

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.

**Act 1835 of the Regular Session**

1 State of Arkansas  
2 85th General Assembly  
3 Regular Session, 2005  
4

*As Engrossed: H3/17/05*

**A Bill**

HOUSE BILL 1157

5 By: Joint Budget Committee  
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**For An Act To Be Entitled**

9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL  
10 SERVICES AND OPERATING EXPENSES FOR THE STATE  
11 FORESTRY COMMISSION FOR THE BIENNIAL PERIOD  
12 ENDING JUNE 30, 2007; AND FOR OTHER PURPOSES.  
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**Subtitle**

15 AN ACT FOR THE STATE FORESTRY  
16 COMMISSION APPROPRIATION FOR THE  
17 2005-2007 BIENNIUM.  
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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23 SECTION 1. REGULAR SALARIES. There is hereby established for the State  
24 Forestry Commission for the 2005-2007 biennium, the following maximum number  
25 of regular employees whose salaries shall be governed by the provisions of  
26 the Uniform Classification and Compensation Act (Arkansas Code §§21-5-201 et  
27 seq.), or its successor, and all laws amendatory thereto. Provided, however,  
28 that any position to which a specific maximum annual salary is set out herein  
29 in dollars, shall be exempt from the provisions of said Uniform  
30 Classification and Compensation Act. All persons occupying positions  
31 authorized herein are hereby governed by the provisions of the Regular  
32 Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its  
33 successor.  
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Maximum Annual



1				Maximum	Salary Rate	
2	Item	Class		No. of	Fiscal Years	
3	No.	Code	Title	Employees	2005-2006	2006-2007
4	(1)	9995	STATE FORESTER	1	\$88,447	\$90,677
5	(2)	025Z	FORESTRY DEPUTY STATE FORESTER	1	GRADE	25
6	(3)	015Z	ASST STATE FORESTER	2	GRADE	23
7	(4)	147Z	DISTRICT FORESTER	11	GRADE	22
8	(5)	184Z	FORESTRY FISCAL OFFICER	1	GRADE	22
9	(6)	J008	STATE FOREST MANAGER	1	GRADE	22
10	(7)	N326	FORESTRY INFORMATION & ED MANAGER	1	GRADE	21
11	(8)	J006	FOREST REFORESTATION MANAGER	1	GRADE	21
12	(9)	J010	NURSERY SUPERVISOR	1	GRADE	21
13	(10)	R386	RURAL FIRE DEFENSE ADMR	1	GRADE	21
14	(11)	B126	WATER USE & RESOURCE SPECIALIST	1	GRADE	21
15	(12)	J003	AVIATION MANAGER	1	GRADE	20
16	(13)	C020	COMMUNICATIONS SYSTEMS MANAGER	1	GRADE	20
17	(14)	A036	FIELD AUDITOR SUPERVISOR	1	GRADE	20
18	(15)	R236	FORESTRY PERSONNEL MANAGER	1	GRADE	20
19	(16)	E114	STAFF DEVELOPMENT COORDINATOR	1	GRADE	20
20	(17)	912Z	STAFF FORESTER	5	GRADE	20
21	(18)	B009	FOREST ENTOMOLOGIST	1	GRADE	19
22	(19)	A111	ACCOUNTANT	2	GRADE	18
23	(20)	J001	ARK FORESTRY COMM INVESTIGATOR	4	GRADE	18
24	(21)	Y005	AUTO/DIESEL MECHANIC SUPERVISOR	2	GRADE	18
25	(22)	C006	COMMUNICATIONS SUPERVISOR	1	GRADE	18
26	(23)	J022	FORESTER II	44	GRADE	18
27	(24)	N328	INFORMATION OFFICER II	2	GRADE	18
28	(25)	V040	PURCHASE AGENT II/PURCHASE AGENT	3	GRADE	18
29	(26)	V025	RURAL FIRE PROGRAM COORDINATOR	1	GRADE	18
30	(27)	E072	TRAINING INSTRUCTOR	2	GRADE	18
31	(28)	R010	ADMINISTRATIVE ASSISTANT II	1	GRADE	17
32	(29)	J004	AIRCRAFT PILOT	5	GRADE	17
33	(30)	Y003	AUTO/DIESEL MECHANIC	5	GRADE	17
34	(31)	Y129	ELECTRONIC TECHNICIAN	2	GRADE	17
35	(32)	J013	FOREST RANGER III	147	GRADE	17
36	(33)	R190	PERSONNEL OFFICER II	1	GRADE	17

1	(34)	G027	BLDG PLANT MAINTENANCE SUPV I	1	GRADE 16
2	(35)	R440	BUSINESS CONTROLLER II	1	GRADE 16
3	(36)	A108	ACCOUNTING TECHNICIAN II	1	GRADE 15
4	(37)	R009	ADMINISTRATIVE ASSISTANT I	1	GRADE 15
5	(38)	J011	FOREST RANGER II	35	GRADE 15
6	(39)	J015	FOREST TECHNICIAN	3	GRADE 15
7	(40)	J005	FOREST DISPATCHER	10	GRADE 14
8	(41)	J031	NURSERY/SEED ORCHARD TECHNICIAN	5	GRADE 14
9	(42)	K153	SECRETARY II	15	GRADE 13
10	(43)	G073	HEAVY EQUIP OPERATOR	1	GRADE 11
11	(44)	K155	SECRETARY I	<u>1</u>	GRADE 11
12			MAX. NO. OF EMPLOYEES	329	

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14 SECTION 2. EXTRA HELP. There is hereby authorized, for the State Forestry  
 15 Commission for the 2005-2007 biennium, the following maximum number of part-  
 16 time or temporary employees, to be known as "Extra Help", payable from funds  
 17 appropriated herein for such purposes: ninety (90) temporary or part-time  
 18 employees, when needed, at rates of pay not to exceed those provided in the  
 19 Uniform Classification and Compensation Act, or its successor, or this act  
 20 for the appropriate classification.

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22 SECTION 3. APPROPRIATION - 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 - General Operations for the biennial period ending June  
 26 30, 2007, the following:

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28	ITEM	FISCAL YEARS	
29	<u>NO.</u>	<u>2005-2006</u>	<u>2006-2007</u>
30	(01) REGULAR SALARIES	\$ 9,671,977	\$ 9,961,080
31	(02) EXTRA HELP	274,092	274,092
32	(03) PERSONAL SERVICES MATCHING	3,097,028	3,151,376
33	(04) OVERTIME	10,000	10,000
34	(05) MAINT. & GEN. OPERATION		
35	(A) OPER. EXPENSE	3,360,709	3,360,709
36	(B) CONF. & TRAVEL	56,000	56,000

1	(C) PROF. FEES	417,305	417,305
2	(D) CAP. OUTLAY	134,597	134,597
3	(E) DATA PROC.	4,500	4,500
4	(06) PAYMENT IN LIEU OF TAXES	16,046	16,046
5	(07) UNIFORM ALLOWANCE	50,000	50,000
6	(08) FIRE FIGHTING EQUIPMENT	562,390	562,390
7	(09) FEDERAL INITIATIVE PROGRAM	<u>230,000</u>	<u>230,000</u>
8	TOTAL AMOUNT APPROPRIATED	<u>\$ 17,884,644</u>	<u>\$ 18,228,095</u>

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11 SECTION 4. APPROPRIATION - RURAL COMMUNITY FIRE PROTECTION - FEDERAL.

12 There is hereby appropriated, to the State Forestry Commission, to be payable  
13 from the federal funds as designated by the Chief Fiscal Officer of the  
14 State, for personal services, operating expenses and federal matching grants  
15 to purchase fire fighting equipment by the State Forestry Commission - Rural  
16 Community Fire Protection - Federal for the biennial period ending June 30,  
17 2007, the following:

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19	ITEM	FISCAL YEARS	
20	<u>NO.</u>	<u>2005-2006</u>	<u>2006-2007</u>
21	(01) REGULAR SALARIES	\$ 66,704	\$ 68,704
22	(02) EXTRA HELP	5,574	5,574
23	(03) PERSONAL SERVICES MATCHING	20,650	21,025
24	(04) MAINT. & GEN. OPERATION		
25	(A) OPER. EXPENSE	188,395	188,395
26	(B) CONF. & TRAVEL	0	0
27	(C) PROF. FEES	207,465	207,465
28	(D) CAP. OUTLAY	444,493	444,493
29	(E) DATA PROC.	0	0
30	(05) RURAL COMMUNITY MATCH GRANTS	<u>528,136</u>	<u>528,136</u>
31	TOTAL AMOUNT APPROPRIATED	<u>\$ 1,461,417</u>	<u>\$ 1,463,792</u>

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33 SECTION 5. APPROPRIATION - URBAN FORESTRY SERVICES - FEDERAL

34 REIMBURSEMENT. There is hereby appropriated, to the State Forestry  
35 Commission, to be payable from the State Forestry Fund, for personal  
36 services, operating expenses and urban forestry matching grants of the State

1 Forestry Commission - Urban Forestry Services - Federal Reimbursement for the  
 2 biennial period ending June 30, 2007, the following:

4 ITEM	FISCAL YEARS	
5 NO.	2005-2006	2006-2007
6 (01) EXTRA HELP	\$ 17,000	\$ 17,000
7 (02) PERSONAL SERVICES MATCHING	1,311	1,311
8 (03) MAINT. & GEN. OPERATION		
9 (A) OPER. EXPENSE	49,500	49,500
10 (B) CONF. & TRAVEL	0	0
11 (C) PROF. FEES	10,000	10,000
12 (D) CAP. OUTLAY	0	0
13 (E) DATA PROC.	0	0
14 (04) URBAN FORESTRY MATCHING		
15 GRANTS AND AID	<u>363,675</u>	<u>363,675</u>
16 TOTAL AMOUNT APPROPRIATED	<u>\$ 441,486</u>	<u>\$ 441,486</u>

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 18 SECTION 6. APPROPRIATION - RURAL FIRE PROTECTION SERVICE LOANS. There is  
 19 hereby appropriated, to the State Forestry Commission, to be payable from the  
 20 Rural Fire Protection Revolving Fund, for loans to communities for fire  
 21 protection by the State Forestry Commission - Rural Fire Protection Service  
 22 Loans for the biennial period ending June 30, 2007, the following:

24 ITEM	FISCAL YEARS	
25 NO.	2005-2006	2006-2007
26 (01) RURAL FIRE PROTECTION LOANS	<u>\$ 1,210,000</u>	<u>\$ 1,210,000</u>

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 28 SECTION 7. APPROPRIATION - STATE FORESTRY TRUST PROGRAM. There is hereby  
 29 appropriated, to the State Forestry Commission, to be payable from the State  
 30 Forestry Trust Fund, for management and operating expenses, fire control,  
 31 communications, contracting for assistance, and other services of the State  
 32 Forestry Commission - State Forestry Trust Program for the biennial period  
 33 ending June 30, 2007, the following:

35 ITEM	FISCAL YEARS	
36 NO.	2005-2006	2006-2007

1	(01) MAINT. & GEN. OPERATION		
2	(A) OPER. EXPENSE	\$ 200,000	\$ 200,000
3	(B) CONF. & TRAVEL	0	0
4	(C) PROF. FEES	100,000	100,000
5	(D) CAP. OUTLAY	0	0
6	(E) DATA PROC.	0	0
7	(02) FIRE CONTROL/COMMUNICATE	1,000,000	1,000,000
8	(03) MANAGEMENT & OPERATIONS	<u>300,000</u>	<u>300,000</u>
9	TOTAL AMOUNT APPROPRIATED	<u>\$ 1,600,000</u>	<u>\$ 1,600,000</u>

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11 SECTION 8. APPROPRIATION - SOUTHERN PINE BEETLE PREVENTION. There is  
 12 hereby appropriated, to the State Forestry Commission, to be payable from the  
 13 federal funds as designated by the Chief Fiscal Officer of the State, for  
 14 operating expenses and grants of the State Forestry Commission - Southern  
 15 Pine Beetle Prevention for the biennial period ending June 30, 2007, the  
 16 following:

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18	ITEM	FISCAL YEARS	
19	<u>NO.</u>	<u>2005-2006</u>	<u>2006-2007</u>
20	(01) MAINT. & GEN. OPERATION		
21	(A) OPER. EXPENSE	\$ 100,000	\$ 100,000
22	(B) CONF. & TRAVEL	0	0
23	(C) PROF. FEES	0	0
24	(D) CAP. OUTLAY	50,000	50,000
25	(E) DATA PROC.	0	0
26	(02) SOUTHERN PINE BEETLE GRANTS AND AID	<u>350,000</u>	<u>350,000</u>
27	TOTAL AMOUNT APPROPRIATED	<u>\$ 500,000</u>	<u>\$ 500,000</u>

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29 SECTION 9. APPROPRIATION - FOREST LAND ENHANCEMENT PROGRAM. There is  
 30 hereby appropriated, to the State Forestry Commission, to be payable from the  
 31 federal funds as designated by the Chief Fiscal Officer of the State, for  
 32 grants for the Forest Land Enhancement Program of the State Forestry  
 33 Commission for the biennial period ending June 30, 2007, the following:

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35	ITEM	FISCAL YEARS	
36	<u>NO.</u>	<u>2005-2006</u>	<u>2006-2007</u>

1 (01) FOREST LAND ENHANCEMENT

2 GRANTS AND AID \$ 250,000 \$ 250,000

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 4 SECTION 10. APPROPRIATION - WILD LAND FIRE ASSISTANCE. There is hereby  
 5 appropriated, to the State Forestry Commission, to be payable from the  
 6 federal funds as designated by the Chief Fiscal Officer of the State, for  
 7 operating expenses of the State Forestry Commission - Wild Land Fire  
 8 Assistance for the biennial period ending June 30, 2007, the following:

ITEM	FISCAL YEARS	
NO.	2005-2006	2006-2007
(01) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	\$ 46,000	\$ 46,000
(B) CONF. & TRAVEL	0	0
(C) PROF. FEES	0	0
(D) CAP. OUTLAY	70,000	70,000
(E) DATA PROC.	<u>0</u>	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u>\$ 116,000</u>	<u>\$ 116,000</u>

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 21 SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
 22 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EXTRA  
 23 HELP PROVISION. No employee of the Arkansas Forestry Commission who is  
 24 employed as "Extra Help" may receive an amount to exceed 3/4 of the maximum  
 25 annual salary for a comparable position as authorized by Arkansas Code 21-5-  
 26 201 et seq. during any fiscal year, nor may such employee be employed for a  
 27 period of time to exceed nine (9) months in any single fiscal year.  
 28 Provided, however, that no employee of the Arkansas Forestry Commission who  
 29 is employed as "Extra Help" may receive an amount to exceed seventy five  
 30 percent (75%) of the maximum annual salary for a comparable position as  
 31 authorized by Arkansas Code 21-5-201 et seq. during any fiscal year, nor  
 32 shall such employee be employed for a period of time to exceed fourteen  
 33 hundred (1400) hours in any single fiscal year.

34 The provisions of this section shall be in effect only from July 1, 2003  
 35 2005 through June 30, ~~2005~~ 2007.

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1 SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
2 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND  
3 BALANCES - STATE FORESTRY TRUST FUND. (A) For all appropriations as provided  
4 in this Act, the agency disbursing officer shall monitor the level of fund  
5 balances in relation to expenditures on a monthly basis. If any proposed  
6 expenditures would cause the State Forestry Trust Fund to decline below five  
7 hundred thirty-one thousand twenty two dollars (\$531,022), the disbursing  
8 officer shall immediately notify the executive head of the agency. Prior to  
9 any obligations being made under these circumstances, the agency head shall  
10 file written documentation with the Chief Fiscal Officer of the State  
11 requesting approval of the expenditures. Such documentation shall provide  
12 sufficient financial data to justify the expenditures and shall include the  
13 following:

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

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

26 The provisions of this section shall be in effect only from July 1, 2003  
27 2005 through June 30, ~~2005~~ 2007.

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29 SECTION 13. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE  
30 NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER  
31 PROVISION. During either fiscal year of the 2005-2007 biennium, if the State  
32 Forestry Commission determines that temporary firefighters, dispatchers, or  
33 pilots are required to meet the demands of a wildfire season, and upon  
34 approval of the Chief Fiscal Officer of the State, appropriations may be  
35 transferred from either Extra Help or Professional Fees and Services to the  
36 proper character code for the employment of such personnel.

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2 If the State Forestry Commission determines that the most effective way for  
3 it to cooperate in the growing and distribution of forest planting stock is  
4 by contracting work with private vendors and/or hiring temporary employees  
5 for seasonal work, the Commission is hereby authorized, upon approval by the  
6 Chief Fiscal Officer, to transfer the necessary appropriation authorized for  
7 Extra Help and Maintenance and General Operation in Section 3.

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9 The provisions of this section shall be in effect only from July 1, 2005  
10 through June 30, 2007.

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12 SECTION 14. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized  
13 by this act shall be limited to the appropriation for such agency and funds  
14 made available by law for the support of such appropriations; and the  
15 restrictions of the State Procurement Law, the General Accounting and  
16 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
17 Procedures and Restrictions Act, or their successors, and other fiscal  
18 control laws of this State, where applicable, and regulations promulgated by  
19 the Department of Finance and Administration, as authorized by law, shall be  
20 strictly complied with in disbursement of said funds.

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22 SECTION 15. LEGISLATIVE INTENT. It is the intent of the General Assembly  
23 that any funds disbursed under the authority of the appropriations contained  
24 in this act shall be in compliance with the stated reasons for which this act  
25 was adopted, as evidenced by the Agency Requests, Executive Recommendations  
26 and Legislative Recommendations contained in the budget manuals prepared by  
27 the Department of Finance and Administration, letters, or summarized oral  
28 testimony in the official minutes of the Arkansas Legislative Council or  
29 Joint Budget Committee which relate to its passage and adoption.

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31 SECTION 16. EMERGENCY CLAUSE. It is found and determined by the General  
32 Assembly, that the Constitution of the State of Arkansas prohibits the  
33 appropriation of funds for more than a two (2) year period; that the  
34 effectiveness of this Act on July 1, 2005 is essential to the operation of  
35 the agency for which the appropriations in this Act are provided, and that in  
36 the event of an extension of the Regular Session, the delay in the effective

1 date of this Act beyond July 1, 2005 could work irreparable harm upon the  
2 proper administration and provision of essential governmental programs.  
3 Therefore, an emergency is hereby declared to exist and this Act being  
4 necessary for the immediate preservation of the public peace, health and  
5 safety shall be in full force and effect from and after July 1, 2005.

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*/s/ Joint Budget Committee*

**APPROVED: 04/08/2005**

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