

Act 766 of the 1989 Regular Session.

Act 766

HB1781

By: Joint Budget Committee

"AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES OF THE SOIL AND WATER CONSERVATION COMMISSION FOR THE BIENNIAL PERIOD ENDING JUNE 30, 1991; AND FOR OTHER PURPOSES."

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

SECTION 1. REGULAR SALARIES - STATE OPERATIONS. There is hereby established for the Soil and Water Conservation Commission - State Operations for the 1989-91 biennium, the following maximum number of regular employees whose salaries shall be governed by the provisions of the Uniform Classification and Compensation Act, or its successor, and all laws amendatory thereto. Provided, however, that any position to which a specific maximum annual salary is set out herein in dollars, shall be exempt from the provisions of said Uniform Classification and Compensation Act. All persons occupying positions authorized herein are hereby governed by the provisions of the Regular Salaries Procedures and Restrictions Act, or its successor.

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Years	
				1989-90	1990-91
(1)	9916	SOIL & WATER EXECUTIVE DIRECTOR	1	\$48,116	\$49,319
(2)	010Z	SOIL & WATER DEP DIR/CHIEF ENGINEER	1		GRADE 24
	R036	ATTORNEY	1		
(3)	135Z	WATER RESOURCES ENGINEER SUPV	2		GRADE 22
(4)	X446	WATER RESOURCES ENGINEER II	6		GRADE 21
(5)	X410	LAND RESOURCE SPECIALIST SUPV	1		GRADE 20
	A008	ACCOUNTING SUPV II	1		
(6)	R102	LOAN & GRANT OFFICER	2		GRADE 19
(7)	X408	LAND RESOURCE SPECIALIST	5		GRADE 18
(8)	X333	ENGINEER TECHNICIAN	2		GRADE 16
	R010	ADMINISTRATIVE ASSISTANT II	1		
	R440	BUSINESS CONTROLLER II	1		
(9)	K179	SECRETARY/WORD PROCESS SPECIALIST	3		GRADE 12
		MAX NO. OF EMPLOYEES	27		

SECTION 2. APPROPRIATIONS - STATE OPERATIONS. There is hereby appropriated, to the Soil and Water Conservation Commission - State Operations, to be payable from the State General Services Fund Account, for personal services and operating expenses of the Soil and Water Conservation Commission - State Operations for the biennial period ending June 30, 1991, the following:

ITEM NO.	FISCAL YEARS			
		1989-90		1990-91
(01)	REGULAR SALARIES	\$ 664,548	\$	678,933
(02)	PERSONAL SERV MATCHING			152,258
(03)	MAINT. & GEN. OPERATION			160,160
	(A) OPER. EXPENSES	\$ 163,065	\$	164,065
	(B) CONF. & TRAVEL	10,165		10,165

	(C) PROF. FEES	0	0	
	(D) CAPITAL OUTLAY	1,700	0	
	(E) DATA PROCESSING	0	0	
	TOTAL MAINT. & GEN. OPER.		174,930	174,230
(04)	CONSERVATION DISTRICTS		640,000	640,000
(05)	SURVEYS & INVESTIGATIONS		3,500	3,500
(06)	WATER PLANNING		118,981	118,981
(07)	RESEARCH PROJECT		1,682	1,682
	TOTAL AMOUNT APPROPRIATED		\$ 1,755,899	\$ 1,777,486

SECTION 3. REGULAR SALARIES - CASH. There is hereby established for the Soil and Water Conservation Commission - Cash for the 1989-91 biennium, the following maximum number of regular employees whose salaries shall be governed by the provisions of the Uniform Classification and Compensation Act, or its successor, and all laws amendatory thereto. Provided, however, that any position to which a specific maximum annual salary is set out herein in dollars, shall be exempt from the provisions of said Uniform Classification and Compensation Act. All persons occupying positions authorized herein are hereby governed by the provisions of the Regular Salaries Procedures and Restrictions Act, or its successor.

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Years
(1)	A004	ACCOUNTANT II	1	GRADE 17
		MAX NO. OF EMPLOYEES	1	

SECTION 4. APPROPRIATIONS - CASH. There is hereby appropriated to the Soil and Water Conservation Commission - Cash, to be payable from cash funds of the Soil and Water Conservation Commission, for personal services, operating expenses and grants of Soil and Water Conservation Commission for the biennial period ending June 30, 1991, the following:

ITEM NO.		FISCAL YEARS	
		1989-90	1990-91
(01)	REGULAR SALARIES	\$ 16,097	\$ 16,562
(02)	PERSONAL SERV MATCHING	4,116	4,391
(03)	MAINT. & GEN. OPERATION		
	(A) OPER. EXPENSES	\$ 2,500	\$ 2,500
	(B) CONF. & TRAVEL	0	0
	(C) PROF. FEES	0	0
	(D) CAPITAL OUTLAY	0	0
	(E) DATA PROCESSING	0	0
	TOTAL MAINT. & GEN. OPER.	2,500	2,500
(04)	GRANTS	500,000	500,000
	TOTAL AMOUNT APPROPRIATED	\$ 522,713	\$ 523,453

SECTION 5. REGULAR SALARIES - POLLUTION ABATEMENT WASTE DISPOSAL BOND PROGRAM. There is hereby established for the Soil and Water Conservation Commission - Pollution Abatement Waste Disposal Bond Program for the 1989-91 biennium, the following maximum number of regular employees whose salaries shall be governed by the provisions of the Uniform Classification and Compensation Act, or its successor, and all laws amendatory thereto. Provided, however, that any position to which a specific maximum annual salary is set out herein in dollars, shall be exempt from the provisions of said Uniform Classification and Compensation Act. All persons occupying positions

authorized herein are hereby governed by the provisions of the Regular Salaries Procedures and Restrictions Act, or its successor.

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Years	
				1989-90	1990-91
(1)	R102	LOAN & GRANT OFFICER	1	GRADE 19	
(2)	X333	ENGINEER TECHNICIAN	1	GRADE 16	
		MAX NO. OF EMPLOYEES	2		

SECTION 6. APPROPRIATIONS - POLLUTION ABATEMENT WASTE DISPOSAL BOND PROGRAM. There is hereby appropriated, to the Soil and Water Conservation Commission - Pollution Abatement Waste Disposal Bond Program, to be payable from the Pollution Abatement Bond Fund, for personal services, operating expenses and pollution abatement projects of the Soil and Water Conservation Commission - Pollution Abatement Waste Disposal Bond Program for the biennial period ending June 30, 1991, the following:

ITEM NO.					FISCAL YEARS	
					1989-90	1990-91
(01)	REGULAR SALARIES			\$ 32,578	\$ 33,393	
(02)	PERSONAL SERV MATCHING			8,300	8,830	
(03)	MAINT. & GEN. OPERATION					
	(A) OPER. EXPENSES	\$ 5,000	\$ 5,000			
	(B) CONF. & TRAVEL	0	0			
	(C) PROF. FEES	0	0			
	(D) CAPITAL OUTLAY	7,100	0			
	(E) DATA PROCESSING	0	0			
	TOTAL MAINT. & GEN. OPER.			12,100	5,000	
(04)	POLLUTION ABATEMENT PROJECTS					
	CONST			49,899,799	0	
	TOTAL AMOUNT APPROPRIATED			\$ 49,952,777	\$ 47,223	

SECTION 7. REGULAR SALARIES - FLOOD INSURANCE PROGRAM. There is hereby established for the Soil and Water Conservation Commission - Flood Insurance Program for the 1989-91 biennium, the following maximum number of regular employees whose salaries shall be governed by the provisions of the Uniform Classification and Compensation Act, or its successor, and all laws amendatory thereto. Provided, however, that any position to which a specific maximum annual salary is set out herein in dollars, shall be exempt from the provisions of said Uniform Classification and Compensation Act. All persons occupying positions authorized herein are hereby governed by the provisions of the Regular Salaries Procedures and Restrictions Act, or its successor.

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Years	
				1989-90	1990-91
(1)	X408	LAND RESOURCE SPECIALIST	1	GRADE 18	
(2)	K179	SECRETARY/WORD PROCESS SPECIALIST	1	GRADE 12	
		MAX NO. OF EMPLOYEES	2		

SECTION 8. APPROPRIATIONS - FLOOD INSURANCE PROGRAM. There is hereby appropriated, to the Soil and Water Conservation Commission - Flood Insurance Program, to be payable from the Soil Conservation Water Resources Federal Fund, for personal services and operating expenses of the Soil and Water Conservation Commission - Flood Insurance Program for the biennial period ending June 30, 1991, the following:

ITEM NO.	FISCAL YEARS				
	1989-90		1990-91		
(01)	REGULAR SALARIES	\$	35,974	\$	36,917
(02)	PERSONAL SERV MATCHING		8,908		9,462
(03)	MAINT. & GEN. OPERATION				
	(A) OPER. EXPENSES	\$	20,059	\$	20,059
	(B) CONF. & TRAVEL		5,571		5,571
	(C) PROF. FEES		0		0
	(D) CAPITAL OUTLAY		0		0
	(E) DATA PROCESSING		0		0
	TOTAL MAINT. & GEN. OPER.		25,630		25,630
	TOTAL AMOUNT APPROPRIATED	\$	70,512	\$	72,009

SECTION 9. REGULAR SALARIES - WATER DEVELOPMENT GENERAL OBLIGATION BOND PROGRAM. There is hereby established for the Soil and Water Conservation Commission - Water Development General Obligation Bond Program for the 1989-91 biennium, the following maximum number of regular employees whose salaries shall be governed by the provisions of the Uniform Classification and Compensation Act, or its successor, and all laws amendatory thereto. Provided, however, that any position to which a specific maximum annual salary is set out herein in dollars, shall be exempt from the provisions of said Uniform Classification and Compensation Act. All persons occupying positions authorized herein are hereby governed by the provisions of the Regular Salaries Procedures and Restrictions Act, or its successor.

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Years	
				1989-90	1990-91
(1)	X446	WATER RESOURCES ENGINEER II	1	GRADE 21	
(2)	R009	ADMINISTRATIVE ASSISTANT I	1	GRADE 14	
		MAX NO. OF EMPLOYEES	2		

SECTION 10. APPROPRIATIONS - WATER DEVELOPMENT GENERAL OBLIGATION BOND PROGRAM. There is hereby appropriated, to the Soil and Water Conservation Commission - Water Development General Obligation Bond Program, to be payable from the Water Resources Development Construction Fund, for personal services, operating expenses and disbursements for water projects construction by the Soil and Water Conservation Commission - Water Development General Obligation Bond Program for the biennial period ending June 30, 1991, the following:

ITEM NO.	FISCAL YEARS				
	1989-90		1990-91		
(01)	REGULAR SALARIES	\$	41,856	\$	42,994
(02)	PERSONAL SERV MATCHING		9,960		10,555
(03)	MAINT. & GEN. OPERATION				
	(A) OPER. EXPENSES	\$	10,000	\$	10,000
	(B) CONF. & TRAVEL		0		0
	(C) PROF. FEES		0		0
	(D) CAPITAL OUTLAY		0		0
	(E) DATA PROCESSING		0		0
	TOTAL MAINT. & GEN. OPER.		10,000		10,000
(04)	DISBURSEMENTS FOR WATER PROJ CONST		29,498,334		0
	TOTAL AMOUNT APPROPRIATED	\$	29,560,150	\$	63,549

SECTION 11. APPROPRIATIONS - CONSERVATION DISTRICT CLERKS INSURANCE EXPENSE. There is hereby appropriated, to the Soil and Water Conservation Commission - Conservation District Clerks Insurance Expense, to be payable from the State General Services Fund Account, for personal services matching of the Soil and Water Conservation Commission - Conservation District Clerks Insurance Expense for the biennial period ending June 30, 1991, the following:

ITEM NO.	FISCAL YEARS	
	1989-90	1990-91
(01) PERSONAL SERVICES MATCHING	\$ 93,936	\$ 107,616

SECTION 12. APPROPRIATIONS - GRANTS AND ATTORNEY SERVICES. There is hereby appropriated, to the Soil and Water Conservation Commission - Grants and Attorney Services, to be payable from the State General Services Fund Account, for operating expenses of the Soil and Water Conservation Commission - Grants and Attorney Services for the biennial period ending June 30, 1991, the following:

ITEM NO.	FISCAL YEARS	
	1989-90	1990-91
(01) RIVER BASIN COMPACT	\$ 1,555	\$ 1,555
(02) ATTORNEY SERVICES	7,625	7,625
(03) COMMISSION EXPENSES	5,000	5,000
(04) CONSERVATION PROJECTS	3,500	3,500
(05) ARK RIVER COMPACT	16,400	16,400
(06) RED RIVER COMPACT	1,000	1,000
TOTAL AMOUNT APPROPRIATED	\$ 35,080	\$ 35,080

SECTION 13. APPROPRIATIONS - RURAL WATER ASSOCIATION. There is hereby appropriated, to the Soil and Water Conservation Commission - Rural Water Association, to be payable from the State General Services Fund Account, for operating expenses of the Soil and Water Conservation Commission - Rural Water Association for the biennial period ending June 30, 1991, the following:

ITEM NO.	FISCAL YEARS	
	1989-90	1990-91
(01) TRAINING/CONTRACT SERVICE	\$ 50,000	\$ 50,000

SECTION 14. APPROPRIATIONS - CONSERVATION RESERVE PROGRAM. There is hereby appropriated, to the Soil and Water Conservation Commission - Conservation Reserve Program, to be payable from the Soil Conservation Water Resources Federal Fund, for operating expenses of the Soil and Water Conservation Commission - Conservation Reserve Program for the biennial period ending June 30, 1991, the following:

ITEM NO.	FISCAL YEARS	
	1989-90	1990-91
(01) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSES	\$ 0	\$ 0
(B) CONF. & TRAVEL	0	0
(C) PROF. FEES	10,000	10,000
(D) CAPITAL OUTLAY	0	0
(E) DATA PROCESSING	0	0
TOTAL MAINT. & GEN. OPER.	10,000	10,000
TOTAL AMOUNT APPROPRIATED	\$ 10,000	\$ 10,000

SECTION 15. APPROPRIATIONS - WATER RESEARCH. There is hereby

appropriated, to the Soil and Water Conservation Commission - Water Research, to be payable from the State General Services Fund Account, for operating expenses of the Soil and Water Conservation Commission - Water Research for the biennial period ending June 30, 1991, the following:

ITEM NO.	FISCAL YEARS	
	1989-90	1990-91
(01) WATER RESEARCH/CONTRACT	\$ 38,800	\$ 38,800

SECTION 16. APPROPRIATIONS - WATER RESOURCE PROJECTS. There is hereby appropriated, to the Soil and Water Conservation Commission - Water Resource Projects, to be payable from the Water Resources Development Construction Fund, for acquiring or developing water resource projects and for making loans to political subdivisions of the State, by the Soil and Water Conservation Commission - Water Resource Projects for the biennial period ending June 30, 1991, the following:

ITEM NO.	FISCAL YEARS	
	1989-90	1990-91
(01) ACQUIRE/DEVELOP/LOAN	\$ 5,026,985	\$ 0

SECTION 17. APPROPRIATIONS - WATER SEWER AND SOLID WASTE - REVOLVING. There is hereby appropriated, to the Soil and Water Conservation Commission - Water, Sewer and Solid Waste - Revolving, to be payable from the Water, Sewer and Solid Waste Revolving Fund, for grants by the Soil and Water Conservation Commission - Water, Sewer and Solid Waste - Revolving for the biennial period ending June 30, 1991, the following:

ITEM NO.	FISCAL YEARS	
	1989-90	1990-91
(01) GRANTS	\$ 5,000,000	\$ 5,000,000

SECTION 18. APPROPRIATIONS - WATER, SEWER AND SOLID WASTE - STATE. There is hereby appropriated, to the Soil and Water Conservation Commission - Water, Sewer and Solid Waste - State, to be payable from the State General Services Fund Account, for grants by the Soil and Water Conservation Commission - Water, Sewer and Solid Waste - State for the biennial period ending June 30, 1991, the following:

ITEM NO.	FISCAL YEARS	
	1989-90	1990-91
(01) GRANTS	\$ 325,802	\$ 325,802

SECTION 19. APPROPRIATIONS - EAST ARKANSAS WATER CONSERVATION PROJECT. There is hereby appropriated, to the Soil and Water Conservation Commission - East Arkansas Water Conservation Project, to be payable from the Soil Conservation Water Resources Federal Fund, for operating expenses of the Soil and Water Conservation Commission - East Arkansas Water Conservation Project for the biennial period ending June 30, 1991, the following:

ITEM NO.	FISCAL YEARS	
	1989-90	1990-91
(01) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSES	\$ 10,000	\$ 10,000
(B) CONF. & TRAVEL	0	0
(C) PROF. FEES	195,331	195,331
(D) CAPITAL OUTLAY	0	0
(E) DATA PROCESSING	0	0

TOTAL MAINT. & GEN. OPER.	205,331	205,331
TOTAL AMOUNT APPROPRIATED	\$ 205,331	\$ 205,331

SECTION 20. APPROPRIATIONS - ARKANSAS RIVER STUDY. There is hereby appropriated, to the Soil and Water Conservation Commission - Arkansas River Study, to be payable from the Soil Conservation Water Resources Federal Fund, for operating expenses of the Soil and Water Conservation Commission - Arkansas River Study for the biennial period ending June 30, 1991, the following:

ITEM NO.	FISCAL YEARS	
	1989-90	1990-91
(01) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSES \$	0 \$	0
(B) CONF. & TRAVEL	0	0
(C) PROF. FEES	171,000	171,000
(D) CAPITAL OUTLAY	0	0
(E) DATA PROCESSING	0	0
TOTAL MAINT. & GEN. OPER.	171,000	171,000
TOTAL AMOUNT APPROPRIATED	\$ 171,000	\$ 171,000

SECTION 21. TRANSFER PROVISION. At the end of each fiscal year, the Chief Fiscal Officer of the State shall authorize the transfer of obligated water, sewer, and solid waste funds, as provided in the 1989-91 biennial appropriation act for the Soil and Water Conservation Commission in the appropriation entitled "WATER, SEWER AND SOLID WASTE - STATE", from the State General Services Fund Account, to the Water, Sewer and Solid Waste Revolving Fund.

SECTION 22. Any unexpended balance of the appropriation authorized for Disbursements for Water Projects Construction in Item (04) of Section 10 of this Act which remains at the close of the fiscal year ending June 30, 1990, shall be carried forward and made available for the same purpose for the fiscal year ending June 30, 1991.

SECTION 23. Any unexpended balance of the appropriation authorized for Disbursements for Pollution Abatement Projects Construction in Item (04) of Section 6 of this Act which remains at the close of the fiscal year ending June 30, 1990, shall be carried forward and made available for the same purpose for the fiscal year ending June 30, 1991.

SECTION 24. Any unexpended balance of the appropriation authorized for acquiring or developing water resource projects and for making loans to political subdivisions of the State in Item (01) of Section 16 of this Act which remains at the close of the fiscal year ending June 30, 1990, shall be carried forward and made available for the same purpose for the fiscal year ending June 30, 1991.

SECTION 25. 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 Purchasing 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 26. 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 27. All provisions of this Act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 28. EMERGENCY CLAUSE. It is hereby found and determined by the Seventy-Seventh General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1989 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 Regular Session, the delay in the effective date of this Act beyond July 1, 1989 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, 1989.

APPROVED: March 21, 1989
