

LIQUEFIED PETROLEUM GAS BOARD

Enabling Laws

Act 154 of 2010
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.

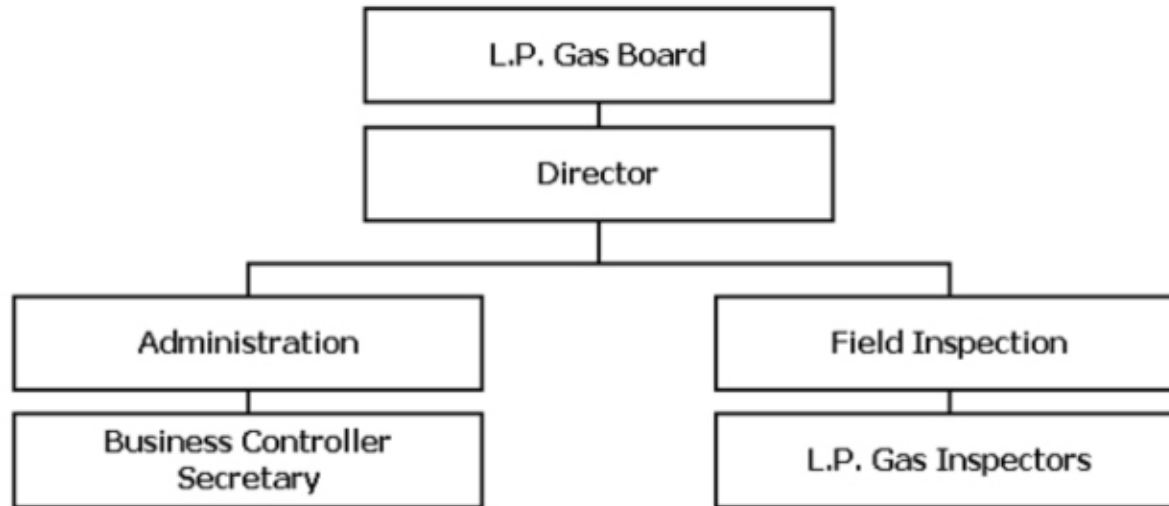
Act 204 of 1939 provided the initial authority for regulation of these activities. These duties were first assigned to a section of the Boiler Inspection Division of the State Department of Labor.

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

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 the restoration of Capital Outlay to replace two (2) vehicles in FY2012 and three (3) vehicles FY2013. Vehicles will be replaced as needed due to high mileage and/or maintenance costs. These vehicles will be used by LP Gas Inspectors to conduct inspections and investigate complaints statewide.

Audit Findings

DIVISION OF LEGISLATIVE AUDIT
 AUDIT OF :
 LIQUEFIED PETROLEUM GAS BOARD
 FOR THE YEAR ENDED JUNE 30, 2008

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

FY2008 - 2009					FY2009 - 2010					FY2010 - 2011							
Authorized in Act	Budgeted			Unbudgeted Total	% of Authorized Unused	Authorized in Act	Budgeted			Unbudgeted Total	% of Authorized Unused	Authorized in Act	Budgeted			Unbudgeted Total	% of Authorized Unused
	Filled	Unfilled	Total				Filled	Unfilled	Total				Filled	Unfilled	Total		
7	7	0	7	0	0.00 %	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 salaries and matching do not include appropriation for a Cost of Living Adjustment or Career Service Payments. The Base Level request for Regular Salaries includes board member stipend payments.

In addition to Base Level of \$563,899 each fiscal year, the Board is requesting Capital Outlay of \$40,000 in FY12 to replace two (2) vehicles and \$60,000 in FY13 to replace three (3) vehicles. Vehicles will be replaced as needed due to high mileage and/or maintenance costs. These vehicles will be used by LP Gas Inspectors to conduct inspections and investigate complaints statewide.

The Executive Recommendation provides for the Agency Request for Capital Outlay to replace aging, high mileage vehicles in accordance with A.C.A. §22-8-201 et seq., Automobile and Pickup Truck Acquisition Act, which establishes guidelines for automobile replacement.

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		
		2009-2010 Actual	2010-2011 Budget	2010-2011 Authorized	2011-2012			2012-2013		
					Base Level	Agency	Executive	Base Level	Agency	Executive
Regular Salaries	5010000	288,063	278,406	284,718	272,623	272,623	272,623	272,623	272,623	272,623
#Positions		7	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	85,947	89,320	89,584	88,326	88,326	88,326	88,326	88,326	88,326
Operating Expenses	5020002	108,529	150,000	150,000	150,000	150,000	150,000	150,000	150,000	150,000
Conference & Travel Expenses	5050009	1,238	6,000	6,000	6,000	6,000	6,000	6,000	6,000	6,000
Professional Fees	5060010	20,710	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	0	60,000	60,000	0	40,000	40,000	0	60,000	60,000
Total		504,487	630,676	637,252	563,899	603,899	603,899	563,899	623,899	623,899
Funding Sources										
Fund Balance	4000005	837,300	897,824		817,148	817,148	817,148	773,249	773,249	773,249
Special Revenue	4000030	565,011	550,000		520,000	560,000	560,000	500,000	560,000	560,000
Total Funding		1,402,311	1,447,824		1,337,148	1,377,148	1,377,148	1,273,249	1,333,249	1,333,249
Excess Appropriation/(Funding)		(897,824)	(817,148)		(773,249)	(773,249)	(773,249)	(709,350)	(709,350)	(709,350)
Grand Total		504,487	630,676		563,899	603,899	603,899	563,899	623,899	623,899

Change Level by Appropriation

Appropriation: 050 - Liquefied Petroleum Gas Board-Operations
Funding Sources: SIL - Liquefied Petroleum Gas Fund

Agency Request

Change Level		2011-2012	Pos	Cumulative	% of BL	2012-2013	Pos	Cumulative	% of BL
BL	Base Level	563,899	7	563,899	100.0	563,899	7	563,899	100.0
C01	Existing Program	40,000	0	603,899	107.1	60,000	0	623,899	110.6

Executive Recommendation

Change Level		2011-2012	Pos	Cumulative	% of BL	2012-2013	Pos	Cumulative	% of BL
BL	Base Level	563,899	7	563,899	100.0	563,899	7	563,899	100.0
C01	Existing Program	40,000	0	603,899	107.1	60,000	0	623,899	110.6

Justification

C01	Restoration of Capital Outlay appropriation is requested to replace as needed (2) vehicles in FY2012 and (3) vehicles in FY2013, respectively. Vehicles will be replaced as needed due to high mileage and/or maintenance costs. These vehicles will be used by LP Gas Inspectors to conduct inspections and investigate complaints statewide.
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