

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 85th General Assembly  
3 Regular Session, 2005  
4

*As Engrossed: H3/17/05*

# A Bill

HOUSE BILL 1157

5 By: Joint Budget Committee  
6  
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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.  
13  
14

## 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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35 Maximum Annual  
36 Maximum Salary Rate



Item	Class		No. of Employees	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	

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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.

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21 SECTION 3. APPROPRIATION - GENERAL OPERATIONS. There is hereby  
 22 appropriated, to the State Forestry Commission, to be payable from the State  
 23 Forestry Fund, for personal services and operating expenses of the State  
 24 Forestry Commission - General Operations for the biennial period ending June  
 25 30, 2007, the following:

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27	ITEM	FISCAL YEARS	
28	<u>NO.</u>	<u>2005-2006</u>	<u>2006-2007</u>
29	(01) REGULAR SALARIES	\$ 9,671,977	\$ 9,961,080
30	(02) EXTRA HELP	274,092	274,092
31	(03) PERSONAL SERVICES MATCHING	3,097,028	3,151,376
32	(04) OVERTIME	10,000	10,000
33	(05) MAINT. & GEN. OPERATION		
34	(A) OPER. EXPENSE	3,360,709	3,360,709
35	(B) CONF. & TRAVEL	56,000	56,000
36	(C) PROF. FEES	417,305	417,305

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

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

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

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

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SECTION 5. APPROPRIATION - URBAN FORESTRY SERVICES - FEDERAL

REIMBURSEMENT. There is hereby appropriated, to the State Forestry Commission, to be payable from the State Forestry Fund, for personal services, operating expenses and urban forestry matching grants of the State Forestry Commission - Urban Forestry Services - Federal Reimbursement for the

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1 biennial period ending June 30, 2007, the following:

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

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

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

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

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34 ITEM	FISCAL YEARS	
35 <u>NO.</u>	<u>2005-2006</u>	<u>2006-2007</u>
36 (01) MAINT. & GEN. OPERATION		

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

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

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

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

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34	ITEM	FISCAL YEARS	
35	<u>NO.</u>	<u>2005-2006</u>	<u>2006-2007</u>
36	(01) FOREST LAND ENHANCEMENT		

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

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

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

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

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

SECTION 12. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS

1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND  
2 BALANCES - STATE FORESTRY TRUST FUND. (A) For all appropriations as provided  
3 in this Act, the agency disbursing officer shall monitor the level of fund  
4 balances in relation to expenditures on a monthly basis. If any proposed  
5 expenditures would cause the State Forestry Trust Fund to decline below five  
6 hundred thirty-one thousand twenty two dollars (\$531,022), the disbursing  
7 officer shall immediately notify the executive head of the agency. Prior to  
8 any obligations being made under these circumstances, the agency head shall  
9 file written documentation with the Chief Fiscal Officer of the State  
10 requesting approval of the expenditures. Such documentation shall provide  
11 sufficient financial data to justify the expenditures and shall include the  
12 following:

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

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

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

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

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

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

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

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

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

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

5  
6 */s/ Joint Budget Committee*  
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