

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

A Bill

ACT 881 OF 1993
HOUSE BILL 1268

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		Maximum	Maximum Annual
			Number of	Salary Rate
			Employees	Fiscal Years
No.	Code	Title		1993-94 1994-95
34	(1)	9995 STATE FORESTER	1	\$ 60,116 \$ 62,220
35	(2)	025Z FOREST DEP STATE FORESTER	1	GRADE 25
36	(3)	015Z ASST STATE FORESTER	4	GRADE 23

1	(4)	184Z FORESTRY FISCAL OFFICER	1	GRADE 22
2		J008 STATE FOREST MANAGER	1	
3		147Z DISTRICT FORESTER	11	
4	(5)	J006 FOREST REFORESTATION MANAGER	1	GRADE 21
5		N326 FORESTRY INFORMATION & ED MANAGER	1	
6		J010 NURSERY SUPERVISOR	1	
7		R386 RURAL FIRE DEFENSE ADMR	1	
8	(6)	912Z STAFF FORESTER	6	GRADE 20
9		A036 FIELD AUDITOR SUPERVISOR	1	
10		C020 COMMUNICATIONS SYSTEMS MANAGER	1	
11		J003 AVIATION MANAGER	1	
12		R236 FORESTRY PERSONNEL MANAGER	1	
13		A006 ACCOUNTING SUPV I	1	
14	(7)	B009 FOREST ENTOMOLOGIST	1	GRADE 19
15		J026 SEED ORCHARD SUPERVISOR	1	
16	(8)	E072 TRAINING INSTRUCTOR	2	GRADE 18
17		J022 FORESTER II	42	
18		V040 PURCHASE AGENT II/PURCHASE AGENT	3	
19		A111 ACCOUNTANT	1	
20		N328 INFORMATION OFFICER II	1	
21		R134 PLANNING SPECIALIST II	1	
22		Y005 AUTO/DIESEL MECHANIC SUPERVISOR	2	
23		V025 RURAL FIRE PROGRAM COORDINATOR	1	
24	(9)	A034 FIELD AUDITOR	2	GRADE 17
25		Y003 AUTO/DIESEL MECHANIC	8	
26		R010 ADMINISTRATIVE ASSISTANT II	1	
27		Y129 ELECTRONIC TECHNICIAN	7	
28		J004 AIRCRAFT PILOT	13	
29		J020 FORESTER I	12	
30	(10)	J013 FOREST RANGER III	58	GRADE 16
31		G027 BUILDING PLANT MAINTENANCE SUPV I	1	
32		J033 STATE FOREST FOREMAN	1	
33	(11)	N311 COMMERCIAL ARTIST I/GRAPHIC ART I	1	GRADE 15
34		R444 BUSINESS CONTROLLER I	1	
35	(12)	J011 FOREST RANGER II	106	GRADE 14

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

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12 SECTION 2. EXTRA HELP - GENERAL OPERATIONS. There is hereby
 13 authorized, for the State Forestry Commission for the 1993-95 biennium, the
 14 following maximum number of part-time or temporary employees, to be known as
 15 "Extra Help", payable from funds appropriated herein for such purposes: one
 16 hundred thirty eight (138) temporary or part-time employees, when needed, at
 17 rates of pay not to exceed those provided in the Uniform Classification and
 18 Compensation Act, or its successor, or this act for the appropriate
 19 classification.

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

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27	ITEM	FISCAL YEARS	
28	NO.	1993-94	1994-95
29	(01) REGULAR SALARIES	\$ 9,416,591	\$ 9,748,531
30	(02) EXTRA HELP	204,122	204,122
31	(03) PERSONAL SERV MATCHING	3,093,786	3,165,251
32	(04) OVERTIME	50,000	50,000
33	(05) MAINT. & GEN. OPERATION		
34	(A) OPER. EXPENSE	\$ 2,306,761	\$ 2,306,761
35	(B) CONF. & TRVL.	55,562	55,562

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

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

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

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

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

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

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31 SECTION 6. APPROPRIATIONS - EMERGENCY FIRE PROGRAM. There is hereby
32 appropriated, to the State Forestry Commission, to be payable from the
33 Emergency Fire Trust Fund, for personal services, fire control and
34 communications of the State Forestry Commission - Emergency Fire Program for
35 the biennial period ending June 30, 1995, the following:

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		FISCAL YEARS	
ITEM	NO.	1993-94	1994-95
	(01)	\$ 50,000	\$ 50,000
	(02)	10,000	10,000
	(03)	<u>940,000</u>	<u>940,000</u>
	TOTAL AMOUNT APPROPRIATED	<u>\$ 1,000,000</u>	<u>\$ 1,000,000</u>

SECTION 7. EXTRA HELP - EMERGENCY FIRE PROGRAM. There is hereby authorized, for the State Forestry Commission - Emergency Fire Program for the 1993-95 biennium, the following maximum number of part-time or temporary employees, to be known as "Extra Help", payable from funds appropriated herein for such purposes: fifty (50) 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 8. APPROPRIATIONS - RURAL COMMUNITY FIRE PROTECTION GRANTS. There is hereby appropriated, to the State Forestry Commission, to be payable from the federal funds as designated by the Chief Fiscal Officer of the State, for grants to rural communities of the State Forestry Commission - Rural Community Fire Protection Grants for the biennial period ending June 30, 1995, ~~the following:~~

		FISCAL YEARS	
ITEM	NO.	1993-94	1994-95
	(01)	<u>\$ 100,000</u>	<u>\$ 100,000</u>

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

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

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

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

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

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

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

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

10 "19-5-927. STATE FOREST TRUST FUND. There is established on the books
11 of the State Treasurer, State Auditor, and the Chief Fiscal Officer of the
12 State a trust fund to be known as the State Forest Trust Fund. This fund
13 shall consist of income derived from management of state forests by the State
14 Forestry Commission. It shall be used for:

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

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

24 "19-5-928. EMERGENCY FIRE TRUST FUND. There is established on the
25 books of the State Treasurer, State Auditor, and the Chief Fiscal Officer of
26 the State a trust fund to be known as the Emergency Fire Trust Fund. This
27 fund shall consist of the unexpended and unobligated cash funds of the State
28 Forestry Commission deposited in the State Treasury to the credit of the fund,
29 and any transfer of funds from the State Forest Trust Fund. It shall be used
30 for combating forest fires, on an emergency basis, and for the purchase of
31 fire fighting equipment whenever other moneys are not available to the
32 Commission."

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34 SECTION 16. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
35 authorized by this Act shall be limited to the appropriation for such agency

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

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

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

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

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

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

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

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APPROVED: 4/5/93

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