

Stricken language will be deleted and underlined language will be added.
Act 1027 of the Regular Session

State of Arkansas *As Engrossed: S2/20/13 S3/28/13 S4/5/13*
89th General Assembly
Regular Session, 2013

A Bill

SENATE BILL 132

By: Joint Budget Committee

For An Act To Be Entitled

AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES
AND OPERATING EXPENSES FOR THE ARKANSAS STATE GAME
AND FISH COMMISSION FOR THE FISCAL YEAR ENDING JUNE
30, 2014; AND FOR OTHER PURPOSES.

Subtitle

AN ACT FOR THE ARKANSAS STATE GAME AND
FISH COMMISSION APPROPRIATION FOR THE
2013-2014 FISCAL YEAR.

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

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

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2013-2014
(1)	U028U	AGFC DIRECTOR	1	\$131,415
(2)	U071U	AGFC DEPUTY DIRECTOR	3	\$106,995
(3)	G020N	AGFC GENERAL COUNSEL	1	GRADE N906
(4)	D093C	AGFC CHIEF INFORMATION OFFICER	1	GRADE C130
(5)	T002C	AGFC COLONEL	1	GRADE C129
(6)	B003C	AGFC DIVISION CHIEF	4	GRADE C129
(7)	D007C	INFORMATION SYSTEMS MANAGER	1	GRADE C128



(8)	A014C	FISCAL DIVISION MANAGER	1	GRADE C127
(9)	B121C	AGFC DIVISION ASST CHIEF	10	GRADE C126
(10)	T008C	AGFC MAJOR	3	GRADE C126
(11)	B017C	AGFC REAL ESTATE AND ENGINEER MANAGER	1	GRADE C126
(12)	G047C	ATTORNEY SPECIALIST	1	GRADE C126
(13)	R006C	HUMAN RESOURCES ADMINISTRATOR	1	GRADE C126
(14)	T014C	AGFC CAPTAIN	14	GRADE C124
(15)	A031C	ASSISTANT CONTROLLER	2	GRADE C124
(16)	G073C	ATTORNEY	2	GRADE C124
(17)	B024C	CONSERVATION PROGRAM MANAGER	1	GRADE C124
(18)	D034C	DATABASE ADMINISTRATOR	1	GRADE C124
(19)	D029C	SENIOR GIS ANALYST	1	GRADE C124
(20)	B046C	AGFC BIOLOGIST PROGRAM SPECIALIST	7	GRADE C123
(21)	B122C	AGFC BIOLOGIST SUPERVISOR	25	GRADE C123
(22)	T017C	AGFC LIEUTENANT	16	GRADE C123
(23)	B039C	AGFC NATURE CENTER MANAGER	4	GRADE C123
(24)	X031C	AGFC OPERATIONS & FACILITY MANAGER	1	GRADE C123
(25)	D040C	GIS ANALYST	1	GRADE C123
(26)	P004C	PUBLIC INFORMATION MANAGER	2	GRADE C123
(27)	T020C	AGFC SERGEANT	25	GRADE C122
(28)	A052C	ACCOUNTING COORDINATOR	1	GRADE C121
(29)	<i>B123C</i>	<i>AGFC BIOLOGIST SPECIALIST</i>	<i>36</i>	<i>GRADE C121</i>
(30)	<i>B131C</i>	<i>AGFC BIOLOGIST - ASST REGIONAL MGR</i>	<i>8</i>	<i>GRADE C121</i>
(31)	<i>B132C</i>	<i>ASSISTANT HATCHERY MANAGER</i>	<i>5</i>	<i>GRADE C121</i>
(32)	T026C	AGFC CORPORAL	128	GRADE C121
(33)	C005C	AGFC LICENSING MANAGER	1	GRADE C121
(34)	R014C	PERSONNEL MANAGER	1	GRADE C121
(35)	D052C	SOFTWARE SUPPORT ANALYST	4	GRADE C121
(36)	D058C	COMPUTER OPERATIONS COORDINATOR	1	GRADE C120
(37)	P013C	PUBLIC INFORMATION COORDINATOR	1	GRADE C120
(38)	B124C	AGFC BIOLOGIST	44	GRADE C119
(39)	E031C	EDUCATION PROGRAM COORDINATOR	8	GRADE C119
(40)	G147C	GRANTS COORDINATOR	2	GRADE C119
(41)	C090C	AGFC LICENSING SUPERVISOR	2	GRADE C118
(42)	R024C	ASSISTANT PERSONNEL MANAGER	1	GRADE C118
(43)	E037C	EDUCATION PROGRAM SPECIALIST	22	GRADE C118

(44)	C010C	EXECUTIVE ASSISTANT TO THE DIRECTOR	2	GRADE C118
(45)	A074C	FISCAL SUPPORT SUPERVISOR	2	GRADE C118
(46)	D065C	NETWORK SUPPORT ANALYST	2	GRADE C118
(47)	X077C	REAL ESTATE OFFICER	1	GRADE C118
(48)	B074C	SURVEYOR	2	GRADE C118
(49)	D064C	WEBSITE DEVELOPER	2	GRADE C118
(50)	D071C	COMPUTER SUPPORT ANALYST	1	GRADE C117
(51)	P021C	EDITOR	3	GRADE C117
(52)	R025C	HUMAN RESOURCES ANALYST	2	GRADE C117
(53)	G179C	LEGAL SERVICES SPECIALIST	1	GRADE C117
(54)	S017C	MAINTENANCE COORDINATOR	2	GRADE C117
(55)	P020C	PRODUCTION ARTIST	1	GRADE C117
(56)	A089C	ACCOUNTANT I	1	GRADE C116
(57)	C097C	AGFC REGIONAL OFFICE MANAGER	1	GRADE C116
(58)	D076C	COMMUNICATIONS SYSTEMS SUPERVISOR	1	GRADE C116
(59)	X129C	CONSTRUCTION INSPECTOR	6	GRADE C116
(60)	S098C	CONSTRUCTION SUPERVISOR	1	GRADE C116
(61)	E048C	EDUCATION & INSTRUCTION SPECIALIST	5	GRADE C116
(62)	P027C	PUBLIC INFORMATION SPECIALIST	1	GRADE C116
(63)	S022C	SKILLED TRADES SUPERVISOR	1	GRADE C116
(64)	D074C	TELECOMMUNICATIONS SUPERVISOR	1	GRADE C116
(65)	C037C	ADMINISTRATIVE ANALYST	1	GRADE C115
(66)	D079C	COMPUTER SUPPORT TECHNICIAN	2	GRADE C115
(67)	A091C	FISCAL SUPPORT ANALYST	4	GRADE C115
(68)	D078C	GIS TECHNICIAN	1	GRADE C115
(69)	S033C	MAINTENANCE SUPERVISOR	2	GRADE C115
(70)	S031C	SKILLED TRADESMAN	5	GRADE C115
(71)	C095C	AGFC REGIONAL OFFICE COORDINATOR	10	GRADE C114
(72)	S040C	CALIBRATION TECHNICIAN	3	GRADE C114
(73)	P041C	COMMERCIAL GRAPHIC ARTIST	2	GRADE C114
(74)	T068C	FIRING RANGE SPECIALIST	1	GRADE C114
(75)	D081C	TELECOMMUNICATIONS SPECIALIST	8	GRADE C114
(76)	C050C	ADMINISTRATIVE SUPPORT SUPERVISOR	5	GRADE C113
(77)	V020C	INVENTORY CONTROL MANAGER	1	GRADE C113
(78)	S046C	MAINTENANCE TECHNICIAN	5	GRADE C113
(79)	P048C	MULTI-MEDIA SPECIALIST	1	GRADE C113

(80)	B101C	NATURAL RESOURCES PROGRAM TECHNICIAN	70	GRADE C113
(81)	P046C	PHOTOGRAPHER	1	GRADE C113
(82)	C056C	ADMINISTRATIVE SPECIALIST III	9	GRADE C112
(83)	A098C	FISCAL SUPPORT SPECIALIST	7	GRADE C112
(84)	C054C	LOCAL OFFICE ADMINISTRATIVE SPECIALIST	9	GRADE C112
(85)	S056C	FOOD PREPARATION SUPERVISOR	1	GRADE C111
(86)	S054C	PRINTER	1	GRADE C111
(87)	C073C	ADMINISTRATIVE SPECIALIST II	17	GRADE C109
(88)	A102C	FISCAL SUPPORT TECHNICIAN	9	GRADE C108
(89)	C087C	ADMINISTRATIVE SPECIALIST I	1	GRADE C106
(90)	C088C	MAIL SERVICES ASSISTANT	<u>1</u>	GRADE C105
		MAX. NO. OF EMPLOYEES	612	

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

SECTION 3. APPROPRIATION - OPERATIONS. 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, acquisition, maintenance and improvements of the Arkansas State Game and Fish Commission for the fiscal year ending June 30, 2014, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2013-2014</u>
(01) REGULAR SALARIES	\$27,210,469
(02) EXTRA HELP	950,000
(03) PERSONAL SERVICES MATCHING	9,325,174
(04) OVERTIME	250,000
(05) UNIFORM ALLOWANCE	885,000
(06) MAINT. & GEN. OPERATION	

(A) OPER. EXPENSE	31,381,187
(B) CONF. & TRAVEL	350,535
(C) PROF. FEES	3,459,003
(D) CAP. OUTLAY	10,502,608
(E) DATA PROC.	0
(07) GAME AND FISH GRANTS	<u>5,528,831</u>
TOTAL AMOUNT APPROPRIATED	<u>\$89,842,807</u>

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

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

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

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

SECTION 6. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. HUNTERS FEEDING THE HUNGRY. Arkansas Hunters Feeding the Hungry is designed to share the harvest of an abundant resource with Arkansans' who are in need of food, partner with the Game and Fish Commission in order to provide a solution for a healthy, balanced deer herd, provide a much needed free, low fat, high protein food source to the many feeding agencies and organizations across Arkansas and create a provider purpose for hunters who participate, allowing them to give back and share with others. In order to help sustain the Arkansas Hunters Feeding the Hungry program in Arkansas the Arkansas Game and Fish Commission may establish a check off or other appropriate methods to raise revenue for support of the program. The intent of this Section is to encourage the Arkansas Game and Fish Commission to examine opportunities available to provide support for the Arkansas Hunters Feeding the Hungry program.

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

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

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

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

SECTION 9. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER PROVISION. After receiving approval from the Chief Fiscal Officer of the State, and prior review by the Arkansas Legislative Council or Joint Budget Committee, the Agency is authorized to transfer appropriation from any line item authorized in Section 3 Operations to any other line item authorized in Section 3 and the Agency is authorized to transfer appropriation from any line item authorized in Section 4 Gas Lease Revenues to any other line item authorized in Section 4.

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

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

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

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

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

(a) The General Assembly finds that:

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

(2) When the Arkansas State Game and Fish Commission receives damages from a lawsuit as the result of damage sustained by property of the

commission, the commission's primary use of the funds received as damages should be to benefit the property that was the subject of the litigation.

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

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

(1) The status of the lawsuit;

(2) The issues present in the lawsuit;

(3) The relief requested in the lawsuit; and

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

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

SECTION 13. EMERGENCY CLAUSE. It is found and determined by the General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a one (1) year period; that the effectiveness of this Act on July 1, 2013 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the legislative session, the delay in the effective date of this Act beyond July 1, 2013 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act

being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 2013.

/s/Joint Budget Committee

APPROVED: 04/10/2013