oil and Gas Commission, for refunds and reimbursements of the Oil and Gas Commission for the fiscal year ending June 30, 2013, the following:

ITEM NO.	FISCAL YEAR 2012-2013
(01) REFUNDS/REIMBURSEMENTS	<u><u>\$500,000</u></u>

SECTION 5. APPROPRIATION - WELL PLUGGING PROGRAM. There is hereby appropriated, to the Oil and Gas Commission, to be payable from the Abandoned and Orphaned Well Plugging Fund, for well plugging program expenses of the Oil and Gas Commission for the fiscal year ending June 30, 2013, the following:

ITEM NO.	FISCAL YEAR 2012-2013
(01) WELL PLUGGING EXPENSES	<u><u>\$1,500,000</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 the Legislative Council, may request the

Chief Fiscal Officer to transfer up to \$750,000 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.

SECTION 7. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

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

The provisions of this section shall be in effect only from July 1, ~~2011~~ 2012 through June 30, ~~2012~~ 2013.

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, 2012 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, 2012 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, 2012.