

LIQUEFIED PETROLEUM GAS BOARD

Enabling Laws

Act 1211 of 2007
A.C.A. §15-75-101

History and Organization

The mission of the Liquefied Petroleum Gas Board is to protect the interests and welfare of the general public by providing enforcement of safety requirements contained in the laws and codes that regulate the manufacture, sale, installation, and use of containers and equipment in the storage, transportation, dispensing, and utilization of liquefied petroleum gases.

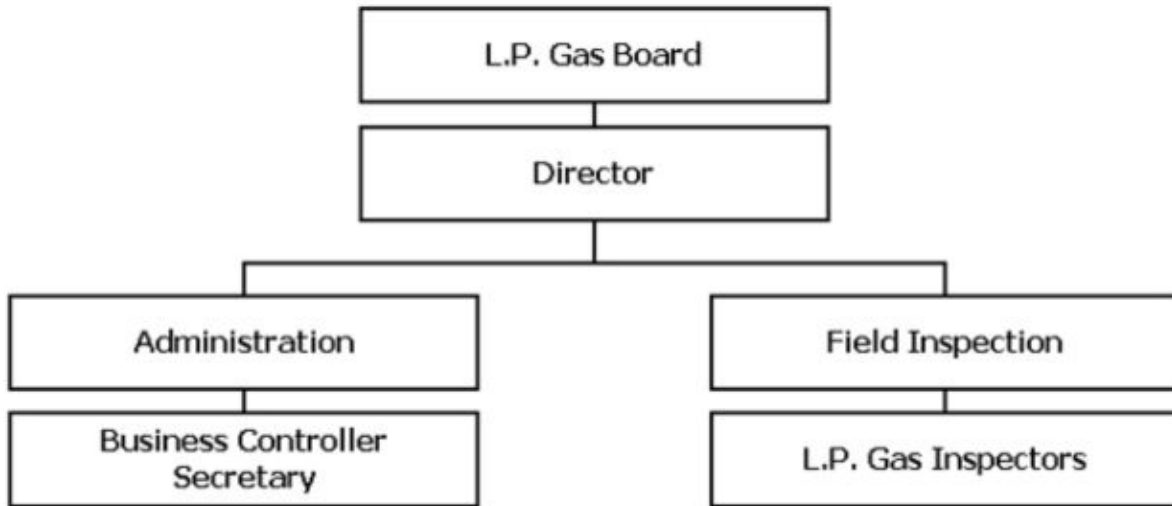
Act 204 of 1939 provided the initial authority for regulation of these activities. These duties were first assigned to a section of the Boiler Inspection Division of the State Department of Labor.

Act 18 of 1957 created a separate agency known as the State Liquefied Petroleum Gas Board that became responsible for enforcement and administration of the rules, regulations, and laws governing the Liquefied Petroleum Gas industry. A seven (7) member Liquefied Petroleum Gas Board was also created by this Act to make judgments concerning permit awards and adjudicate service and territorial disputes. The current structure of fees for permits, licenses, inspections, and registrations provides special revenue funding for Agency operations. The Agency receives no general revenue support.

Act 31 of 1965 is the present authority under which the Agency operates. This Act replaces all the previous acts and amendments and authorizes a fee for inspections of piping in domestic, commercial, industrial, and other types of buildings in which Liquefied Petroleum Gas is utilized.

The Agency's staff consists of seven (7) positions split between an Administrative Section and a Field Inspection Section. The Administrative Section provides the necessary administration, supervision, and clerical support for efficient operations. The Field Inspection Section conducts all inspections required for containers, systems, appliances, and equipment utilized in the storage, transportation, delivery, and usage of Liquefied Petroleum Gas in this State. The Field Section is also responsible for presentation of safety and educational programs on a continuing basis.

Special accomplishments and programs initiated since the formation of the current Board organizational structure in 1957 include the aforementioned safety programs among dealers, their employees, and members of various fire departments throughout the State; setting up of qualifications for a general safety supervisor for each Liquefied Petroleum Gas dealer; strict enforcement of the Liquefied Petroleum Gas Code and the rules and regulations contained therein; improvements in installation methods and placement of large numbers of bulk and commercial storage containers; and periodic spot inspections of existing domestic installations.



Agency Commentary

At the present time, the Liquefied Petroleum Gas Board staff consists of seven (7) positions which are charged with the responsibility of regulating the Liquefied Petroleum Gas industry in the State, according to the mandates in the Liquefied Petroleum Gas Code. In order for the agency to continue in the efficient performance of its duties, this budget is predicated on each year's Base Level plus an increase in Operating Expenses for the general rise of prices on utilities, postage and travel. Restoration of Capital Outlay is for the replacement of two (2) vehicles in the first year and three (3) vehicles in the second year of the 2009-11 Biennium.

Audit Findings

DIVISION OF LEGISLATIVE AUDIT
 AUDIT OF :
 OFFICE OF LIQUEFIED PETROLEUM GAS BOARD
 FOR THE YEAR ENDED JUNE 30, 2007

Findings	Recommendations
None	None

Employment Summary

	Male	Female	Total	%
White Employees	3	3	6	100 %
Black Employees	0	0	0	0 %
Other Racial Minorities	0	0	0	0 %
Total Minorities			0	0 %
Total Employees			6	100 %

Publications

A.C.A. 25-1-204

Name	Statutory Authorization	Required for		# of Copies	Reason(s) for Continued Publication and Distribution
		Governor	General Assembly		
L.P. Code	A.C.A. 15-75-207	N	N	5,000	Rules and Regulation Changes

Agency Position Usage Report

FY2006 - 2007						FY2007 - 2008						FY2008 - 2009					
Authorized in Act	Budgeted			Unbudgeted	% of Authorized Unused	Authorized in Act	Budgeted			Unbudgeted	% of Authorized Unused	Authorized in Act	Budgeted			Unbudgeted	% of Authorized Unused
	Filled	Unfilled	Total	Total			Filled	Unfilled	Total	Total			Filled	Unfilled	Total	Total	
7	6	1	7	0	14.29 %	7	6	1	7	0	14.29 %	7	6	1	7	0	14.29 %

Analysis of Budget Request

Appropriation: 050 - Liquefied Petroleum Gas Board-Operations

Funding Sources: SIL - Liquefied Petroleum Gas Fund

The Liquefied Petroleum Gas Board is funded by inspection, permit, and license fees that are enumerated in A.C.A. § 19-6-407. These fees are deposited as special revenues in the Liquefied Petroleum Gas Board Fund.

Base Level positions were changed from unclassified to classified to reflect the recommendations of the Pay Plan Study and salaries were adjusted accordingly. A 2.3% Cost of Living Allowance is reflected in the second year of the biennium. The Base Level request for Regular Salaries may include board member Stipend payments and Career Service payments for eligible employees. Personal Services Matching includes a \$75 increase in the monthly contribution for State employee's health insurance for a total State match per budgeted employee of \$425.

The Board requests a \$20,000 increase in Operating Expenses over Base Level. The rising costs of general expenses including utilities and postage in addition to gasoline prices necessitate this increase. Due to extensive statewide travel by the inspectors to carry out the charge of the Board, restoration of Capital Outlay in the amount of \$40,000 in FY10 to replace 2 vehicles and \$60,000 in FY11 to replace 3 vehicles.

The Executive Recommendation provides for the Agency Request.

Appropriation Summary

Appropriation: 050 - Liquefied Petroleum Gas Board-Operations

Funding Sources: SIL - Liquefied Petroleum Gas Fund

Historical Data

Agency Request and Executive Recommendation

Commitment Item		Historical Data			Agency Request and Executive Recommendation			Agency Request and Executive Recommendation		
		2007-2008 Actual	2008-2009 Budget	2008-2009 Authorized	2009-2010			2010-2011		
					Base Level	Agency	Executive	Base Level	Agency	Executive
Regular Salaries	5010000	233,374	261,433	260,393	279,130	279,130	279,130	284,718	284,718	284,718
#Positions		6	7	7	7	7	7	7	7	7
Extra Help	5010001	0	8,300	8,300	8,300	8,300	8,300	8,300	8,300	8,300
#Extra Help		0	1	1	1	1	1	1	1	1
Personal Services Matching	5010003	76,523	78,764	82,706	88,537	88,537	88,537	89,584	89,584	89,584
Operating Expenses	5020002	122,682	130,000	130,000	130,000	150,000	150,000	130,000	150,000	150,000
Conference & Travel Expenses	5050009	1,083	6,000	6,000	6,000	6,000	6,000	6,000	6,000	6,000
Professional Fees	5060010	25,564	38,650	38,650	38,650	38,650	38,650	38,650	38,650	38,650
Data Processing	5090012	0	0	0	0	0	0	0	0	0
Capital Outlay	5120011	15,717	57,000	57,000	0	40,000	40,000	0	60,000	60,000
Total		474,943	580,147	583,049	550,617	610,617	610,617	557,252	637,252	637,252
Funding Sources										
Fund Balance	4000005	757,057	814,404		759,257	759,257	759,257	673,640	673,640	673,640
Special Revenue	4000030	532,290	525,000		465,000	525,000	525,000	445,000	525,000	525,000
Total Funding		1,289,347	1,339,404		1,224,257	1,284,257	1,284,257	1,118,640	1,198,640	1,198,640
Excess Appropriation/(Funding)		(814,404)	(759,257)		(673,640)	(673,640)	(673,640)	(561,388)	(561,388)	(561,388)
Grand Total		474,943	580,147		550,617	610,617	610,617	557,252	637,252	637,252

The Budget amount in Regular Salaries exceeds the authorized amount due to salary adjustments during the 2007-2009 biennium.

Change Level by Appropriation

Appropriation: 050 - Liquefied Petroleum Gas Board-Operations

Funding Sources: SIL - Liquefied Petroleum Gas Fund

Agency Request

Change Level		2009-2010	Pos	Cumulative	% of BL	2010-2011	Pos	Cumulative	% of BL
BL	Base Level	550,617	7	550,617	100.0	557,252	7	557,252	100.0
C01	Existing Program	60,000	0	610,617	110.9	80,000	0	637,252	114.4

Executive Recommendation

Change Level		2009-2010	Pos	Cumulative	% of BL	2010-2011	Pos	Cumulative	% of BL
BL	Base Level	550,617	7	550,617	100.0	557,252	7	557,252	100.0
C01	Existing Program	60,000	0	610,617	110.9	80,000	0	637,252	114.4

Justification

C01	The request includes an increase of \$20,000 each year in operations to reflect rising utility, gas, fuel, lodging and postage rates. The remainder of the request is capital outlay; \$40,000 in FY10 to replace 2 vehicles and \$60,000 to replace 3 vehicles in FY11.
-----	--