

1 State of Arkansas
2 92nd General Assembly
3 Regular Session, 2019
4

As Engrossed: S3/27/19

A Bill

SENATE BILL 69

5 By: Joint Budget Committee
6

For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
9 AND OPERATING EXPENSES FOR THE ARKANSAS STATE GAME
10 AND FISH COMMISSION FOR THE FISCAL YEAR ENDING JUNE
11 30, 2020; AND FOR OTHER PURPOSES.
12
13

Subtitle

14 AN ACT FOR THE ARKANSAS STATE GAME AND
15 FISH COMMISSION APPROPRIATION FOR THE
16 2019-2020 FISCAL YEAR.
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
21

22 SECTION 1. REGULAR SALARIES. There is hereby established for the
23 Arkansas State Game and Fish Commission for the 2019-2020 fiscal year, the
24 following maximum number of regular employees.
25

26				Maximum Annual	
27			Maximum	Salary Rate	
28	Item	Class	No. of	Fiscal Year	
29	No.	Code	Title	Employees	2019-2020
30	(1)	Q249U	AGFC DIRECTOR	1	\$152,638
31	(2)	Q250U	AGFC CHIEF OF STAFF	1	\$124,275
32	(3)	Q251U	AGFC DEPUTY DIRECTOR	3	\$122,957
33	(4)	Q255U	AGFC CHIEF INFORMATION OFFICER	1	\$120,265
34	(5)	Q252U	AGFC VETERINARIAN	1	\$118,228
35	(6)	Q254U	AGFC GENERAL COUNSEL	1	\$113,681
36	(7)	Q253U	AGFC BIOSTATISTICIAN	1	\$113,681



1	(8)	Q257U AGFC DIVISION CHIEF	9	\$106,902
2	(9)	Q256U AGFC COLONEL	1	\$106,902
3	(10)	Q266U AGFC SYSTEMS ADMINISTRATOR	1	\$103,265
4	(11)	Q265U AGFC SOFTWARE ENGINEER LEAD	1	\$103,265
5	(12)	Q258U AGFC GIS LEAD	1	\$103,265
6	(13)	Q355U AGFC MARKETING MANAGER	1	\$96,303
7	(14)	Q263U AGFC ATTORNEY SPECIALIST	1	\$96,303
8	(15)	Q261U AGFC MAJOR	3	\$96,303
9	(16)	Q260U AGFC DIVISION ASST CHIEF	16	\$96,303
10	(17)	Q271U AGFC SENIOR GIS ANALYST	1	\$89,744
11	(18)	Q270U AGFC CONSERVATION PROGRAM MANAGER	1	\$89,744
12	(19)	Q269U AGFC ATTORNEY	2	\$89,744
13	(20)	Q268U AGFC ASSISTANT CONTROLLER	1	\$89,744
14	(21)	Q267U AGFC CAPTAIN	14	\$89,744
15	(22)	Q283U AGFC SENIOR SOFTWARE SUPPORT ANALYST	4	\$86,609
16	(23)	Q281U AGFC NETWORK SUPPORT SPECIALIST	2	\$86,609
17	(24)	Q280U AGFC HATCHERY MANAGER	5	\$86,609
18	(25)	Q279U AGFC GIS ANALYST	3	\$86,609
19	(26)	Q278U AGFC OPERATIONS & FACILITY MANAGER	3	\$86,609
20	(27)	Q277U AGFC NATURE CENTER MANAGER	5	\$86,609
21	(28)	Q276U AGFC LIEUTENANT	16	\$86,609
22	(29)	Q275U AGFC BIOLOGIST SUPERVISOR	22	\$86,609
23	(30)	Q274U AGFC BIOLOGIST PROGRAM SPECIALIST	9	\$86,609
24	(31)	Q284U AGFC SERGEANT	25	\$83,571
25	(32)	Q354U AGFC ACCOUNTING COORDINATOR	1	\$80,624
26	(33)	Q292U AGFC PERSONNEL MANAGER	1	\$80,624
27	(34)	Q291U AGFC GRANTS MANAGER	1	\$80,624
28	(35)	Q290U AGFC ASSISTANT HATCHERY MANAGER	5	\$80,624
29	(36)	Q289U AGFC LICENSING MANAGER	1	\$80,624
30	(37)	Q288U AGFC CORPORAL	125	\$80,624
31	(38)	Q287U AGFC BIOLOGIST SPECIALIST	51	\$80,624
32	(39)	Q286U AGFC BIOLOGIST - ASST REGIONAL MANAGER	10	\$80,624
33	(40)	Q285U AGFC CONSTRUCTION MANAGER	1	\$80,624
34	(41)	Q299U AGFC WILDLIFE OFFICER 1ST CLASS	1	\$75,004
35	(42)	Q298U AGFC PROCUREMENT COORDINATOR	1	\$75,004
36	(43)	Q297U AGFC GRANTS COORDINATOR	2	\$75,004

1	(44)	Q296U AGFC EDUCATION PROGRAM COORDINATOR	7	\$75,004
2	(45)	Q294U AGFC BIOLOGIST	27	\$75,004
3	(46)	Q353U AGFC EDUCATION FACILITY MANAGER	5	\$71,432
4	(47)	Q309U AGFC WILDLIFE OFFICER	1	\$71,432
5	(48)	Q308U AGFC WEBSITE DEVELOPER	2	\$71,432
6	(49)	Q307U AGFC SURVEYOR	2	\$71,432
7	(50)	Q306U AGFC REAL ESTATE OFFICER	1	\$71,432
8	(51)	Q305U AGFC FISCAL SUPPORT SUPERVISOR	2	\$71,432
9	(52)	Q304U AGFC CENTRAL WAREHOUSE OPERATIONS MG	1	\$71,432
10	(53)	Q303U AGFC EXECUTIVE ASSISTANT TO THE DIR	2	\$71,432
11	(54)	Q302U AGFC EDUCATION PROGRAM SPECIALIST	25	\$71,432
12	(55)	Q301U AGFC ASSISTANT PERSONNEL MANAGER	2	\$71,432
13	(56)	Q300U AGFC LICENSING SUPERVISOR	2	\$71,432
14	(57)	Q357U AGFC ACCOUNTANT II	2	\$68,031
15	(58)	Q316U AGFC PRODUCTION ARTIST	1	\$68,031
16	(59)	Q315U AGFC MAINTENANCE COORDINATOR	2	\$68,031
17	(60)	Q314U AGFC LEGAL SERVICES SPECIALIST	1	\$68,031
18	(61)	Q313U AGFC HUMAN RESOURCES ANALYST	1	\$68,031
19	(62)	Q312U AGFC EDITOR	3	\$68,031
20	(63)	Q311U AGFC COMPUTER SUPPORT ANALYST	3	\$68,031
21	(64)	Q310U AGFC SENIOR TECHNICIAN	15	\$68,031
22	(65)	Q322U AGFC TELECOMMUNICATIONS SUPERVISOR	1	\$64,791
23	(66)	Q321U AGFC SKILLED TRADES SUPERVISOR	1	\$64,791
24	(67)	Q320U AGFC CONSTRUCTION INSPECTOR	8	\$64,791
25	(68)	Q319U AGFC COMMUNICATIONS SYSTEMS SUPERVISOR	1	\$64,791
26	(69)	Q318U AGFC REGIONAL OFFICE MANAGER	1	\$64,791
27	(70)	Q356U AGFC GIS TECHNICIAN	1	\$62,140
28	(71)	Q337U AGFC CONSERVATION PROGRAM TECHNICIAN	47	\$61,706
29	(72)	Q327U AGFC AUTO/DIESEL MECHANIC SUPERVISOR	1	\$61,706
30	(73)	Q326U AGFC SKILLED TRADESMAN	4	\$61,706
31	(74)	Q325U AGFC MAINTENANCE SUPERVISOR	2	\$61,706
32	(75)	Q324U AGFC FISCAL SUPPORT ANALYST	4	\$61,706
33	(76)	Q323U AGFC ADMINISTRATIVE ANALYST	3	\$61,706
34	(77)	Q333U AGFC TELECOMMUNICATIONS SPECIALIST	10	\$58,767
35	(78)	Q332U AGFC FOOD PREPARATION MANAGER	1	\$58,767
36	(79)	Q331U AGFC FIRING RANGE SPECIALIST	1	\$58,767

1	(80)	Q330U AGFC COMMERCIAL GRAPHIC ARTIST	2	\$58,767
2	(81)	Q329U AGFC CALIBRATION TECHNICIAN	2	\$58,767
3	(82)	Q328U AGFC ADMINISTRATIVE OFFICE COORDINATOR	17	\$58,767
4	(83)	Q336U AGFC MULTI-MEDIA SPECIALIST	1	\$55,969
5	(84)	Q335U AGFC MAINTENANCE TECHNICIAN	6	\$55,969
6	(85)	Q334U AGFC INVENTORY CONTROL MANAGER	2	\$55,969
7	(86)	Q340U AGFC FISCAL SUPPORT SPECIALIST	7	\$53,304
8	(87)	Q339U AGFC ADMINISTRATIVE SPECIALIST III	32	\$53,304
9	(88)	Q342U AGFC PRINTER	1	\$50,131
10	(89)	Q341U AGFC FOOD PREPARATION SUPERVISOR	1	\$50,131
11	(90)	Q343U AGFC LICENSING SPECIALIST	8	\$47,140
12	(91)	Q344U AGFC ADMINISTRATIVE SPECIALIST II	1	\$44,319
13	(92)	Q345U AGFC MAIL SERVICES SPECIALIST	<u>1</u>	\$39,155
14		MAX. NO. OF EMPLOYEES	630	

15

16 SECTION 2. EXTRA HELP. There is hereby authorized, for the Arkansas
 17 State Game and Fish Commission for the 2019-2020 fiscal year, the following
 18 maximum number of part-time or temporary employees, to be known as "Extra
 19 Help", payable from funds appropriated herein for such purposes: one hundred
 20 eighty-five (185) temporary or part-time employees, when needed, at rates of
 21 pay not to exceed those provided in the Uniform Classification and
 22 Compensation Act, or its successor, or this act for the appropriate
 23 classification.

24

25 SECTION 3. APPROPRIATION - OPERATIONS. There is hereby appropriated,
 26 to the Arkansas State Game and Fish Commission, to be payable from the Game
 27 Protection Fund, for personal services and operating expenses of the Arkansas
 28 State Game and Fish Commission for the fiscal year ending June 30, 2020, the
 29 following:

30

31	ITEM	FISCAL YEAR
32	<u>NO.</u>	<u>2019-2020</u>
33	(01) REGULAR SALARIES	\$39,586,383
34	(02) EXTRA HELP	1,187,500
35	(03) PERSONAL SERVICES MATCHING	11,957,482
36	(04) OVERTIME	250,000

1	(05) UNIFORM ALLOWANCE	885,000
2	(06) MAINT. & GEN. OPERATION	
3	(A) OPER. EXPENSE	33,346,984
4	(B) CONF. & TRAVEL	450,535
5	(C) PROF. FEES	4,309,003
6	(D) CAP. OUTLAY	10,000,000
7	(E) DATA PROC.	0
8	(07) GAME AND FISH GRANTS	7,000,000
9	(08) CONSTRUCTION	<u>15,000,000</u>
10	TOTAL AMOUNT APPROPRIATED	<u>\$123,972,887</u>

11

12 SECTION 4. APPROPRIATION - GAS LEASE REVENUES. There is hereby
 13 appropriated, to the Arkansas State Game and Fish Commission, to be payable
 14 from the Game Protection Fund, for operating expenses, capital projects,
 15 acquisition of land and conservation easements, and grants of the Arkansas
 16 State Game and Fish Commission for the fiscal year ending June 30, 2020, the
 17 following:

18

19	ITEM	FISCAL YEAR
20	<u>NO.</u>	<u>2019-2020</u>
21	(01) MAINT. & GEN. OPERATION	
22	(A) OPER. EXPENSE	\$2,350,000
23	(B) CONF. & TRAVEL	0
24	(C) PROF. FEES	500,000
25	(D) CAP. OUTLAY	1,500,000
26	(E) DATA PROC.	0
27	(02) GAS LEASE GRANTS	<u>150,000</u>
28	TOTAL AMOUNT APPROPRIATED	<u>\$4,500,000</u>

29

30 SECTION 5. APPROPRIATION - CONSERVATION PARTNERS PROGRAM GRANTS. There
 31 is hereby appropriated, to the Arkansas State Game and Fish Commission, to be
 32 payable from the Game Protection Fund, for grants to conservation partners,
 33 or other eligible entities for operating, equipment, and maintenance expenses
 34 associated with addressing statewide hunger needs of the Arkansas State Game
 35 and Fish Commission for the fiscal year ending June 30, 2020, the following:

36

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2019-2020</u>
(01) CONSERVATION PARTNERS PROGRAM GRANTS	<u>\$150,000</u>

SECTION 6. APPROPRIATION - BLACK RIVER SETTLEMENT FUNDS. There is hereby appropriated, to the Arkansas State Game and Fish Commission, to be payable from the Game Protection Fund, for all expenses associated with the mitigation to the hardwood timber destruction in the Wildlife Management Area, inclusive of Regular Salaries and Personal Services Matching of the Arkansas State Game and Fish Commission for the fiscal year ending June 30, 2020, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2019-2020</u>
(01) RESTORATION OF BLACK RIVER WMA EXPENSES	<u>\$13,250,000</u>

SECTION 7. APPROPRIATION - FERAL HOG ERADICATION. There is hereby appropriated, to the Arkansas State Game and Fish Commission, to be payable from the Game Protection Fund, for personal services, operating expenses and grants for the eradication efforts of feral hogs of the Arkansas State Game and Fish Commission for the fiscal year ending June 30, 2020, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2019-2020</u>
(01) ERADICATION EFFORTS OF FERAL HOGS	<u>\$250,000</u>

Section 8. Arkansas Code Title 15, Chapter 41, Subchapter 1, is amended to add additional sections to read as follows:

15-41-121. Extra help restrictions.

An employee of the Arkansas State Game and Fish Commission who is employed as extra help may not, in a fiscal year:

(1) Receive an amount to exceed eighty-five percent (85%) of the maximum annual salary for a comparable position under:

(A) The Uniform Classification and Compensation Act, § 21-5-201 et seq., or its successor; or

1 (B) The appropriation act applicable to the commission for
2 the fiscal year at issue; or

3 (2) Be employed for a period of time to exceed one thousand eight
4 hundred (1,800) hours.

5
6 15-41-122. Cost-of-living increases and merit pay.

7 (a) Employees of the Arkansas State Game and Fish Commission may
8 receive cost-of-living and merit pay adjustments at the discretion of the
9 commission.

10 (b) The commission may develop and establish a merit pay system that
11 shall be reviewed by the Legislative Council or, if the General Assembly is
12 in session, the Joint Budget Committee.

13 (c) The commission may establish merit payments as either of the
14 following, based on sufficiency of funding:

15 (1) An increase to an employee's base salary; or

16 (2) A lump-sum payment.

17 (d) Commission employees shall be evaluated using an instrument
18 developed by the commission that incorporates performance evaluation
19 standards.

20 (e)(1) If cost-of-living or merit pay adjustments are awarded,
21 employees reaching the maximum rate of pay for their respective
22 classifications may receive merit pay or cost-of-living adjustments in a
23 lump-sum payment.

24 (2) Additional compensation under this section shall not be
25 construed as exceeding the line item maximum for that position
26 classification.

27
28 15-41-123. Compensation differentials.

29 (a)(1) The Arkansas State Game and Fish Commission may pay a
30 compensation differential under this section to an employee occupying a
31 regularly appropriated position in an amount not to exceed twelve percent
32 (12%) of an employee's base salary.

33 (2) An employee may be paid more than one (1) compensation
34 differential under this section, provided the cumulative total of any
35 compensation differentials paid under this section shall not exceed twenty-
36 five percent (25%) of the employee's base salary.

1 (b) A compensation differential shall be reviewed by the Legislative
2 Council or, if the General Assembly is in session, the Joint Budget
3 Committee.

4 (c) The commission shall demonstrate the need for a compensation
5 differential and submit a plan to the Legislative Council or, if the General
6 Assembly is in session, the Joint Budget Committee, identifying the position
7 or classification eligible for the differential.

8 (d) A compensation differential authorized under this section includes
9 only the following:

10 (1) A shift differential;

11 (2) A hazardous-duty differential;

12 (3) A certification differential; and

13 (4) A second-language differential.

14 (e) An employee who receives additional compensation under this section
15 who moves into a position that is not authorized to receive the compensation
16 differential shall have the compensation differential removed from his or her
17 salary.

18 (f) If granting additional compensation under this section has the
19 effect of exceeding the line item maximum assigned to the employee's position
20 or classification, the additional compensation shall not be construed as
21 exceeding the line item maximum for that position or classification.

22
23 15-41-124. Arkansas Hunters Feeding the Hungry Program.

24 (a) The Arkansas Hunters Feeding the Hungry Program is designed to:

25 (1) Share the harvest of an abundant resource with Arkansans who
26 are in need of food;

27 (2) Partner with the Arkansas State Game and Fish Commission to
28 provide a solution for a healthy, balanced deer herd;

29 (3) Provide a much-needed free, low fat, high-protein food source
30 to agencies and organizations that provide meals across Arkansas; and

31 (4) Create a provider purpose for hunters who participate in the
32 program, which allows them to give back and share with others.

33 (b) The commission may establish a check-off or other appropriate
34 method by which to raise revenue for support of the program.

35 (c) The intent of this section is to encourage the commission to
36 examine opportunities available to provide support for the program.

1
2 15-41-125. Overtime payments.

3 (a)(1) If approved by the Director of the Arkansas State Game and Fish
4 Commission, the Arkansas State Game and Fish Commission may make overtime
5 payments to wildlife officers or other employees that are currently assigned
6 or may be assigned by the director or his or her designee to special law
7 enforcement task forces, special operations, or other special programs
8 reimbursable to the commission by federal or local authorities.

9 (2) Overtime payments under subdivision (a)(1) of this section
10 shall be made from funds and appropriations provided for overtime
11 payments.

12 (b) Overtime payments under this section shall be:

13 (1) Processed through the State Accounting System; and

14 (2) In addition to the regular salaries and benefits accruing to
15 the employees eligible for overtime payments under this section.

16
17 SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
18 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. PAYMENT
19 OF REWARDS. Payment of rewards shall be from the Game Protection Fund from
20 the Commission's Maintenance and General Operation appropriation as herein
21 appropriated in the Operating Expenses line item of the Operations
22 appropriation.

23 The provisions of this section shall be in effect only from July 1, ~~2018~~
24 2019 through June 30, ~~2019~~ 2020.

25
26 SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
27 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER
28 PROVISION. After receiving approval from the Chief Fiscal Officer of the
29 State, and prior review by the Arkansas Legislative Council or Joint Budget
30 Committee, the Agency is authorized to transfer appropriation from any line
31 item authorized in the Operations appropriation to any other line item
32 authorized in the Operations appropriation and the Agency is authorized to
33 transfer appropriation from any line item authorized in the Gas Lease
34 Revenues appropriation to any other line item authorized in the same section.

35 The provisions of this section shall be in effect only from July 1, ~~2018~~
36 2019 through June 30, ~~2019~~ 2020.

1
2 SECTION 11. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
3 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

4 PROMOTIONAL ITEMS. The Arkansas State Game and Fish Commission is hereby
5 authorized to purchase from the Maintenance & General Operation
6 Classifications in the Operations Appropriation provided by this Act for
7 promotional items in an amount not to exceed fifty thousand dollars
8 (\$50,000), as authorized by the Director of the Commission to meet fish and
9 wildlife conservations and education needs.

10 The provisions of this section shall be in effect only from July 1, 2019
11 through June 30 2020.

12
13 SECTION 12. LEGISLATIVE INTENT. It is the intent of the General
14 Assembly that any funds disbursed under the authority of the appropriations
15 contained in this act shall be in compliance with the stated reasons for
16 which this act was adopted, as evidenced by the Agency Requests, Executive
17 Recommendations and Legislative Recommendations contained in the budget
18 manuals prepared by the Department of Finance and Administration, letters, or
19 summarized oral testimony in the official minutes of the Arkansas Legislative
20 Council or Joint Budget Committee which relate to its passage and adoption.

21
22 SECTION 13. EMERGENCY CLAUSE. It is found and determined by the
23 General Assembly, that the Constitution of the State of Arkansas prohibits
24 the appropriation of funds for more than a one (1) year period; that the
25 effectiveness of this Act on July 1, 2019 is essential to the operation of
26 the agency for which the appropriations in this Act are provided, and that in
27 the event of an extension of the legislative session, the delay in the
28 effective date of this Act beyond July 1, 2019 could work irreparable harm
29 upon the proper administration and provision of essential governmental
30 programs. Therefore, an emergency is hereby declared to exist and this Act
31 being necessary for the immediate preservation of the public peace, health
32 and safety shall be in full force and effect from and after July 1, 2019.

33
34
35 /s/Joint Budget Committee

36 **APPROVED: 4/5/19**