

1 **State of Arkansas**
2 **79th General Assembly**
3 **Regular Session, 1993**
4 **By: Joint Budget Committee**

A Bill

HOUSE BILL

For An Act To Be Entitled

8 "AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND
9 OPERATING EXPENSES FOR THE STATE FORESTRY COMMISSION FOR
10 THE BIENNIAL PERIOD ENDING JUNE 30, 1995; AND FOR OTHER
11 PURPOSES."

Subtitle

14 "AN ACT FOR THE STATE FORESTRY COMMISSION APPROPRIATION."

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

18 SECTION 1. REGULAR SALARIES - GENERAL OPERATIONS. There is hereby
19 established for the State Forestry Commission for the 1993-95 biennium, the
20 following maximum number of regular employees whose salaries shall be governed
21 by the provisions of the Uniform Classification and Compensation Act (Arkansas
22 Code §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.
23 Provided, however, that any position to which a specific maximum annual salary
24 is set out herein in dollars, shall be exempt from the provisions of said
25 Uniform Classification and Compensation Act. All persons occupying positions
26 authorized herein are hereby governed by the provisions of the Regular
27 Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its
28 successor.

Item	Class	No. of	Maximum Annual		
			Maximum	Salary Rate	
			Fiscal Years		
No.	Code	Title	Employees	1993-94	1994-95
34	(1)	9995 STATE FORESTER	1	\$ 60,116	\$ 62,220
35	(2)	025Z FOREST DEP STATE FORESTER	1	GRADE 25	

1	(3)	015Z ASST STATE FORESTER	4	GRADE 23
2	(4)	184Z FORESTRY FISCAL OFFICER	1	GRADE 22
3		J008 STATE FOREST MANAGER	1	
4		147Z DISTRICT FORESTER	11	
5	(5)	J006 FOREST REFORESTATION MANAGER	1	GRADE 21
6		N326 FORESTRY INFORMATION & ED MANAGER	1	
7		J010 NURSERY SUPERVISOR	1	
8		R386 RURAL FIRE DEFENSE ADMR	1	
9	(6)	912Z STAFF FORESTER	6	GRADE 20
10		A036 FIELD AUDITOR SUPERVISOR	1	
11		C020 COMMUNICATIONS SYSTEMS MANAGER	1	
12		J003 AVIATION MANAGER	1	
13		R236 FORESTRY PERSONNEL MANAGER	1	
14		A006 ACCOUNTING SUPV I	1	
15	(7)	B009 FOREST ENTOMOLOGIST	1	GRADE 19
16		J026 SEED ORCHARD SUPERVISOR	1	
17	(8)	E072 TRAINING INSTRUCTOR	2	GRADE 18
18		J022 FORESTER II	42	
19		V040 PURCHASE AGENT II/PURCHASE AGENT	3	
20		A111 ACCOUNTANT	1	
21		N328 INFORMATION OFFICER II	1	
22		R134 PLANNING SPECIALIST II	1	
23		Y005 AUTO/DIESEL MECHANIC SUPERVISOR	2	
24		V025 RURAL FIRE PROGRAM COORDINATOR	1	
25	(9)	A034 FIELD AUDITOR	2	GRADE 17
26		Y003 AUTO/DIESEL MECHANIC	8	
27		R010 ADMINISTRATIVE ASSISTANT II	1	
28		Y129 ELECTRONIC TECHNICIAN	7	
29		J004 AIRCRAFT PILOT	13	
30		J020 FORESTER I	12	
31	(10)	J013 FOREST RANGER III	58	GRADE 16
32		G027 BUILDING PLANT MAINTENANCE SUPV I	1	
33		J033 STATE FOREST FOREMAN	1	
34	(11)	N311 COMMERCIAL ARTIST I/GRAPHIC ART I	1	GRADE 15
35		R444 BUSINESS CONTROLLER I	1	

1	(12) J011 FOREST RANGER II	106	GRADE 14
2	J031 NURSERY/SEED ORCHARD TECHNICIAN	6	
3	J015 FOREST TECHNICIAN	4	
4	(13) K153 SECRETARY II	23	GRADE 13
5	(14) J009 FOREST RANGER I	103	GRADE 12
6	J005 FOREST DISPATCHER	11	
7	A106 ACCOUNTING TECHNICIAN I	1	
8	(15) K155 SECRETARY I	6	GRADE 11
9	G073 HEAVY EQUIP OPERATOR	2	
10	V043 SHIPPING & RECEIVING CLERK	<u>1</u>	
11	MAX NO. OF EMPLOYEES	457	

12

13 SECTION 2. EXTRA HELP - GENERAL OPERATIONS. There is hereby
 14 authorized, for the State Forestry Commission for the 1993-95 biennium, the
 15 following maximum number of part-time or temporary employees, to be known as
 16 "Extra Help", payable from funds appropriated herein for such purposes: one
 17 hundred thirty eight (138) temporary or part-time employees, when needed, at
 18 rates of 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.

21

22 SECTION 3. APPROPRIATIONS - GENERAL OPERATIONS. There is hereby
 23 appropriated, to the State Forestry Commission, to be payable from the State
 24 Forestry Fund, for personal services and operating expenses of the State
 25 Forestry Commission for the biennial period ending June 30, 1995, the
 26 following:

27

28	ITEM	FISCAL YEARS	
29	NO.	1993-94	1994-95
30	(01) REGULAR SALARIES	\$ 9,416,591	\$ 9,748,531
31	(02) EXTRA HELP	204,122	204,122
32	(03) PERSONAL SERV MATCHING	3,093,786	3,165,251
33	(04) OVERTIME	50,000	50,000
34	(05) MAINT. & GEN. OPERATION		
35	(A) OPER. EXPENSE \$	2,306,761	\$ 2,306,761

1	(B) CONF. & TRVL.	55,562	55,562
2	(C) PROF. FEES	6,331	6,331
3	(D) CAP. OUTLAY	81,000	81,000
4	(E) DATA PROC.	<u>8,500</u>	<u>8,500</u>
5	TOTAL MAINT. & GEN. OPER.		2,458,154 2,458,154
6	(06) FEDERAL INITIATIVE GRANTS		300,000 300,000
7	(07) PAYMENT IN LIEU OF TAXES		20,000 20,000
8	(08) UNIFORM ALLOWANCE		113,800 113,800
9	(09) FIRE FIGHTING EQUIPMENT		<u>521,840</u> <u>521,840</u>
10	TOTAL AMOUNT APPROPRIATED		<u>\$ 16,178,293</u> <u>\$ 16,581,698</u>

11

12 SECTION 4. APPROPRIATIONS - RURAL FIRE PROTECTION SERVICE - LOANS.

13 There is hereby appropriated, to the State Forestry Commission, to be payable
 14 from the Rural Fire Protection Revolving Fund, for loans to communities of the
 15 State Forestry Commission for the biennial period ending June 30, 1995, the
 16 ~~following:~~

17

18	ITEM	FISCAL YEARS	
19	NO.	1993-94	1994-95
20	(01) LOANS	<u>\$ 1,000,000</u>	<u>\$ 1,000,000</u>

21

22 SECTION 5. APPROPRIATIONS - POISON SPRINGS STATE FOREST. There is
 23 hereby appropriated, to the State Forestry Commission, to be payable from the
 24 State Forest Trust Fund, for management and operation of the State Forestry
 25 Commission - Poison Springs State Forest for the biennial period ending June
 26 ~~30, 1995, the following:~~

27

28	ITEM	FISCAL YEARS	
29	NO.	1993-94	1994-95
30	(01) MANAGEMENT AND OPERATION	<u>\$ 200,000</u>	<u>\$ 200,000</u>

31

32 SECTION 6. APPROPRIATIONS - EMERGENCY FIRE PROGRAM. There is hereby
 33 appropriated, to the State Forestry Commission, to be payable from the
 34 Emergency Fire Trust Fund, for personal services, fire control and
 35 communications of the State Forestry Commission - Emergency Fire Program for

1 the biennial period ending June 30, 1995, the following:

2

3 ITEM	FISCAL YEARS	
4 NO.	1993-94	1994-95
5 (01) EXTRA HELP	\$ 50,000	\$ 50,000
6 (02) PERSONAL SERV MATCHING	10,000	10,000
7 (03) FIRE CONTROL/COMMUNICATE	<u>940,000</u>	<u>940,000</u>
8 TOTAL AMOUNT APPROPRIATED	<u>\$ 1,000,000</u>	<u>\$ 1,000,000</u>

9

10 SECTION 7. EXTRA HELP - EMERGENCY FIRE PROGRAM. There is hereby
 11 authorized, for the State Forestry Commission - Emergency Fire Program for the
 12 1993-95 biennium, the following maximum number of part-time or temporary
 13 employees, to be known as "Extra Help", payable from funds appropriated herein
 14 for such purposes: fifty (50) temporary or part-time employees, when needed,
 15 at rates of pay not to exceed those provided in the Uniform Classification and
 16 Compensation Act, or its successor, or this act for the appropriate
 17 classification.

18

19 SECTION 8. APPROPRIATIONS - RURAL COMMUNITY FIRE PROTECTION GRANTS.
 20 There is hereby appropriated, to the State Forestry Commission, to be payable
 21 from the federal funds as designated by the Chief Fiscal Officer of the State,
 22 for grants to rural communities of the State Forestry Commission - Rural
 23 ~~Community Fire Protection Grants for the biennial period ending June 30, 1995,~~
 24 the following:

25

26 ITEM	FISCAL YEARS	
27 NO.	1993-94	1994-95
28 (01) GRANTS TO RURAL COMMUNITIES	<u>\$ 100,000</u>	<u>\$ 100,000</u>

29

30 SECTION 9. APPROPRIATIONS - HARDWOOD REFORESTATION PROJECT. There is
 31 hereby appropriated, to the State Forestry Commission, to be payable from cash
 32 funds as defined by Arkansas Code 19-4-801 of the State Forestry Commission,
 33 for seed purchase of the State Forestry Commission - Hardwood Reforestation
 34 Project for the biennial period ending June 30, 1995, the following:

35

1 ITEM	FISCAL YEARS	
2 NO.	1993-94	1994-95
3 (01) SEED PURCHASE	\$ <u>200,000</u>	\$ <u>200,000</u>

4

5 SECTION 10. APPROPRIATIONS - FEDERAL URBAN FORESTRY SERVICES. There is
6 hereby appropriated, to the State Forestry Commission, to be payable from the
7 ~~State Forestry Fund, for federal urban forestry matching grants and other~~
8 services of the State Forestry Commission for the biennial period ending June
9 30, 1995, the following:

11 ITEM	FISCAL YEARS	
12 NO.	1993-94	1994-95
13 (01) FEDERAL URBAN FORESTRY MATCHING		
14 GRANTS AND OTHER SERVICES	\$ <u>200,000</u>	\$ <u>200,000</u>

15

16 SECTION 11. TRANSFER PROVISION. During either fiscal year of the
17 1993-95 biennium, any savings made in appropriations for the payment of
18 salaries to Forest Towermen included in items (1), (2), and (3) of Section 3
19 herein may, upon the approval of the Chief Fiscal Officer of the State, be
20 transferred to the appropriation made either in items (1), (3) or (5) of
21 Section 3 for the inclusion in the proper category of employment of aircraft
22 pilots, foresters or maintenance and operation of aircraft, and/or for
23 purchase of aircraft to be used in wild fire detection. In the event the State
24 Forestry Commission determines the nursery operation can effectively maintain
25 its self-supporting status by utilization of contract labor from a private
26 vendor for temporary and/or seasonal labor needs, the Commission is hereby
27 authorized, upon approval of the Chief Fiscal Officer to transfer the
28 necessary appropriation authorized by Item (02) in Section 3 of this Act to
29 Item (05) in Section 3 of this Act.

30

31 SECTION 12. FIELD AUDITORS. It is the intent of the General Assembly
32 that two (2) of the Field Auditor positions authorized in Section 1 of this
33 ~~Act shall be used primarily for performing audits and other services to assure~~
34 that the severance tax on timber including wood chips and the Forest Fire
35 Protection Tax due to the Forestry Commission is paid.

1

2 SECTION 13. In the event the State Forestry Commission determines it
3 can effectively establish and operate a fire reporting and central dispatch
4 system, the Commission is hereby authorized, upon approval of the Chief Fiscal
5 Officer of the State, to transfer the necessary appropriation authorized for
6 "Extra Help" in Section 3 of this Act to "Professional Fees and Services"
7 authorized in Section 3 of this Act.

8

9 SECTION 14. Arkansas Code 19-5-927 is hereby amended to read as
10 follows:

11 "19-5-927. STATE FOREST TRUST FUND. There is established on the books
12 of the State Treasurer, State Auditor, and the Chief Fiscal Officer of the
13 State a trust fund to be known as the State Forest Trust Fund. This fund
14 shall consist of income derived from management of state forests by the State
15 Forestry Commission. It shall be used for:

- 16 (1) The management and improvement of state forests;
- 17 (2) Payments to the federal government for acquisition of state forests;
- 18 (3) The transfer of funds, as determined by the State Forestry
19 Commission, to the Emergency Fire Trust Fund for the purchase of fire fighting
20 equipment; and
- 21 (4) Such other purposes as may be authorized by law."

22

23 SECTION 15. Arkansas Code 19-5-928 is hereby amended to read as
24 follows:

25 "19-5-928. EMERGENCY FIRE TRUST FUND. There is established on the
26 books of the State Treasurer, State Auditor, and the Chief Fiscal Officer of
27 the State a trust fund to be known as the Emergency Fire Trust Fund. This
28 fund shall consist of the unexpended and unobligated cash funds of the State
29 Forestry Commission deposited in the State Treasury to the credit of the fund,
30 and any transfer of funds from the State Forest Trust Fund. It shall be used
31 for combating forest fires, on an emergency basis, and for the purchase of
32 fire fighting equipment whenever other moneys are not available to the
33 Commission."

34

35 SECTION 16. COMPLIANCE WITH OTHER LAWS. Disbursement of funds

1 authorized by this Act shall be limited to the appropriation for such agency
2 and funds made available by law for the support of such appropriations; and
3 the restrictions of the State Purchasing Law, the General Accounting and
4 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
5 Procedures and Restrictions Act, or their successors, and other fiscal control
6 laws of this State, where applicable, and regulations promulgated by the
7 Department of Finance and Administration, as authorized by law, shall be
8 strictly complied with in disbursement of said funds.

9

10 SECTION 17. LEGISLATIVE INTENT. It is the intent of the General
11 Assembly that any funds disbursed under the authority of the appropriations
12 contained in this Act shall be in compliance with the stated reasons for which
13 this Act was adopted, as evidenced by the Agency Requests, Executive
14 Recommendations and Legislative Recommendations contained in the budget
15 manuals prepared by the Department of Finance and Administration, letters, or
16 summarized oral testimony in the official minutes of the Arkansas Legislative
17 Council or Joint Budget Committee which relate to its passage and adoption.

18

19 SECTION 18. CODE. All provisions of this Act of a general and
20 permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the
21 Arkansas Code Revision Commission shall incorporate the same in the Code.

22

23 SECTION 19. SEVERABILITY. If any provision of this Act or the
24 application thereof to any person or circumstance is held invalid, such
25 invalidity shall not affect other provisions or applications of the Act which
26 can be given effect without the invalid provision or application, and to this
27 end the provisions of this Act are declared to be severable.

28

29 SECTION 20. GENERAL REPEALER. All laws and parts of laws in conflict
30 with this Act are hereby repealed.

31

32 SECTION 21. EMERGENCY CLAUSE. It is hereby found and determined by the
33 Seventy-Ninth General Assembly, that the Constitution of the State of Arkansas
34 prohibits the appropriation of funds for more than a two (2) year period; that
35 the effectiveness of this Act on July 1, 1993 is essential to the operation of

1 the agency for which the appropriations in this Act are provided, and that in
2 the event of an extension of the Regular Session, the delay in the effective
3 date of this Act beyond July 1, 1993 could work irreparable harm upon the
4 proper administration and provision of essential governmental programs.
5 Therefore, an emergency is hereby declared to exist and this Act being
6 necessary for the immediate preservation of the public peace, health and
7 safety shall be in full force and effect from and after July 1, 1993.