

1 State of Arkansas *As Engrossed: S2/20/13 S3/28/13*

2 89th General Assembly

# A Bill

3 Regular Session, 2013

SENATE BILL 132

4

5 By: Joint Budget Committee

6

7

## 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, 2014; AND FOR OTHER PURPOSES.

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## Subtitle

15

AN ACT FOR THE ARKANSAS STATE GAME AND

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FISH COMMISSION APPROPRIATION FOR THE

17

2013-2014 FISCAL YEAR.

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

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22 SECTION 1. REGULAR SALARIES. There is hereby established for the  
23 Arkansas State Game and Fish Commission for the 2013-2014 fiscal year, the  
24 following maximum number of regular employees.

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Maximum Annual

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Maximum

Salary Rate

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Item Class

No. of

Fiscal Year

29

No. Code Title

Employees

2013-2014

30

(1) U028U AGFC DIRECTOR

1

\$131,415

31

(2) U071U AGFC DEPUTY DIRECTOR

3

\$106,995

32

(3) G020N AGFC GENERAL COUNSEL

1

GRADE N906

33

(4) D093C AGFC CHIEF INFORMATION OFFICER

1

GRADE C130

34

(5) T002C AGFC COLONEL

1

GRADE C129

35

(6) B003C AGFC DIVISION CHIEF

3

GRADE C129

36

(7) D007C INFORMATION SYSTEMS MANAGER

1

GRADE C128



1	(8)	A014C	FISCAL DIVISION MANAGER	1	GRADE C127
2	(9)	B121C	AGFC DIVISION ASST CHIEF	10	GRADE C126
3	(10)	T008C	AGFC MAJOR	3	GRADE C126
4	(11)	B017C	AGFC REAL ESTATE AND ENGINEER MANAGER	1	GRADE C126
5	(12)	G047C	ATTORNEY SPECIALIST	1	GRADE C126
6	(13)	R006C	HUMAN RESOURCES ADMINISTRATOR	1	GRADE C126
7	(14)	T014C	AGFC CAPTAIN	14	GRADE C124
8	(15)	A031C	ASSISTANT CONTROLLER	2	GRADE C124
9	(16)	G073C	ATTORNEY	2	GRADE C124
10	(17)	B024C	CONSERVATION PROGRAM MANAGER	1	GRADE C124
11	(18)	D034C	DATABASE ADMINISTRATOR	1	GRADE C124
12	(19)	D029C	SENIOR GIS ANALYST	1	GRADE C124
13	(20)	B046C	AGFC BIOLOGIST PROGRAM SPECIALIST	7	GRADE C123
14	(21)	B122C	AGFC BIOLOGIST SUPERVISOR	25	GRADE C123
15	(22)	T017C	AGFC LIEUTENANT	16	GRADE C123
16	(23)	B039C	AGFC NATURE CENTER MANAGER	4	GRADE C123
17	(24)	X031C	AGFC OPERATIONS & FACILITY MANAGER	1	GRADE C123
18	(25)	D040C	GIS ANALYST	1	GRADE C123
19	(26)	P004C	PUBLIC INFORMATION MANAGER	2	GRADE C123
20	(27)	T020C	AGFC SERGEANT	25	GRADE C122
21	(28)	A052C	ACCOUNTING COORDINATOR	1	GRADE C121
22	(29)	B123C	AGFC BIOLOGIST SPECIALIST	35	GRADE C121
23	(30)	T026C	AGFC CORPORAL	128	GRADE C121
24	(31)	C005C	AGFC LICENSING MANAGER	1	GRADE C121
25	(32)	R014C	PERSONNEL MANAGER	1	GRADE C121
26	(33)	D052C	SOFTWARE SUPPORT ANALYST	4	GRADE C121
27	(34)	D058C	COMPUTER OPERATIONS COORDINATOR	1	GRADE C120
28	(35)	P013C	PUBLIC INFORMATION COORDINATOR	1	GRADE C120
29	(36)	B124C	AGFC BIOLOGIST	58	GRADE C119
30	(37)	E031C	EDUCATION PROGRAM COORDINATOR	8	GRADE C119
31	(38)	G147C	GRANTS COORDINATOR	2	GRADE C119
32	(39)	C090C	AGFC LICENSING SUPERVISOR	2	GRADE C118
33	(40)	R024C	ASSISTANT PERSONNEL MANAGER	1	GRADE C118
34	(41)	E037C	EDUCATION PROGRAM SPECIALIST	22	GRADE C118
35	(42)	C010C	EXECUTIVE ASSISTANT TO THE DIRECTOR	2	GRADE C118
36	(43)	A074C	FISCAL SUPPORT SUPERVISOR	2	GRADE C118

1	(44)	D065C	NETWORK SUPPORT ANALYST	2	GRADE C118
2	(45)	X077C	REAL ESTATE OFFICER	1	GRADE C118
3	(46)	B074C	SURVEYOR	2	GRADE C118
4	(47)	D064C	WEBSITE DEVELOPER	2	GRADE C118
5	(48)	D071C	COMPUTER SUPPORT ANALYST	1	GRADE C117
6	(49)	P021C	EDITOR	3	GRADE C117
7	(50)	R025C	HUMAN RESOURCES ANALYST	2	GRADE C117
8	(51)	G179C	LEGAL SERVICES SPECIALIST	1	GRADE C117
9	(52)	S017C	MAINTENANCE COORDINATOR	2	GRADE C117
10	(53)	P020C	PRODUCTION ARTIST	1	GRADE C117
11	(54)	A089C	ACCOUNTANT I	1	GRADE C116
12	(55)	C097C	AGFC REGIONAL OFFICE MANAGER	1	GRADE C116
13	(56)	D076C	COMMUNICATIONS SYSTEMS SUPERVISOR	1	GRADE C116
14	(57)	X129C	CONSTRUCTION INSPECTOR	6	GRADE C116
15	(58)	S098C	CONSTRUCTION SUPERVISOR	1	GRADE C116
16	(59)	E048C	EDUCATION & INSTRUCTION SPECIALIST	5	GRADE C116
17	(60)	P027C	PUBLIC INFORMATION SPECIALIST	1	GRADE C116
18	(61)	S022C	SKILLED TRADES SUPERVISOR	1	GRADE C116
19	(62)	D074C	TELECOMMUNICATIONS SUPERVISOR	1	GRADE C116
20	(63)	C037C	ADMINISTRATIVE ANALYST	1	GRADE C115
21	(64)	D079C	COMPUTER SUPPORT TECHNICIAN	2	GRADE C115
22	(65)	A091C	FISCAL SUPPORT ANALYST	4	GRADE C115
23	(66)	D078C	GIS TECHNICIAN	1	GRADE C115
24	(67)	S033C	MAINTENANCE SUPERVISOR	2	GRADE C115
25	(68)	S031C	SKILLED TRADESMAN	5	GRADE C115
26	(69)	C095C	AGFC REGIONAL OFFICE COORDINATOR	10	GRADE C114
27	(70)	S040C	CALIBRATION TECHNICIAN	3	GRADE C114
28	(71)	P041C	COMMERCIAL GRAPHIC ARTIST	2	GRADE C114
29	(72)	T068C	FIRING RANGE SPECIALIST	1	GRADE C114
30	(73)	D081C	TELECOMMUNICATIONS SPECIALIST	8	GRADE C114
31	(74)	C050C	ADMINISTRATIVE SUPPORT SUPERVISOR	5	GRADE C113
32	(75)	V020C	INVENTORY CONTROL MANAGER	1	GRADE C113
33	(76)	S046C	MAINTENANCE TECHNICIAN	4	GRADE C113
34	(77)	P048C	MULTI-MEDIA SPECIALIST	1	GRADE C113
35	(78)	B101C	NATURAL RESOURCES PROGRAM TECHNICIAN	70	GRADE C113
36	(79)	P046C	PHOTOGRAPHER	1	GRADE C113

1	(80)	C056C	ADMINISTRATIVE SPECIALIST III	9	GRADE C112
2	(81)	A098C	FISCAL SUPPORT SPECIALIST	6	GRADE C112
3	(82)	C054C	LOCAL OFFICE ADMINISTRATIVE SPECIALIST	9	GRADE C112
4	(83)	S056C	FOOD PREPARATION SUPERVISOR	1	GRADE C111
5	(84)	S054C	PRINTER	1	GRADE C111
6	(85)	C073C	ADMINISTRATIVE SPECIALIST II	17	GRADE C109
7	(86)	A102C	FISCAL SUPPORT TECHNICIAN	10	GRADE C108
8	(87)	C087C	ADMINISTRATIVE SPECIALIST I	1	GRADE C106
9	(88)	C088C	MAIL SERVICES ASSISTANT	<u>1</u>	GRADE C105
10			MAX. NO. OF EMPLOYEES	610	

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12 SECTION 2. EXTRA HELP. There is hereby authorized, for the Arkansas  
 13 State Game and Fish Commission for the 2013-2014 fiscal year, the following  
 14 maximum number of part-time or temporary employees, to be known as "Extra  
 15 Help", payable from funds appropriated herein for such purposes: one hundred  
 16 eighty-five (185) temporary or part-time employees, when needed, at rates of  
 17 pay not to exceed those provided in the Uniform Classification and  
 18 Compensation Act, or its successor, or this act for the appropriate  
 19 classification.

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21 SECTION 3. APPROPRIATION - OPERATIONS. There is hereby appropriated,  
 22 to the Arkansas State Game and Fish Commission, to be payable from the Game  
 23 Protection Fund, for personal services, operating expenses, acquisition,  
 24 maintenance and improvements of the Arkansas State Game and Fish Commission  
 25 for the fiscal year ending June 30, 2014, the following:

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27	ITEM	FISCAL YEAR
28	<u>NO.</u>	<u>2013-2014</u>
29	(01) REGULAR SALARIES	\$27,210,469
30	(02) EXTRA HELP	950,000
31	(03) PERSONAL SERVICES MATCHING	9,325,174
32	(04) OVERTIME	250,000
33	(05) UNIFORM ALLOWANCE	885,000
34	(06) MAINT. & GEN. OPERATION	
35	(A) OPER. EXPENSE	31,381,187
36	(B) CONF. & TRAVEL	350,535

1	(C) PROF. FEES	3,459,003
2	(D) CAP. OUTLAY	10,502,608
3	(E) DATA PROC.	0
4	(07) GAME AND FISH GRANTS	<u>5,528,831</u>
5	TOTAL AMOUNT APPROPRIATED	<u>\$89,842,807</u>

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 7 SECTION 4. APPROPRIATION - GAS LEASE REVENUES. There is hereby  
 8 appropriated, to the Arkansas State Game and Fish Commission, to be payable  
 9 from the Game Protection Fund, for operating expenses, capital projects,  
 10 acquisition of land and conservation easements of the Arkansas State Game and  
 11 Fish Commission for the fiscal year ending June 30, 2014, the following:

13	ITEM	FISCAL YEAR
14	<u>NO.</u>	<u>2013-2014</u>
15	(01) MAINT. & GEN. OPERATION	
16	(A) OPER. EXPENSE	\$3,194,624
17	(B) CONF. & TRAVEL	0
18	(C) PROF. FEES	100,000
19	(D) CAP. OUTLAY	3,250,000
20	(E) DATA PROC.	0
21	(02) GAS LEASE GRANTS	2,500,000
22	(03) DEBT SERVICE	<u>1,035,000</u>
23	TOTAL AMOUNT APPROPRIATED	<u>\$10,079,624</u>

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 25 SECTION 5. APPROPRIATION - CONSERVATION PARTNERS PROGRAM GRANTS. There  
 26 is hereby appropriated, to the Arkansas State Game and Fish Commission, to be  
 27 payable from the Game Protection Fund, for grants to conservation partners,  
 28 or other eligible entities for operating, equipment, and maintenance expenses  
 29 associated with addressing statewide hunger needs, for the fiscal year ending  
 30 June 30, 2014, the following:

32	ITEM	FISCAL YEAR
33	<u>NO.</u>	<u>2013-2014</u>
34	(01) CONSERVATION PARTNERS PROGRAM GRANTS	<u>\$100,000</u>

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

1 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HUNTERS  
2 FEEDING THE HUNGRY. Arkansas Hunters Feeding the Hungry is designed to share  
3 the harvest of an abundant resource with Arkansans' who are in need of food,  
4 partner with the Game and Fish Commission in order to provide a solution for  
5 a healthy, balanced deer herd, provide a much needed free, low fat, high  
6 protein food source to the many feeding agencies and organizations across  
7 Arkansas and create a provider purpose for hunters who participate, allowing  
8 them to give back and share with others. In order to help sustain the  
9 Arkansas Hunters Feeding the Hungry program in Arkansas the Arkansas Game and  
10 Fish Commission may establish a check off or other appropriate methods to  
11 raise revenue for support of the program. The intent of this Section is to  
12 encourage the Arkansas Game and Fish Commission to examine opportunities  
13 available to provide support for the Arkansas Hunters Feeding the Hungry  
14 program.

15 The provisions of this section shall be in effect only from July 1, ~~2012~~  
16 2013 through June 30, ~~2013~~ 2014.

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18 SECTION 7. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
19 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. PAYMENT  
20 OF REWARDS. Payment of rewards shall be from the Game Protection Fund from  
21 the Commission's Maintenance and General Operation appropriation as herein  
22 appropriated in Section 3, Item No. (05)(A).

23 The provisions of this section shall be in effect only from July 1, ~~2012~~  
24 2013 through June 30, ~~2013~~ 2014.

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26 SECTION 8. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
27 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. EXTRA  
28 HELP RESTRICTION. No employee of the Arkansas Game and Fish Commission who is  
29 employed as extra help may receive an amount to exceed eighty-five percent  
30 (85%) of the maximum annual salary for a comparable position as authorized  
31 under § 21-5-201 et seq. during any fiscal year, nor shall such an employee  
32 be employed for a period of time to exceed one thousand eight hundred (1,800)  
33 hours in any single fiscal year.

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35 SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
36 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER

1 PROVISION. After receiving approval from the Chief Fiscal Officer of the  
2 State, and prior review by the Arkansas Legislative Council or Joint Budget  
3 Committee, the Agency is authorized to transfer appropriation from any line  
4 item authorized in Section 3 Operations to any other line item authorized in  
5 Section 3 and the Agency is authorized to transfer appropriation from any  
6 line item authorized in Section 4 Gas Lease Revenues to any other line item  
7 authorized in Section 4.

8 The provisions of this section shall be in effect only from July 1, 2013  
9 through June 30, 2014.

10  
11 *SECTION 10. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE*  
12 *ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL, AND TEMPORARY LAW.*  
13 *OVERTIME. The Arkansas Game and Fish Commission is hereby authorized to make*  
14 *overtime payments from such funds and appropriations provided for overtime*  
15 *payments to those wildlife officers or other employees that are currently*  
16 *assigned or may be assigned by the Director of the Arkansas Game and Fish*  
17 *Commission or by an appointed designate to Special Law Enforcement Task*  
18 *Forces, Special Operations, and other special programs reimbursable to the*  
19 *Arkansas Game and Fish Commission by federal or local authorities as approved*  
20 *by the Director of the Arkansas Game and Fish Commission. All such overtime*  
21 *payments shall be processed through the State Accounting System and shall be*  
22 *in addition to the Regular Salaries and benefits accruing to the employee(s).*

23 The provisions of this section shall be in effect only from July 1, 2013  
24 through June 30, 2014.

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26 *SECTION 11. SPECIAL LANGUAGE – CODE AMENDMENT. Arkansas Code Title*  
27 *15, Chapter 41, Subchapter 1, is amended to add an additional section to read*  
28 *as follows:*

29 15-41-119. Legislative findings and intent – Reports.

30 (a) The General Assembly finds that:

31 (1) The natural resources of Arkansas should be protected and  
32 restored as needed; and

33 (2) When the Arkansas State Game and Fish Commission receives  
34 damages from a lawsuit as the result of damage sustained by property of the  
35 commission, the commission's primary use of the funds received as damages  
36 should be to benefit the property that was the subject of the litigation.

1           (b) It is the intent of the General Assembly that when the commission  
2 receives damages from a lawsuit as the result of damage sustained by property  
3 of the commission, the commission should use the funds received as damages to  
4 benefit the property that was the subject of the litigation.

5           (c) The commission shall report to the Game & Fish/State Police  
6 Subcommittee of the Legislative Council annually, at the request of the chair  
7 of the Game & Fish/State Police Subcommittee of Legislative Council, or at  
8 the request of the cochairs of Legislative Council the following information  
9 with respect to any lawsuit in which the commission is a plaintiff or seeks  
10 damages from a third party:

11           (1) The status of the lawsuit;

12           (2) The issues present in the lawsuit;

13           (3) The relief requested in the lawsuit; and

14           (4) The commission's plans for using any funds received as  
15 damages from the lawsuit.

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

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26           SECTION 13. EMERGENCY CLAUSE. It is found and determined by the  
27 General Assembly, that the Constitution of the State of Arkansas prohibits  
28 the appropriation of funds for more than a one (1) year period; that the  
29 effectiveness of this Act on July 1, 2013 is essential to the operation of  
30 the agency for which the appropriations in this Act are provided, and that in  
31 the event of an extension of the legislative session, the delay in the  
32 effective date of this Act beyond July 1, 2013 could work irreparable harm  
33 upon the proper administration and provision of essential governmental  
34 programs. Therefore, an emergency is hereby declared to exist and this Act  
35 being necessary for the immediate preservation of the public peace, health  
36 and safety shall be in full force and effect from and after July 1, 2013.



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*/s/Joint Budget Committee*