

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas  
2 83rd General Assembly  
3 Regular Session, 2001  
4

# A Bill

Act 187 of 2001  
HOUSE BILL 1369

5 By: Joint Budget Committee  
6  
7

## For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES  
10 AND OPERATING EXPENSES FOR THE STATE FORESTRY  
11 COMMISSION FOR THE BIENNIAL PERIOD ENDING JUNE 30,  
12 2003; AND FOR OTHER PURPOSES.  
13  
14

## Subtitle

15 AN ACT FOR THE STATE FORESTRY COMMISSION  
16 APPROPRIATION FOR THE 2001-2003 BIENNIUM.  
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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22 SECTION 1. REGULAR SALARIES. There is hereby established for the State  
23 Forestry Commission for the 2001-2003 biennium, the following maximum number  
24 of regular employees whose salaries shall be governed by the provisions of the  
25 Uniform Classification and Compensation Act (Arkansas Code §§21-5-201 et  
26 seq.), or its successor, and all laws amendatory thereto. Provided, however,  
27 that any position to which a specific maximum annual salary is set out herein  
28 in dollars, shall be exempt from the provisions of said Uniform Classification  
29 and Compensation Act. All persons occupying positions authorized herein are  
30 hereby governed by the provisions of the Regular Salaries Procedures and  
31 Restrictions Act (Arkansas Code §21-5-101), or its successor.  
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		Maximum Annual			
		Maximum	Salary Rate		
Item	Class	No. of	Fiscal Years		
No.	Code	Title	Employees	2001-2002	2002-2003

1	(1)	9995	STATE FORESTER	1	\$80,210	\$82,295
2	(2)	025Z	FORESTRY DEPUTY STATE FORESTER	1	GRADE 25	
3	(3)	015Z	ASST STATE FORESTER	2	GRADE 23	
4	(4)	147Z	DI STRI CT FORESTER	11	GRADE 22	
5	(5)	184Z	FORESTRY FI SCAL OFFI CER	1	GRADE 22	
6	(6)	J008	STATE FOREST MANAGER	1	GRADE 22	
7	(7)	J006	FOREST REFORESTATI ON MANAGER	1	GRADE 21	
8	(8)	N326	FORESTRY IN FORTATI ON & ED MANAGER	1	GRADE 21	
9	(9)	J010	NURSERY SUPERVI SOR	1	GRADE 21	
10	(10)	R386	RURAL FI RE DEFENSE ADMR	1	GRADE 21	
11	(11)	B126	WATER USE & RESOURCE SPECI ALI ST	1	GRADE 21	
12	(12)	J003	AVI ATI ON MANAGER	1	GRADE 20	
13	(13)	C020	COMMUNI CATIONS SYSTEMS MANAGER	1	GRADE 20	
14	(14)	A036	FI ELD AUDI TOR SUPERVI SOR	1	GRADE 20	
15	(15)	R236	FORESTRY PERSONNEL MANAGER	1	GRADE 20	
16	(16)	E114	STAFF DEVELOPMENT COORDI NATOR	1	GRADE 20	
17	(17)	912Z	STAFF FORESTER	4	GRADE 20	
18	(18)	B009	FOREST ENTOMOLOGI ST	1	GRADE 19	
19	(19)	A111	ACCOUNTANT	1	GRADE 18	
20	(20)	J001	ARK FORESTRY COMM I NVESTI GATOR	3	GRADE 18	
21	(21)	Y005	AUTO/DI ESEL MECHANI C SUPERVI SOR	2	GRADE 18	
22	(22)	J022	FORESTER II	42	GRADE 18	
23	(23)	N328	IN FORTATI ON OFFI CER II	1	GRADE 18	
24	(24)	V040	PURCHASE AGENT II /PURCHASE AGENT	4	GRADE 18	
25	(25)	V025	RURAL FI RE PROGRAM COORDI NATOR	1	GRADE 18	
26	(26)	E072	TRAI NI NG I NSTRUCTOR	2	GRADE 18	
27	(27)	R010	ADMI NI STRATI VE ASSI STANT II	1	GRADE 17	
28	(28)	J004	AI RCRAFT PI LOT	3	GRADE 17	
29	(29)	Y003	AUTO/DI ESEL MECHANI C	5	GRADE 17	
30	(30)	Y129	ELECTRONI C TECHNI CI AN	3	GRADE 17	
31	(31)	J013	FOREST RANGER III	147	GRADE 17	
32	(32)	G027	BLDG PLANT MAI NTENANCE SUPV I	1	GRADE 16	
33	(33)	R440	BUSI NESS CONTROLLER II	1	GRADE 16	
34	(34)	R009	ADMI NI STRATI VE ASSI STANT I	1	GRADE 15	
35	(35)	K011	ADMI NI STRATI VE OFFI CE SUPERVI SOR	1	GRADE 15	
36	(36)	J011	FOREST RANGER II	36	GRADE 15	

1	(37)	J015	FOREST TECHNI CI AN	2	GRADE 14
2	(38)	J031	NURSERY/SEED ORCHARD TECHNI CI AN	5	GRADE 14
3	(39)	K153	SECRETARY II	17	GRADE 13
4	(40)	J005	FOREST DI SPATCHER	10	GRADE 12
5	(41)	G073	HEAVY EQUI P OPERATOR	<u>2</u>	GRADE 11
6			MAX. NO. OF EMPLOYEES	323	

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 8 SECTION 2. EXTRA HELP - GENERAL OPERATIONS. There is hereby authorized,  
 9 for the State Forestry Commission for the 2001-2003 biennium, the following  
 10 maximum number of part-time or temporary employees, to be known as "Extra  
 11 Help", payable from funds appropriated herein for such purposes: eighty-nine  
 12 (89) temporary or part-time employees, when needed, at rates of pay not to  
 13 exceed those provided in the Uniform Classification and Compensation Act, or  
 14 its successor, or this act for the appropriate classification.  
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16 SECTION 3. APPROPRIATION - GENERAL OPERATIONS. There is hereby  
 17 appropriated, to the State Forestry Commission, to be payable from the State  
 18 Forestry Fund, for personal services and operating expenses of the State  
 19 Forestry Commission for the biennial period ending June 30, 2003, the  
 20 following:  
 21

22	ITEM		FI SCAL YEARS	
23	NO.		2001-2002	2002-2003
24	(01)	REGULAR SALARIES	\$ 8,929,913	\$ 9,162,093
25	(02)	EXTRA HELP	127,465	127,465
26	(03)	PERSONAL SERV MATCHING	3,035,187	3,088,871
27	(04)	OVERTIME	10,000	10,000
28	(05)	MAINT. & GEN. OPERATION		
29	(A)	OPER. EXPENSE	2,947,081	2,947,081
30	(B)	CONF. & TRAVEL	56,000	56,000
31	(C)	PROF. FEES	399,600	399,600
32	(D)	CAP. OUTLAY	175,000	200,000
33	(E)	DATA PROC.	4,500	4,500
34	(06)	PAYMENT IN LIEU OF TAXES	16,046	16,046
35	(07)	UNIFORM ALLOWANCE	50,000	50,000
36	(08)	FIRE FIGHTING EQUIPMENT	562,390	562,390

1	(09) FEDERAL INITIATIVE PROGRAM	<u>155,000</u>	<u>155,000</u>
2	TOTAL AMOUNT APPROPRIATED	<u>\$ 16,468,182</u>	<u>\$ 16,779,046</u>

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4 SECTION 4. REGULAR SALARIES - FORESTRY BEST MANAGEMENT PRACTICES. There is

5 hereby established for the State Forestry Commission - Forestry Best

6 Management Practices for the 2001-2003 biennium, the following maximum number

7 of regular employees whose salaries shall be governed by the provisions of the

8 Uniform Classification and Compensation Act (Arkansas Code §§21-5-201 et

9 seq.), or its successor, and all laws amendatory thereto. Provided, however,

10 that any position to which a specific maximum annual salary is set out herein

11 in dollars, shall be exempt from the provisions of said Uniform Classification

12 and Compensation Act. All persons occupying positions authorized herein are

13 hereby governed by the provisions of the Regular Salaries Procedures and

14 Restrictions Act (Arkansas Code §21-5-101), or its successor.

			Maximum Annual		
			Maximum	Salary Rate	
			No. of	Fiscal Years	
Item	Class		Empl oyees	2001-2002	2002-2003
No.	Code	Title			
20	(1)	912Z STAFF FORESTER	<u>2</u>	GRADE 20	
21		MAX. NO. OF EMPLOYEES	2		

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23 SECTION 5. APPROPRIATION - FORESTRY BEST MANAGEMENT PRACTICES - FEDERAL.

24 There is hereby appropriated, to the State Forestry Commission, to be payable

25 from the federal funds as designated by the Chief Fiscal Officer of the State,

26 for personal services and operating expenses of the State Forestry Commission

27 - Forestry Best Management Practices for the biennial period ending June 30,

28 2003, the following:

ITEM		FISCAL YEARS	
NO.		2001-2002	2002-2003
32	(01) REGULAR SALARIES	\$ 57,460	\$ 58,954
33	(02) PERSONAL SERV MATCHING	18,962	19,300
34	(03) MAINT. & GEN. OPERATION		
35	(A) OPER. EXPENSE	26,000	26,000
36	(B) CONF. & TRAVEL	1,374	1,374

1	(C) PROF. FEES	0	0
2	(D) CAP. OUTLAY	1,374	1,374
3	(E) DATA PROC.	<u>0</u>	<u>0</u>
4	TOTAL AMOUNT APPROPRIATED	<u>\$ 105,170</u>	<u>\$ 107,002</u>

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 6 SECTION 6. APPROPRIATION - RURAL COMMUNITY FIRE PROTECTION - FEDERAL. There  
 7 is hereby appropriated, to the State Forestry Commission, to be payable from  
 8 the federal funds as designated by the Chief Fiscal Officer of the State, for  
 9 operating expenses and federal matching grants to purchase fire fighting  
 10 equipment by the State Forestry Commission - Rural Community Fire Protection  
 11 for the biennial period ending June 30, 2003, the following:

12		FISCAL YEARS	
13	ITEM		
14	<u>NO.</u>	<u>2001-2002</u>	<u>2002-2003</u>
15	(01) MAINT. & GEN. OPERATION		
16	(A) OPER. EXPENSE	4,207	4,207
17	(B) CONF. & TRAVEL	0	0
18	(C) PROF. FEES	0	0
19	(D) CAP. OUTLAY	0	0
20	(E) DATA PROC.	0	0
21	(02) RURAL COMMUNITY MATCH GRANTS	<u>60,000</u>	<u>60,000</u>
22	TOTAL AMOUNT APPROPRIATED	<u>\$ 64,207</u>	<u>\$ 64,207</u>

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 24 SECTION 7. APPROPRIATION - URBAN FORESTRY SERVICES - FEDERAL REIMBURSEMENT.  
 25 There is hereby appropriated, to the State Forestry Commission, to be payable  
 26 from the State Forestry Fund, for urban forestry matching grants and other  
 27 services of the State Forestry Commission for the biennial period ending June  
 28 30, 2003, the following:

29		FISCAL YEARS	
30	ITEM		
31	<u>NO.</u>	<u>2001-2002</u>	<u>2002-2003</u>
32	(01) URBAN FOREST MATCH GRANTS/AIDS	<u>\$ 172,145</u>	<u>\$ 172,145</u>

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 34 SECTION 8. APPROPRIATION - RURAL FIRE PROTECTION SERVICE LOANS. There is  
 35 hereby appropriated, to the State Forestry Commission, to be payable from the  
 36 Rural Fire Protection Revolving Fund, for loans to communities for fire

1 protection by the State Forestry Commission - Rural Fire Protection Service  
2 for the biennial period ending June 30, 2003, the following:

ITEM NO.	FISCAL YEARS	
	2001-2002	2002-2003
(01) RURAL FIRE PROTECTION LOANS	\$ 910,000	\$ 910,000

8 SECTION 9. APPROPRIATION - STATE FORESTRY TRUST PROGRAM. There is hereby  
9 appropriated, to the State Forestry Commission, to be payable from the State  
10 Forestry Trust Fund, for management and operating expenses, fire control,  
11 communications, contracting for assistance, and other services of the State  
12 Forestry Commission for the biennial period ending June 30, 2003, the  
13 following:

ITEM NO.	FISCAL YEARS	
	2001-2002	2002-2003
(01) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	200,000	200,000
(B) CONF. & TRAVEL	0	0
(C) PROF. FEES	100,000	100,000
(D) CAP. OUTLAY	0	0
(E) DATA PROC.	0	0
(02) FIRE CONTROL/COMMUNICATE	1,000,000	1,000,000
(03) MANAGEMENT & OPERATION	300,000	300,000
TOTAL AMOUNT APPROPRIATED	\$ 1,600,000	\$ 1,600,000

27 SECTION 10. APPROPRIATIONS - HARDWOOD REFORESTATION PROJECT - CASH. There  
28 is hereby appropriated, to the State Forestry Commission, to be payable from  
29 cash funds as defined by Arkansas Code 19-4-801 of the State Forestry  
30 Commission, for the purchase of seeds by the State Forestry Commission for the  
31 biennial period ending June 30, 2003, the following:

ITEM NO.	FISCAL YEARS	
	2001-2002	2002-2003
(01) SEED PURCHASE	\$ 120,000	\$ 120,000

36 SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER  
2 PROVISION. During either fiscal year of the ~~1999-2001~~ 2001-2003 biennium, if  
3 the State Forestry Commission determines that temporary firefighters,  
4 dispatchers, or pilots are required to meet the demands of a wildfire season,  
5 and upon approval of the Chief Fiscal Officer of the State, appropriations may  
6 be transferred from either Extra Help or Professional Fees and Services to the  
7 proper character code for the employment of such personnel.

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9 If the State Forestry Commission determines that the most effective way for it  
10 to cooperate in the growing and distribution of forest planting stock is by  
11 contracting work with private vendors and/or hiring temporary employees for  
12 seasonal work, the Commission is hereby authorized, upon approval by the Chief  
13 Fiscal Officer, to transfer the necessary appropriation authorized by Item  
14 (02) and Item (05) of Section 3.

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16 The provisions of this section shall be in effect only from July 1, 2001  
17 through June 30, 2003.

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19 SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
20 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EXTRA HELP  
21 PROVISION. No employee of the Forestry Commission who is employed as "Extra  
22 Help" may receive an amount to exceed 3/4 of the maximum annual salary for a  
23 comparable position as authorized by Arkansas Code 21-5-201 et seq. during any  
24 fiscal year, nor may such employee be employed for a period of time to exceed  
25 nine (9) months in any single fiscal year. Provided, however, that no  
26 employee of the Forestry Commission who is employed as "Extra Help" may  
27 receive an amount to exceed seventy five percent (75%) of the maximum annual  
28 salary for a comparable position as authorized by Arkansas Code 21-5-201 et  
29 seq. during any fiscal year, nor shall such employee be employed for a period  
30 of time to exceed fifteen hundred (1500) hours in any single fiscal year.

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32 The provisions of this section shall be in effect only from July 1, 2001  
33 through June 30, 2003.

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35 SECTION 13. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED  
36 SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND BALANCES. (A) For all

1 appropriations as provided in this Act, the agency disbursing officer shall  
2 monitor the level of fund balances in relation to expenditures on a monthly  
3 basis. If any proposed expenditures would cause a fund balance to decline to  
4 less than fifty percent (50%) of the balance available on July 1, 2001, the  
5 disbursing officer shall immediately notify the executive head of the agency.

6 Prior to any obligations being made under these circumstances, the agency  
7 head shall file written documentation with the Chief Fiscal Officer of the  
8 State requesting approval of the expenditures. Such documentation shall  
9 provide sufficient financial data to justify the expenditures and shall  
10 include the following:

- 11 1) a plan that clearly indicates the specific fiscal impact of such  
12 expenditures on the fund balance.
- 13 2) information clearly indicating and explaining what programs would be cut or  
14 any other measures to be taken by the agency to restore the fund balance.
- 15 3) the extent to which any of the planned expenditures are for one-time costs  
16 or one-time purchase of capitalized items.
- 17 4) a statement certifying that the expenditure of fund balances will not  
18 jeopardize the financial health of the agency, nor result in a permanent  
19 depletion of the fund balance.

20 (B) The Chief Fiscal Officer of the State shall review the request and  
21 approve or disapprove all or any part of the request , after having sought  
22 prior review by the Legislative Council.

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24 SECTION 14. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized  
25 by this act shall be limited to the appropriation for such agency and funds  
26 made available by law for the support of such appropriations; and the  
27 restrictions of the State Purchasing Law, the General Accounting and Budgetary  
28 Procedures Law, the Revenue Stabilization Law, the Regular Salary Procedures  
29 and Restrictions Act, or their successors, and other fiscal control laws of  
30 this State, where applicable, and regulations promulgated by the Department of  
31 Finance and Administration, as authorized by law, shall be strictly complied  
32 with in disbursement of said funds.

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34 SECTION 15. LEGISLATIVE INTENT. It is the intent of the General Assembly  
35 that any funds disbursed under the authority of the appropriations contained  
36 in this act shall be in compliance with the stated reasons for which this act

1 was adopted, as evidenced by the Agency Requests, Executive Recommendations  
2 and Legislative Recommendations contained in the budget manuals prepared by  
3 the Department of Finance and Administration, letters, or summarized oral  
4 testimony in the official minutes of the Arkansas Legislative Council or Joint  
5 Budget Committee which relate to its passage and adoption.

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7 SECTION 16. EMERGENCY CLAUSE. It is found and determined by the General  
8 Assembly, that the Constitution of the State of Arkansas prohibits the  
9 appropriation of funds for more than a two (2) year period; that the  
10 effectiveness of this Act on July 1, 2001 is essential to the operation of the  
11 agency for which the appropriations in this Act are provided, and that in the  
12 event of an extension of the Regular Session, the delay in the effective date  
13 of this Act beyond July 1, 2001 could work irreparable harm upon the proper  
14 administration and provision of essential governmental programs. Therefore, an  
15 emergency is hereby declared to exist and this Act being necessary for the  
16 immediate preservation of the public peace, health and safety shall be in full  
17 force and effect from and after July 1, 2001.

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20 APPROVED: 2/9/2001  
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