

State of Arkansas  
85th General Assembly  
Regular Session, 2005

# A Bill

HOUSE BILL 1157

By: Joint Budget Committee

## For An Act To Be Entitled

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

## Subtitle

AN ACT FOR THE STATE FORESTRY  
COMMISSION APPROPRIATION FOR THE  
2005-2007 BIENNIUM.

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

SECTION 1. REGULAR SALARIES. There is hereby established for the State Forestry Commission for the 2005-2007 biennium, the following maximum number of regular employees whose salaries shall be governed by the provisions of the Uniform Classification and Compensation Act (Arkansas Code §§21-5-201 et seq.), 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 (Arkansas Code §21-5-101), or its successor.

	Maximum Annual
Maximum	Salary Rate



1	Item Class			No. of	Fiscal Years	
	No.	Code	Title		2005-2006	2006-2007
3	(1)	9995	STATE FORESTER	1	\$88,447	\$90,677
4	(2)	025Z	FORESTRY DEPUTY STATE FORESTER	1	GRADE	25
5	(3)	015Z	ASST STATE FORESTER	2	GRADE	23
6	(4)	147Z	DISTRICT FORESTER	11	GRADE	22
7	(5)	184Z	FORESTRY FISCAL OFFICER	1	GRADE	22
8	(6)	J008	STATE FOREST MANAGER	1	GRADE	22
9	(7)	N326	FORESTRY INFORMATION & ED MANAGER	1	GRADE	21
10	(8)	J006	FOREST REFORESTATION MANAGER	1	GRADE	21
11	(9)	J010	NURSERY SUPERVISOR	1	GRADE	21
12	(10)	R386	RURAL FIRE DEFENSE ADMR	1	GRADE	21
13	(11)	B126	WATER USE & RESOURCE SPECIALIST	1	GRADE	21
14	(12)	J003	AVIATION MANAGER	1	GRADE	20
15	(13)	C020	COMMUNICATIONS SYSTEMS MANAGER	1	GRADE	20
16	(14)	A036	FIELD AUDITOR SUPERVISOR	1	GRADE	20
17	(15)	R236	FORESTRY PERSONNEL MANAGER	1	GRADE	20
18	(16)	E114	STAFF DEVELOPMENT COORDINATOR	1	GRADE	20
19	(17)	912Z	STAFF FORESTER	5	GRADE	20
20	(18)	B009	FOREST ENTOMOLOGIST	1	GRADE	19
21	(19)	A111	ACCOUNTANT	2	GRADE	18
22	(20)	J001	ARK FORESTRY COMM INVESTIGATOR	4	GRADE	18
23	(21)	Y005	AUTO/DIESEL MECHANIC SUPERVISOR	2	GRADE	18
24	(22)	C006	COMMUNICATIONS SUPERVISOR	1	GRADE	18
25	(23)	J022	FORESTER II	44	GRADE	18
26	(24)	N328	INFORMATION OFFICER II	2	GRADE	18
27	(25)	V040	PURCHASE AGENT II/PURCHASE AGENT	3	GRADE	18
28	(26)	V025	RURAL FIRE PROGRAM COORDINATOR	1	GRADE	18
29	(27)	E072	TRAINING INSTRUCTOR	2	GRADE	18
30	(28)	R010	ADMINISTRATIVE ASSISTANT II	1	GRADE	17
31	(29)	J004	AIRCRAFT PILOT	5	GRADE	17
32	(30)	Y003	AUTO/DIESEL MECHANIC	5	GRADE	17
33	(31)	Y129	ELECTRONIC TECHNICIAN	2	GRADE	17
34	(32)	J013	FOREST RANGER III	147	GRADE	17
35	(33)	R190	PERSONNEL OFFICER II	1	GRADE	17
36	(34)	G027	BLDG PLANT MAINTENANCE SUPV I	1	GRADE	16

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

12

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

20

21 SECTION 3. APPROPRIATION – ADMINISTRATION PROGRAM. There is hereby  
 22 appropriated, to be payable from the funds and fund accounts as set out  
 23 herein, to the State Forestry Commission for the biennial period ending June  
 24 30, 2007, the following:

25 (a) For the Administration Program, the sum of \$2,671,337 for the 2005-2006  
 26 fiscal year and \$2,697,866 for the 2006-2007 fiscal year.

27 (1) Program Description. AFC administration, which includes personnel,  
 28 fiscal, and conservation education, will lead, direct, and support employees  
 29 to accomplish the agency mission.

30 (2) Appropriation payable from:

## FISCAL YEARS

		<u>2005-2006</u>	<u>2006-2007</u>
31			
32	(A) General Revenue:		
33	State Forestry Fund	\$ <u>871,603</u>	\$ <u>948,132</u>
34	TOTAL General Revenue	\$ 871,603	\$ 948,132
35	(B) Federal Funds as designated by		
36	the Chief Fiscal Officer of the		

1	State	\$	738,519	\$	738,519
2	(C) Special Revenue	\$	789,451	\$	789,451
3	(D) Other Funds	\$	171,764	\$	171,764

4 (3) Performance Targets:

5	(A) Number of prior year audit				
6	findings repeated in subsequent				
7	audit.		0		0
8	(B) Percent of Administration budget				
9	to total agency budget.		8%		8%
10	(C) Percent of agency performance				
11	targets met.		100		100

12

13 SECTION 4. APPROPRIATION - FOREST RESOURCE PROTECTION AND MANAGEMENT

14 PROGRAM. There is hereby appropriated, to be payable from the funds and fund  
15 accounts as set out herein, to the State Forestry Commission for the biennial  
16 period ending June 30, 2007, the following:

17 (a) For the Forest Resource Protection/Mgmt Program, the sum of \$20,792,210  
18 for the 2005-2006 fiscal year and \$21,111,507 for the 2006-2007 fiscal year.

19 (1) Program Description. The AFC is responsible for the protection of  
20 Arkansas' forest through wildland fire protection, law enforcement and rural  
21 community fire protection, and works with private non-industrial forest  
22 landowners, forest industry, university, private forest consultants, other  
23 governmental agencies, and communities to promote stewardship and  
24 sustainability of Arkansas' rural and urban forests.

25 (2) Appropriation payable from:

FISCAL YEARS

26			<u>2005-2006</u>		<u>2006-2007</u>
27	(A) General Revenue:				
28	State Forestry Fund	\$	<u>5,910,053</u>	\$	<u>6,202,489</u>
29	TOTAL General Revenue	\$	5,910,053	\$	6,202,489
30	(B) Federal Funds as designated by				
31	the Chief Fiscal Officer of the				
32	State	\$	6,121,745	\$	6,121,745
33	(C) Special Revenue	\$	4,979,360	\$	5,005,889
34	(D) Other Funds	\$	4,118,695	\$	4,093,979

35 (3) Performance Targets:

36 (A) Acres of private non-industrial

1	land reforested, afforested, or		
2	improved by timber stand		
3	improvement thru AFC assistance.	20,000	18,000
4	(B) Average size of wildland fires		
5	(acres).	14	14
6	(C) Number of assists to rural		
7	communities and fire departments.	2,000	2,000
8	(D) Number of workshops, field days,		
9	and presentations to		
10	organizations and school groups.	1,225	1,250
11	(E) Percentage of law enforcement		
12	cases closed.	56%	60%
13	(F) Provide wildland fire		
14	suppression training to volunteer		
15	fire department and cooperator		
16	personnel (number of people		
17	trained).	1,500	1,500

18

19 SECTION 5. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

20 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EXTRA

21 HELP PROVISION. No employee of the Arkansas Forestry Commission who is

22 employed as "Extra Help" may receive an amount to exceed 3/4 of the maximum

23 annual salary for a comparable position as authorized by Arkansas Code 21-5-

24 201 et seq. during any fiscal year, nor may such employee be employed for a

25 period of time to exceed nine (9) months in any single fiscal year.

26 Provided, however, that no employee of the Arkansas Forestry Commission who

27 is employed as "Extra Help" may receive an amount to exceed seventy five

28 percent (75%) of the maximum annual salary for a comparable position as

29 authorized by Arkansas Code 21-5-201 et seq. during any fiscal year, nor

30 shall such employee be employed for a period of time to exceed fourteen

31 hundred (1400) hours in any single fiscal year.

32 The provisions of this section shall be in effect only from July 1, 2003

33 2005 through June 30, ~~2005~~ 2007.

34

35 SECTION 6. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

36 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND

BALANCES - STATE FORESTRY TRUST FUND. (A) For all appropriations as provided in this Act, the agency disbursing officer shall monitor the level of fund balances in relation to expenditures on a monthly basis. If any proposed expenditures would cause the State Forestry Trust Fund to decline below five hundred thirty-one thousand twenty two dollars (\$531,022), the disbursing officer shall immediately notify the executive head of the agency. Prior to any obligations being made under these circumstances, the agency head shall file written documentation with the Chief Fiscal Officer of the State requesting approval of the expenditures. Such documentation shall provide sufficient financial data to justify the expenditures and shall include the following:

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

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

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

SECTION 7. 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 Procurement 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.

1       SECTION 8. LEGISLATIVE INTENT. It is the intent of the General Assembly  
2 that any funds disbursed under the authority of the appropriations contained  
3 in this act shall be in compliance with the stated reasons for which this act  
4 was adopted, as evidenced by the Agency Requests, Executive Recommendations  
5 and Legislative Recommendations contained in the budget manuals prepared by  
6 the Department of Finance and Administration, letters, or summarized oral  
7 testimony in the official minutes of the Arkansas Legislative Council or  
8 Joint Budget Committee which relate to its passage and adoption.

9  
10       SECTION 9. EMERGENCY CLAUSE. It is found and determined by the General  
11 Assembly, that the Constitution of the State of Arkansas prohibits the  
12 appropriation of funds for more than a two (2) year period; that the  
13 effectiveness of this Act on July 1, 2005 is essential to the operation of  
14 the agency for which the appropriations in this Act are provided, and that in  
15 the event of an extension of the Regular Session, the delay in the effective  
16 date of this Act beyond July 1, 2005 could work irreparable harm upon the  
17 proper administration and provision of essential governmental programs.  
18 Therefore, an emergency is hereby declared to exist and this Act being  
19 necessary for the immediate preservation of the public peace, health and  
20 safety shall be in full force and effect from and after July 1, 2005.