

Act 313 of the 1989 Regular Session.

Act 313

HB1327

By: Joint Budget Committee

"AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES OF THE STATE FORESTRY 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 - GENERAL OPERATIONS. There is hereby established for the State Forestry Commission - General 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	
				1989-90	1990-91
(1)	9995	STATE FORESTER	1	\$48,530	\$49,743
(2)	025Z	FOREST DEP STATE FORESTER	1		GRADE 24
(3)	015Z	ASST STATE FORESTER	2		GRADE 22
	034Z	FOREST REGIONAL FORESTER	2		
	184Z	FORESTRY FISCAL OFFICER	1		
(4)	911Z	FOREST TECHNICAL SVCS MANAGER	1		GRADE 21
(5)	A036	FIELD AUDITOR SUPERVISOR	1		GRADE 20
	C020	COMMUNICATIONS SYSTEMS MANAGER	1		
	G003	AVIATION MANAGER	1		
	J008	STATE FOREST MANAGER	1		
	R210	FOREST REFORESTATION MANAGER	1		
	R236	FORESTRY PERSONNEL MANAGER	1		
	912Z	FORESTER III	17		
	R208	FORESTRY INFO & ED MANAGER	1		
	R386	RURAL FIRE DEFENSE ADMR	1		
(6)	A006	ACCOUNTING SUPV I	1		GRADE 18
	J002	ASST MANAGEMENT FORESTER	1		
	J022	FORESTER II	4		
	V040	PURCHASE AGENT II/PURCHASE AGENT	3		
	028Z	FOREST ENTOMOLOGIST	1		
	R388	RURAL FIRE PROGRAM COORD	1		
(7)	A004	ACCOUNTANT II	1		GRADE 17
	A034	FIELD AUDITOR II	2		
	E072	TRAINING INSTRUCTOR II	1		
	J026	NURSERY/SEED ORCHARD SUPERVISOR	1		
	N328	INFORMATION OFFICER II	1		
	R134	PLANNING SPECIALIST II	1		
	Y005	AUTO/DIESEL MECHANIC SUPERVISOR	2		

(8)	J020 FORESTER I	37	GRADE 16
	Y003 AUTO/DIESEL MECHANIC	8	
	R010 ADMINISTRATIVE ASSISTANT II	1	
	Y129 ELECTRONIC TECHNICIAN	7	
(9)	G005 AIRCRAFT PILOT I	16	GRADE 15
	G027 BUILDING PLANT MAINTENANCE SUPV I	1	
	N311 COMMERCIAL ARTIST I/GRAPHIC ART I	1	
(10)	J013 FOREST RANGER III	58	GRADE 14
	J034 FORESTER TRAINEE	1	
	J033 STATE FOREST FOREMAN	1	
	R444 BUSINESS CONTROLLER I	1	
(11)	J031 NURSERY/SEED ORCHARD TECHNICIAN	6	GRADE 13
	K133 MANAGEMENT SUPPORT TECHNICIAN	7	
(12)	J005 FOREST DISPATCHER	11	GRADE 12
	J011 FOREST RANGER II	103	
	J015 FOREST TECHNICIAN	4	
(13)	K153 SECRETARY II	16	GRADE 11
	A013 BOOKKEEPER II/ACCOUNTING ASST II	2	
(14)	J009 FOREST RANGER I	103	GRADE 10
	G073 HEAVY EQUIP OPERATOR	2	
(15)	K155 SECRETARY I	8	GRADE 09
(16)	K023 CLERK TYPIST II	3	GRADE 07
	MAX NO. OF EMPLOYEES	450	

SECTION 2. EXTRA HELP - GENERAL OPERATIONS. There is hereby authorized, for the State Forestry Commission - General Operations for the 1989-91 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: one hundred thirty eight (138) 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, for the appropriate classification.

SECTION 3. APPROPRIATIONS - GENERAL OPERATIONS. There is hereby appropriated, to the State Forestry Commission - General Operations, to be payable from the State Forestry Fund, for personal services and operating expenses of the State Forestry Commission - General Operations for the biennial period ending June 30, 1991, the following:

ITEM NO.	FISCAL YEARS	
	1989-90	1990-91
(01) REGULAR SALARIES	\$ 7,329,473	\$ 7,477,690
(02) EXTRA HELP	141,222	141,222
(03) PERSONAL SERV MATCHING	2,067,729	2,184,344
(04) OVERTIME	10,000	10,000
(05) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSES	\$ 2,000,780	\$ 2,002,528
(B) CONF. & TRAVEL	55,562	55,562
(C) PROF. FEES	6,331	6,331
(D) CAPITAL OUTLAY	140,000	140,000
(E) DATA PROCESSING	8,500	8,500
TOTAL MAINT. & GEN. OPER.	2,211,173	2,212,921
(06) PAYMENT IN LIEU OF TAXES	40,000	40,000
(07) UNIFORM ALLOWANCE	52,000	52,000
(08) FIRE FIGHTING EQUIPMENT	21,840	21,840
TOTAL AMOUNT APPROPRIATED	\$ 11,873,437	\$ 12,140,017

SECTION 4. APPROPRIATIONS - RURAL FIRE PROTECTION SERVICE LOANS. There is hereby appropriated, to the State Forestry Commission - Rural Fire Protection Service - Loans, to be payable from the Rural Fire Protection Revolving Fund, for loans to communities by the State Forestry Commission for the biennial period ending June 30, 1991, the following:

ITEM NO.	FISCAL YEARS	
	1989-90	1990-91
(01) LOANS TO COMMUNITIES	\$ 1,000,000	\$ 1,000,000
	=====	=====

SECTION 5. APPROPRIATIONS - POISON SPRINGS STATE FOREST. There is hereby appropriated, to the State Forestry Commission - Poison Springs State Forest, to be payable from the State Forestry Trust Fund, for management of the State Forestry Commission - Poison Springs State Forest for the biennial period ending June 30, 1991, the following:

ITEM NO.	FISCAL YEARS	
	1989-90	1990-91
(01) MANAGEMENT & OPERATION	\$ 200,000	\$ 200,000
	=====	=====

SECTION 6. APPROPRIATIONS - EMERGENCY FIRE PROGRAM. There is hereby appropriated, to the State Forestry Commission - Emergency Fire Program, to be payable from the Emergency Fire Trust Fund, for personal services, fire control and communications of the State Forestry Commission - Emergency Fire Program for the biennial period ending June 30, 1991, the following:

ITEM NO.	FISCAL YEARS	
	1989-90	1990-91
(01) EXTRA HELP	\$ 50,000	\$ 50,000
(02) PERSONAL SERV MATCHING	10,000	10,000
(03) FIRE CONTROL/COMMUNICATE	190,000	190,000
TOTAL AMOUNT APPROPRIATED	\$ 250,000	\$ 250,000
	=====	=====

SECTION 7. EXTRA HELP - EMERGENCY FIRE PROGRAM. There is hereby authorized, for the State Forestry Commission - Emergency Fire Program for the 1989-91 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, for the appropriate classification.

SECTION 8. APPROPRIATIONS - RURAL COMMUNITY FIRE PROTECTION GRANTS. There is hereby appropriated, to the State Forestry Commission - Rural Community Fire Protection Grants, to be payable from the Forestry Rural Fire Equipment Fund, for grants to rural communities of the State Forestry Commission - Rural Community Fire Protection Grants for the biennial period ending June 30, 1991, the following:

ITEM NO.	FISCAL YEARS	
	1989-90	1990-91
(01) GRANTS	\$ 100,000	\$ 100,000
	=====	=====

SECTION 9. TRANSFER PROVISION. During either fiscal year of the 1989-91 biennium, any savings made in appropriations for the payment of salaries to Forest Towermen included in items (1), (2), and (3) of Section 3 herein may, upon the approval of the Chief Fiscal Officer of the State, be transferred to the appropriation made either in items (1), (3) or (5) of Section 3 for the

inclusion in the proper category of employment of aircraft pilots, foresters or maintenance and operation of aircraft, and/or for purchase of aircraft to be used in wild fire detection.

In the event the State Forestry Commission determines the nursery operation can effectively maintain its self-supporting status by utilization of contract labor from a private vendor for temporary and/or seasonal labor needs, the Commission is hereby authorized, upon approval of the Chief Fiscal Officer to transfer the necessary appropriation authorized by Item (02) in Section 3 of this Act to Item (05) in Section 3 of this Act.

SECTION 10. FIELD AUDITORS. It is the intent of the General Assembly that two (2) of the Field Auditor II positions authorized in Section 1 of this Act shall be used primarily for performing audits and other services to assure that the severance tax on timber including wood chips and the Forest Fire Protection Tax due to the Forestry Commission is paid.

SECTION 11. During the 1989-91 biennium, positions authorized as Forester I and Aircraft Pilot I may be downgraded to Forest Towerman to provide for an orderly transition to complete aerial wildfire detection and reorganization of districts to county units.

SECTION 12. To amend Arkansas Code 15-31-110 as follows:

"(b) (1) An initial maximum allowance of three hundred dollars (\$300) may be paid to those designated new employees during their first year of employment and after satisfactory completion of an initial probationary period of six (6) months.

(2) A maximum allowance of two hundred dollars (\$200) may be paid to those other designated employees for replacement or maintenance of uniforms. Uniform allowance will be dependent upon available funds, not to exceed established maximums."

SECTION 13. No employee of the State Forestry Commission who begins employment on or after July 1, 1989, shall supervise or work, under the supervision of any person to whom he or she is related within the third degree of affinity or consanguinity.

SECTION 14. 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 15. 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 16. 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 17. 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 3, 1989

---