

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 84th General Assembly
3 Regular Session, 2003

A Bill

HOUSE BILL 1643

4
5 By: Joint Budget Committee
6
7

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, 2005; AND FOR OTHER PURPOSES.
13

Subtitle

14
15 AN ACT FOR THE STATE FORESTRY
16 COMMISSION APPROPRIATION FOR THE
17 2003-2005 BIENNIUM.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
22

23 SECTION 1. REGULAR SALARIES. There is hereby established for the State
24 Forestry Commission for the 2003-2005 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
Maximum Salary Rate



02192003JAD1715.JAD071

1	Item Class		No. of	Fiscal Years	
	No.	Code Title		Employees	2003-2004
3	(1)	9995 STATE FORESTER	1	\$84,259	\$86,259
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)	B126 WATER USE & RESOURCE SPECIALIST	1	GRADE	21
10	(8)	J006 FOREST REFORESTATION MANAGER	1	GRADE	21
11	(9)	J010 NURSERY SUPERVISOR	1	GRADE	21
12	(10)	N326 FORESTRY INFORMATION & ED MANAGER	1	GRADE	21
13	(11)	R386 RURAL FIRE DEFENSE ADMR	1	GRADE	21
14	(12)	912Z STAFF FORESTER	5	GRADE	20
15	(13)	A036 FIELD AUDITOR SUPERVISOR	1	GRADE	20
16	(14)	C020 COMMUNICATIONS SYSTEMS MANAGER	1	GRADE	20
17	(15)	E114 STAFF DEVELOPMENT COORDINATOR	1	GRADE	20
18	(16)	J003 AVIATION MANAGER	1	GRADE	20
19	(17)	R236 FORESTRY PERSONNEL MANAGER	1	GRADE	20
20	(18)	B009 FOREST ENTOMOLOGIST	1	GRADE	19
21	(19)	A111 ACCOUNTANT	1	GRADE	18
22	(20)	E072 TRAINING INSTRUCTOR	2	GRADE	18
23	(21)	J001 ARK FORESTRY COMM INVESTIGATOR	3	GRADE	18
24	(22)	J022 FORESTER II	44	GRADE	18
25	(23)	N328 INFORMATION OFFICER II	2	GRADE	18
26	(24)	V025 RURAL FIRE PROGRAM COORDINATOR	1	GRADE	18
27	(25)	V040 PURCHASE AGENT II/PURCHASE AGENT	4	GRADE	18
28	(26)	Y005 AUTO/DIESEL MECHANIC SUPERVISOR	2	GRADE	18
29	(27)	J004 AIRCRAFT PILOT	5	GRADE	17
30	(28)	J013 FOREST RANGER III	147	GRADE	17
31	(29)	R010 ADMINISTRATIVE ASSISTANT II	1	GRADE	17
32	(30)	R190 PERSONNEL OFFICER II	1	GRADE	17
33	(31)	Y003 AUTO/DIESEL MECHANIC	5	GRADE	17
34	(32)	Y129 ELECTRONIC TECHNICIAN	3	GRADE	17
35	(33)	G027 BLDG PLANT MAINTENANCE SUPV I	1	GRADE	16
36	(34)	R440 BUSINESS CONTROLLER II	1	GRADE	16

1	(35)	A108	ACCOUNTING TECHNICIAN II	1	GRADE 15
2	(36)	J011	FOREST RANGER II	36	GRADE 15
3	(37)	J015	FOREST TECHNICIAN	2	GRADE 15
4	(38)	K011	ADMINISTRATIVE OFFICE SUPERVISOR	1	GRADE 15
5	(39)	R009	ADMINISTRATIVE ASSISTANT I	1	GRADE 15
6	(40)	J031	NURSERY/SEED ORCHARD TECHNICIAN	5	GRADE 14
7	(41)	K153	SECRETARY II	15	GRADE 13
8	(42)	J005	FOREST DISPATCHER	10	GRADE 12
9	(43)	G073	HEAVY EQUIP OPERATOR	<u>2</u>	GRADE 11
10			MAX. NO. OF EMPLOYEES	329	

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12 SECTION 2. EXTRA HELP. There is hereby authorized, for the State Forestry
 13 Commission for the 2003-2005 biennium, the following maximum number of part-
 14 time or temporary employees, to be known as "Extra Help", payable from funds
 15 appropriated herein for such purposes: ninety (90) temporary or part-time
 16 employees, when needed, at rates of pay not to exceed those provided in the
 17 Uniform Classification and Compensation Act, or its successor, or this act
 18 for the appropriate classification.

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20 SECTION 3. APPROPRIATION - ADMINISTRATION PROGRAM. There is hereby
 21 appropriated, to be payable from the funds and fund accounts as set out
 22 herein, to the State Forestry Commission for the biennial period ending June
 23 30, 2005, the following:

24 (a) For the Administration Program, the sum of \$2,783,350 for the 2003-2004
 25 fiscal year and \$2,783,350 for the 2004-2005 fiscal year.

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

29	(2) Appropriation payable from:		FISCAL YEARS	
30			<u>2003-2004</u>	<u>2004-2005</u>
31	(A) General Revenue:			
32	State Forestry Fund	\$	<u>971,485</u>	\$ <u>971,485</u>
33	TOTAL General Revenue	\$	971,485	\$ 971,485
34	(B) Special Revenue	\$	952,000	\$ 952,000
35	(C) Federal Funds as designated by			
36	the Chief Fiscal Officer of the			

1	State	\$	449,451	\$	449,451
2	(D) Other Funds	\$	741,437	\$	702,453
3	(3) Performance Targets:				
4	(A) Percent of agency performance				
5	targets met.		100		100
6	(B) Percent of Administration				
7	positions and budgets to total				
8	agency positions.		3		3
9	(C) Percent of agency Information				
10	Technology budget to total agency				
11	budget.		.5		.5
12	(D) Number of proprietary systems				
13	maintained by agency staff or				
14	through contractual services		6		6
15	(E) Number of prior year audit				
16	findings repeated in subsequent				
17	audit.		0		0

SECTION 4. APPROPRIATION - FOREST RESOURCE PROTECTION AND MANAGEMENT

PROGRAM. There is hereby appropriated, to be payable from the funds and fund accounts as set out herein, to the State Forestry Commission for the biennial period ending June 30, 2005, the following:

(a) For the Forest Resource Protection and Management Program, the sum of \$21,178,493 for the 2003-2004 fiscal year and \$21,178,493 for the 2004-2005 fiscal year.

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

32	(2) Appropriation payable from:		FISCAL YEARS		
33			<u>2003-2004</u>	<u>2004-2005</u>	
34	(A) General Revenue:				
35	State Forestry Fund	\$	<u>4,781,290</u>	\$	<u>4,781,290</u>
36	TOTAL General Revenue	\$	4,781,290	\$	4,781,290

1	(B) Special Revenue	\$ 4,500,763	\$ 4,500,763
2	(C) Trust Funds	\$ 1,600,000	\$ 1,600,000
3	(D) Federal Funds as designated by		
4	the Chief Fiscal Officer of the		
5	State	\$ 6,556,825	\$ 6,556,825
6	(E) Other Funds	\$ 5,857,165	\$ 5,791,237
7	(3) Performance Targets:		
8	(A) Average size of wildland fires		
9	(acres).	14	13
10	(B) Percentage of law enforcement		
11	cases closed.	52	54
12	(C) Number of assists to rural		
13	communities and fire departments.	1,350	1,400
14	(D) Provide wildland fire		
15	suppression training to volunteer		
16	fire department and cooperator		
17	personnel (number of people		
18	trained).	1,500	1,500
19	(E) Acres of private non-industrial		
20	land reforested, afforested, or		
21	improved by timber stand		
22	improvement through AFC assistance.	9,750	10,000
23	(F) Number of FIA plots measured.	945	1,130
24	(G) Rating BMP implementation by		
25	forest landowners. Reported on a		
26	biannual basis.	85%	86%
27	(H) Number of forestry assists to		
28	communities and organizations.	160	170
29	(I) Number of workshops, and field		
30	days and presentations to		
31	organizations and school groups.	1,200	1,300

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

34 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER

35 PROVISION. During either fiscal year of the ~~2001-2003~~ 2003-2005 biennium, if

36 the ~~State~~ Arkansas Forestry Commission determines that temporary

1 firefighters, dispatchers, or pilots are required to meet the demands of a
 2 wildfire season, and upon approval of the Chief Fiscal Officer of the State,
 3 appropriations may be transferred from either Extra Help or Professional Fees
 4 and Services to the proper character code for the employment of such
 5 personnel.

6 If the ~~State~~ Arkansas Forestry Commission determines that the most effective
 7 way for it to cooperate in the growing and distribution of forest planting
 8 stock is by contracting work with private vendors and/or hiring temporary
 9 employees for seasonal work, the Commission is hereby authorized, upon
 10 approval by the Chief Fiscal Officer, to transfer the necessary appropriation
 11 authorized by Item (02) and Item (05) of Section 3.

12 The provisions of this section shall be in effect only from ~~July 1, 2001~~
 13 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

14
 15 SECTION 6. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 16 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EXTRA
 17 HELP PROVISION. No employee of the Arkansas Forestry Commission who is
 18 employed as "Extra Help" may receive an amount to exceed 3/4 of the maximum
 19 annual salary for a comparable position as authorized by Arkansas Code 21-5-
 20 201 et seq. during any fiscal year, nor may such employee be employed for a
 21 period of time to exceed nine (9) months in any single fiscal year.
 22 Provided, however, that no employee of the Arkansas Forestry Commission who
 23 is employed as "Extra Help" may receive an amount to exceed seventy five
 24 percent (75%) of the maximum annual salary for a comparable position as
 25 authorized by Arkansas Code 21-5-201 et seq. during any fiscal year, nor
 26 shall such employee be employed for a period of time to exceed fourteen
 27 ~~fifteen~~ hundred (1400) ~~(1500)~~ hours in any single fiscal year.

28 The provisions of this section shall be in effect only from ~~July 1, 2001~~
 29 July 1, 2003 through ~~June 30, 2003~~ June 30, 2005.

30
 31 SECTION 7. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED
 32 SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND BALANCES - STATE
 33 FORESTRY TRUST FUND. (A) For all appropriations as provided in this Act,
 34 the agency disbursing officer shall monitor the level of fund balances in
 35 relation to expenditures on a monthly basis. If any proposed expenditures
 36 would cause the State Forestry Trust Fund to decline below five hundred

1 ~~thirty-one thousand twenty two dollars (\$531,022) a fund balance to decline~~
2 ~~to less than fifty percent (50%) of the balance available on July 1, 2001,~~
3 the disbursing officer shall immediately notify the executive head of the
4 agency. Prior to any obligations being made under these circumstances, the
5 agency head shall file written documentation with the Chief Fiscal Officer of
6 the State requesting approval of the expenditures. Such documentation shall
7 provide sufficient financial data to justify the expenditures and shall
8 include the following:

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

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

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

23
24 SECTION 8. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized
25 by this act shall be limited to the appropriation for such agency and funds
26 made available by law for the support of such appropriations; and the
27 restrictions of the State Purchasing Law, the General Accounting and
28 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
29 Procedures and Restrictions Act, or their successors, and other fiscal
30 control laws of this State, where applicable, and regulations promulgated by
31 the Department of Finance and Administration, as authorized by law, shall be
32 strictly complied with in disbursement of said funds.

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34 SECTION 9. LEGISLATIVE INTENT. It is the intent of the General Assembly
35 that any funds disbursed under the authority of the appropriations contained
36 in this act shall be in compliance with the stated reasons for which this act

1 was adopted, as evidenced by the Agency Requests, Executive Recommendations
2 and Legislative Recommendations contained in the budget manuals prepared by
3 the Department of Finance and Administration, letters, or summarized oral
4 testimony in the official minutes of the Arkansas Legislative Council or
5 Joint Budget Committee which relate to its passage and adoption.

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7 SECTION 10. EMERGENCY CLAUSE. It is found and determined by the General
8 Assembly, that the Constitution of the State of Arkansas prohibits the
9 appropriation of funds for more than a two (2) year period; that the
10 effectiveness of this Act on July 1, 2003 is essential to the operation of
11 the agency for which the appropriations in this Act are provided, and that in
12 the event of an extension of the Regular Session, the delay in the effective
13 date of this Act beyond July 1, 2003 could work irreparable harm upon the
14 proper administration and provision of essential governmental programs.
15 Therefore, an emergency is hereby declared to exist and this Act being
16 necessary for the immediate preservation of the public peace, health and
17 safety shall be in full force and effect from and after July 1, 2003.

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