

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas
2 81st General Assembly
3 Regular Session, 1997

A Bill

HOUSE BILL 1168

4
5 By: Joint Budget Committee

For An Act To Be Entitled

9 "AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND
10 OPERATING EXPENSES FOR THE STATE FORESTRY COMMISSION FOR
11 THE BIENNIAL PERIOD ENDING JUNE 30, 1999; AND FOR OTHER
12 PURPOSES."

Subtitle

15 "AN ACT FOR THE STATE FORESTRY
16 COMMISSION APPROPRIATION FOR THE 1997-99
17 BIENNIUM."

18
19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:

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21 SECTION 1. REGULAR SALARIES. There is hereby established for the State
22 Forestry Commission for the 1997-99 biennium, the following maximum number of
23 regular employees whose salaries shall be governed by the provisions of the
24 Uniform Classification and Compensation Act (Arkansas Code §§21-5-201 et
25 seq.), or its successor, and all laws amendatory thereto. Provided, however,
26 that any position to which a specific maximum annual salary is set out herein
27 in dollars, shall be exempt from the provisions of said Uniform Classification
28 and Compensation Act. All persons occupying positions authorized herein are
29 hereby governed by the provisions of the Regular Salaries Procedures and
30 Restrictions Act (Arkansas Code §21-5-101), or its successor.

Item	Class	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Years	1997-98	1998-99
No.	Code	Title	Employees	1997-98	1998-99
36	(1) 9995	STATE FORESTER	1	\$ 70,322	\$ 72,291

1	(2)	025Z FOREST DEP STATE FORESTER	1	GRADE 25
2	(3)	015Z ASST STATE FORESTER	2	GRADE 23
3	(4)	184Z FORESTRY FISCAL OFFICER	1	GRADE 22
4		J008 STATE FOREST MANAGER	1	
5		147Z DISTRICT FORESTER	11	
6	(5)	B126 WATER USE & RESOURCE SPECIALIST	1	GRADE 21
7		J006 FOREST REFORESTATION MANAGER	1	
8		N326 FORESTRY INFORMATION & ED MANAGER	1	
9		J010 NURSERY SUPERVISOR	1	
10		R386 RURAL FIRE DEFENSE ADMR	1	
11	(6)	E114 STAFF DEVELOPMENT COORDINATOR	1	GRADE 20
12		912Z STAFF FORESTER	4	
13		A036 FIELD AUDITOR SUPERVISOR	1	
14		C020 COMMUNICATIONS SYSTEMS MANAGER	1	
15		J003 AVIATION MANAGER	1	
16		R236 FORESTRY PERSONNEL MANAGER	1	
17		D121 USER SUPPORT ANALYST	1	
18	(7)	B009 FOREST ENTOMOLOGIST	1	GRADE 19
19	(8)	J001 ARK FORESTRY COMM INVESTIGATOR	3	GRADE 18
20		E072 TRAINING INSTRUCTOR	2	
21		J022 FORESTER II	34	
22		V040 PURCHASE AGENT II/PURCHASE AGENT	3	
23		A111 ACCOUNTANT	1	
24		N328 INFORMATION OFFICER II	1	
25		R134 PLANNING SPECIALIST II	1	
26		Y005 AUTO/DIESEL MECHANIC SUPERVISOR	2	
27		V025 RURAL FIRE PROGRAM COORDINATOR	1	
28	(9)	J004 AIRCRAFT PILOT	3	GRADE 17
29		A034 FIELD AUDITOR	1	
30		Y003 AUTO/DIESEL MECHANIC	6	
31		R010 ADMINISTRATIVE ASSISTANT II	1	
32		Y129 ELECTRONIC TECHNICIAN	4	
33	(10)	J013 FOREST RANGER III	60	GRADE 16
34		G027 BUILDING PLANT MAINTENANCE SUPV I	1	
35		J033 STATE FOREST FOREMAN	1	

1	(11) K011 ADMINISTRATIVE OFFICE SUPERVISOR	1	GRADE 15
2	R444 BUSINESS CONTROLLER I	1	
3	(12) J011 FOREST RANGER II	132	GRADE 14
4	J031 NURSERY/SEED ORCHARD TECHNICIAN	4	
5	J015 FOREST TECHNICIAN	2	
6	(13) K153 SECRETARY II	18	GRADE 13
7	(14) J005 FOREST DISPATCHER	10	GRADE 12
8	(15) G073 HEAVY EQUIP OPERATOR	<u>2</u>	GRADE 11
9	MAX NO. OF EMPLOYEES	328	

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11 SECTION 2. EXTRA HELP - GENERAL OPERATIONS. There is hereby
 12 authorized, for the State Forestry Commission for the 1997-99 biennium, the
 13 following maximum number of part-time or temporary employees, to be known as
 14 "Extra Help", payable from funds appropriated herein for such purposes: one-
 15 hundred-thirty-eight (138) temporary or part-time employees, when needed, at
 16 rates of pay not to exceed those provided in the Uniform Classification and
 17 Compensation Act, or its successor, or this act for the appropriate
 18 classification.

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20 SECTION 3. APPROPRIATIONS - GENERAL OPERATIONS. There is hereby
 21 appropriated, to the State Forestry Commission, to be payable from the State
 22 Forestry Fund, for personal services and operating expenses of the State
 23 Forestry Commission for the biennial period ending June 30, 1999, the
 24 following:

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ITEM		FISCAL YEARS	
27	NO.	1997-98	1998-99
28	(01) REGULAR SALARIES	\$ 8,258,243	\$ 8,483,245
29	(02) EXTRA HELP	152,972	152,972
30	(03) PERSONAL SERV MATCHING	2,584,440	2,628,041
31	(04) OVERTIME	15,000	15,000
32	(05) MAINT. & GEN. OPERATION		
33	(A) OPER. EXPENSE	2,648,529	2,648,529
34	(B) CONF. & TRVL.	40,000	40,000
35	(C) PROF. FEES	699,252	699,252

1	(D) CAP. OUTLAY	175,000	175,000
2	(E) DATA PROC.	4,500	4,500
3	(06) FEDERAL INITIATIVE GRANTS	127,900	127,900
4	(07) PAYMENT IN LIEU OF TAXES	16,046	16,046
5	(08) UNIFORM ALLOWANCE	50,000	50,000
6	(09) FIRE FIGHTING EQUIPMENT	<u>562,390</u>	<u>562,390</u>
7	TOTAL AMOUNT APPROPRIATED	<u>\$ 15,334,272</u>	<u>\$</u>
8	<u>15,602,875</u>		

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

11 There is hereby appropriated, to the State Forestry Commission, to be payable
12 from the Rural Fire Protection Revolving Fund, for loans to communities for
13 ~~the biennial period ending June 30, 1999, the following:~~

15	ITEM	FISCAL YEARS	
16	NO.	1997-98	1998-99
17	(01) LOANS	<u>\$ 660,000</u>	<u>\$ 660,000</u>

19 SECTION 5. APPROPRIATIONS - POISON SPRINGS STATE FOREST. There is

20 hereby appropriated, to the State Forestry Commission, to be payable from the
21 State Forest Trust Fund, for management and operation of the State Forestry
22 Commission - Poison Springs State Forest for the biennial period ending June
23 ~~30, 1999, the following:~~

25	ITEM	FISCAL YEARS	
26	NO.	1997-98	1998-99
27	(01) MANAGEMENT AND OPERATION	<u>\$ 100,000</u>	<u>\$ 100,000</u>

29 SECTION 6. APPROPRIATIONS - EMERGENCY FIRE PROGRAM. There is hereby

30 appropriated, to the State Forestry Commission, to be payable from the
31 Emergency Fire Trust Fund, for operating expenses, fire control and
32 communications of the State Forestry Commission - Emergency Fire Program for
33 the biennial period ending June 30, 1999, the following:

35	ITEM	FISCAL YEARS	
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1	NO.		1997-98	1998-99
2	(01) MAINT. & GEN. OPERATION			
3	(A) OPER. EXPENSE	\$	200,000	\$ 200,000
4	(B) CONF. & TRVL.		0	0
5	(C) PROF. FEES		100,000	100,000
6	(D) CAP. OUTLAY		0	0
7	(E) DATA PROC.		0	0
8	(02) FIRE CONTROL/COMMUNICATE		<u>600,000</u>	<u>600,000</u>
9	TOTAL AMOUNT APPROPRIATED	\$	<u>900,000</u>	<u>900,000</u>

10 SECTION 7. APPROPRIATIONS - HARDWOOD REFORESTATION PROJECT. There is
 11 hereby appropriated, to the State Forestry Commission, to be payable from cash
 12 funds as defined by Arkansas Code 19-4-801 of the State Forestry Commission,
 13 for seed purchase by the State Forestry Commission for the biennial period
 14 ~~ending June 30, 1999, the following:~~

16	ITEM		FISCAL YEARS	
17	NO.		1997-98	1998-99
18	(01) SEED PURCHASE	\$	<u>120,000</u>	<u>120,000</u>

20 SECTION 8. APPROPRIATIONS - FEDERAL URBAN FORESTRY SERVICES. There is
 21 hereby appropriated, to the State Forestry Commission, to be payable from the
 22 federal funds as designated by the Chief Fiscal Officer of the State, for
 23 federal urban forestry matching grants and other services of the State
 24 Forestry Commission for the biennial period ending June 30, 1999, the
 25 ~~following:~~

27	ITEM		FISCAL YEARS	
28	NO.		1997-98	1998-99
29	(01) FEDERAL URBAN FORESTRY MATCHING			
30	GRANTS AND OTHER SERVICES	\$	<u>30,745</u>	<u>30,745</u>

32 SECTION 9. APPROPRIATIONS - WETLANDS CONSERVATION AND RESTORATION
 33 ~~PROGRAM. There is hereby appropriated, to the State Forestry Commission, to~~
 34 be payable from the federal funds as designated by the Chief Fiscal Officer of
 35 the State, for personal services and operating expenses of the State Forestry

1 ~~Commission Wetlands Conservation and Restoration Program for the biennial~~
 2 period ending June 30, 1999, the following:

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4 ITEM	FISCAL YEARS	
5 NO.	1997-98	1998-99
6 (01) REGULAR SALARIES	\$ 46,363	\$ 46,363
7 (02) PERSONAL SERVICES MATCHING	12,981	12,981
8 (03) MAINTENANCE & GENERAL OPERATIONS		
9 (A) OPER. EXPENSES	140,856	140,856
10 (B) CONF. & TRAVEL	12,000	12,000
11 (C) PROF. FEES	0	0
12 (D) CAPITAL OUTLAY	2,500	2,500
13 (E) DATA PROCESSING	<u>0</u>	<u>0</u>
14 TOTAL AMOUNT APPROPRIATED	<u>\$ 214,700</u>	<u>\$ 214,700</u>

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16 SECTION 10. SPECIAL LANGUAGE - TRANSFER PROVISION. During either fiscal
 17 year of the 1997-99 biennium, if the State Forestry Commission determines that
 18 temporary firefighters, dispatchers, or pilots are required to meet the
 19 demands of a wildfire season, and upon approval of the Chief Fiscal Officer of
 20 the State, appropriations may be transferred from either Extra Help or
 21 Professional Fees and Services to the proper character code for the employment
 22 of such personnel.

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

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31 SECTION 11. SPECIAL LANGUAGE - EXTRA HELP PROVISION. No employee of the
 32 Forestry Commission who is employed as "Extra Help" may receive an amount to
 33 exceed 3/4 of the maximum annual salary for a comparable position as
 34 authorized by Arkansas Code 21-5-201 et seq. during any fiscal year, nor may
 35 such employee be employed for a period of time to exceed nine (9) months in

1 any single fiscal year. Provided, however, that no employee of the Forestry
2 Commission who is employed as "Extra Help" may receive an amount to exceed
3 seventy five percent (75%) of the maximum annual salary for a comparable
4 position as authorized by Arkansas Code 21-5-201 et seq. during any fiscal
5 year, nor shall such employee be employed for a period of time to exceed
6 fifteen hundred (1500) hours in any single fiscal year.

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

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

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27 SECTION 14. CODE. All provisions of this Act of a general and
28 permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the
29 Arkansas Code Revision Commission shall incorporate the same in the Code.

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31 SECTION 15. SEVERABILITY. If any provision of this Act or the
32 application thereof to any person or circumstance is held invalid, such
33 invalidity shall not affect other provisions or applications of the Act which
34 can be given effect without the invalid provision or application, and to this
35 end the provisions of this Act are declared to be severable.

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SECTION 16. GENERAL REPEALER. All laws and parts of laws in conflict with this Act are hereby repealed.

SECTION 17. EMERGENCY CLAUSE. It is hereby found and determined by the Eighty-First 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, 1997 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, 1997 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, 1997.

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