

State of Arkansas
88th General Assembly
Fiscal Session, 2012

A Bill

HOUSE BILL 1088

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 NATURAL RESOURCES COMMISSION FOR THE FISCAL YEAR ENDING JUNE 30, 2013; AND FOR OTHER PURPOSES.

Subtitle

AN ACT FOR THE ARKANSAS NATURAL RESOURCES COMMISSION APPROPRIATION FOR THE 2012-2013 FISCAL YEAR.

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

SECTION 1. REGULAR SALARIES - OPERATIONS. There is hereby established for the Arkansas Natural Resources Commission for the 2012-2013 fiscal year, the following maximum number of regular employees.

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2012-2013
(1)	U043U	ANRC EXECUTIVE DIRECTOR	1	\$108,367
(2)	G003C	ANRC DEPUTY DIRECTOR	1	GRADE C130
(3)	A010C	AGENCY CONTROLLER II	1	GRADE C128
(4)	B006C	ANRC CONSERVATION DIVISION CHIEF	1	GRADE C128
(5)	B005C	ANRC WATER DEVELOPMENT DIVISION MAN	1	GRADE C128
(6)	B004C	ANRC WATER RESOURCES DIVISION MANAG	1	GRADE C128
(7)	G025C	ATTORNEY SUPERVISOR	1	GRADE C127



(8)	G047C	ATTORNEY SPECIALIST	1	GRADE C126
(9)	B015C	ENGINEER SUPERVISOR	3	GRADE C126
(10)	G076C	ADMINISTRATIVE SERVICES MANAGER	1	GRADE C124
(11)	B023C	ENGINEER, P.E.	7	GRADE C124
(12)	D040C	GIS ANALYST	1	GRADE C123
(13)	B035C	GEOLOGY SUPERVISOR	1	GRADE C122
(14)	B042C	ENGINEER	2	GRADE C121
(15)	G109C	GRANTS MANAGER	3	GRADE C121
(16)	B043C	PROFESSIONAL GEOLOGIST	3	GRADE C121
(17)	B041C	STATE CLIMATOLOGIST	1	GRADE C121
(18)	G126C	FINANCE PROGRAM COORDINATOR	1	GRADE C120
(19)	B059C	ANRC PROGRAM COORDINATOR	15	GRADE C119
(20)	D063C	COMPUTER SUPPORT SPECIALIST	1	GRADE C119
(21)	B065C	ECOLOGIST	2	GRADE C119
(22)	G147C	GRANTS COORDINATOR	3	GRADE C119
(23)	B060C	LAND RESOURCE SPECIALIST SUPERVISOR	1	GRADE C119
(24)	G145C	RURAL CONST GRANT/FINANCIAL OFFICER	9	GRADE C119
(25)	G180C	GRANTS ANALYST	3	GRADE C117
(26)	R025C	HUMAN RESOURCES ANALYST	1	GRADE C117
(27)	A089C	ACCOUNTANT I	1	GRADE C116
(28)	X129C	CONSTRUCTION INSPECTOR	2	GRADE C116
(29)	P027C	PUBLIC INFORMATION SPECIALIST	2	GRADE C116
(30)	C037C	ADMINISTRATIVE ANALYST	2	GRADE C115
(31)	A091C	FISCAL SUPPORT ANALYST	2	GRADE C115
(32)	B093C	LAND RESOURCE SPECIALIST	6	GRADE C115
(33)	V015C	PURCHASING SPECIALIST	1	GRADE C115
(34)	A093C	STATISTICIAN	1	GRADE C114
(35)	C056C	ADMINISTRATIVE SPECIALIST III	9	GRADE C112
(36)	C073C	ADMINISTRATIVE SPECIALIST II	<u>1</u>	GRADE C109
		MAX. NO. OF EMPLOYEES	93	

SECTION 2. EXTRA HELP. There is hereby authorized, for the Arkansas Natural Resources Commission for the 2012-2013 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: eight (8) 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 - STATE OPERATIONS. There is hereby appropriated, to the Arkansas Natural Resources Commission, to be payable from the Miscellaneous Agencies Fund Account, for personal services and operating expenses of the Arkansas Natural Resources Commission for the fiscal year ending June 30, 2013, the following:

ITEM NO.	FISCAL YEAR 2012-2013
(01) REGULAR SALARIES	\$1,537,917
(02) PERSONAL SERVICES MATCHING	433,413
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	400,379
(B) CONF. & TRAVEL	10,165
(C) PROF. FEES	0
(D) CAP. OUTLAY	0
(E) DATA PROC.	0
(04) CONSERVATION DISTRICT EXPENSE	939,990
(05) SURVEYS & INVESTIGATIONS	3,900
(06) WATER PLANNING	130,981
(07) RESEARCH PROJECT	<u>1,882</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$3,458,627</u></u>

SECTION 4. APPROPRIATION - NATURAL RESOURCES COMMISSION - CASH. There is hereby appropriated, to the Arkansas Natural Resources Commission, to be payable from the cash fund deposited in the State Treasury as determined by the Chief Fiscal Officer of the State, for personal services and operating expenses of the Arkansas Natural Resources Commission - Cash for the fiscal year ending June 30, 2013, the following:

ITEM NO.	FISCAL YEAR 2012-2013
(01) REGULAR SALARIES	\$927,274
(02) EXTRA HELP	30,800

(03) PERSONAL SERVICES MATCHING	288,657
(04) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	333,331
(B) CONF. & TRAVEL	22,000
(C) PROF. FEES	110,002
(D) CAP. OUTLAY	0
(E) DATA PROC.	0
(05) SOIL & WATER GRANTS & LOANS	6,097,017
(06) TRAINING/CONTRACT SERVICES	<u>105,000</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$7,914,081</u></u>

SECTION 5. APPROPRIATION - DAM INVENTORY. There is hereby appropriated, to the Arkansas Natural Resources Commission, to be payable from the federal funds as designated by the Chief Fiscal Officer of the State, for personal services and operating expenses of the Arkansas Natural Resources Commission - Dam Inventory for the fiscal year ending June 30, 2013, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2012-2013</u>
(01) REGULAR SALARIES	\$41,763
(02) PERSONAL SERVICES MATCHING	13,105
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	49,216
(B) CONF. & TRAVEL	17,000
(C) PROF. FEES	0
(D) CAP. OUTLAY	0
(E) DATA PROC.	0
(04) GRANTS & AID - DAM SAFETY PROJECTS	<u>76,997</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$198,081</u></u>

SECTION 6. APPROPRIATION - FLOOD INSURANCE PROGRAM. There is hereby appropriated, to the Arkansas Natural Resources Commission, to be payable from the federal funds as designated by the Chief Fiscal Officer of the State, for personal services and operating expenses of the Arkansas Natural Resources Commission - Flood Insurance Program for the fiscal year ending

June 30, 2013, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2012-2013</u>
(01) REGULAR SALARIES	\$81,343
(02) EXTRA HELP	10,000
(03) PERSONAL SERVICES MATCHING	26,396
(04) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	46,039
(B) CONF. & TRAVEL	22,571
(C) PROF. FEES	0
(D) CAP. OUTLAY	0
(E) DATA PROC.	0
(05) GRANTS & AID - MAP MODERNIZATION MANAGEMENT INITIATIVE	<u>170,000</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$356,349</u></u>

SECTION 7. APPROPRIATION - WATER QUALITY PLAN IMPLEMENTATION. There is hereby appropriated, to the Arkansas Natural Resources Commission, to be payable from the Miscellaneous Agencies Fund Account, for personal services and operating expenses of the Arkansas Natural Resources Commission - Water Quality Plan Implementation for the fiscal year ending June 30, 2013, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2012-2013</u>
(01) REGULAR SALARIES	\$255,082
(02) PERSONAL SERVICES MATCHING	74,364
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	3,200
(B) CONF. & TRAVEL	1,000
(C) PROF. FEES	0
(D) CAP. OUTLAY	0
(E) DATA PROC.	0
(04) WATER QUALITY MATCH GRANTS	962,000
(05) WATER QUALITY TECHNICIAN	<u>950,000</u>

TOTAL AMOUNT APPROPRIATED \$2,245,646

SECTION 8. APPROPRIATION - WATER, WASTE DISPOSAL, AND POLLUTION ABATEMENT PROGRAM. There is hereby appropriated, to the Arkansas Natural Resources Commission, to be payable from the Water, Waste Disposal, Pollution Abatement, Administrative and Research Facilities Construction Fund, for personal services and operating expenses of the Arkansas Natural Resources Commission - Water, Waste Disposal, and Pollution Abatement Program for the fiscal year ending June 30, 2013, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2012-2013</u>
(01) REGULAR SALARIES	\$244,132
(02) PERSONAL SERVICES MATCHING	72,196
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	4,400
(B) CONF. & TRAVEL	0
(C) PROF. FEES	0
(D) CAP. OUTLAY	0
(E) DATA PROC.	0
(04) PROJECT DISBURSEMENTS	<u>90,000,000</u>
TOTAL AMOUNT APPROPRIATED	<u>\$90,320,728</u>

SECTION 9. APPROPRIATION - NONPOINT SOURCE POLLUTION CONTROL PROGRAM. There is hereby appropriated, to the Arkansas Natural Resources Commission, to be payable from the federal funds as designated by the Chief Fiscal Officer of the State, for personal services and operating expenses of the Arkansas Natural Resources Commission - Nonpoint Source Pollution Control Program for the fiscal year ending June 30, 2013, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2012-2013</u>
(01) REGULAR SALARIES	\$539,776
(02) EXTRA HELP	25,000
(03) PERSONAL SERVICES MATCHING	173,454
(04) MAINT. & GEN. OPERATION	

(A) OPER. EXPENSE	294,334
(B) CONF. & TRAVEL	50,000
(C) PROF. FEES	100,000
(D) CAP. OUTLAY	51,000
(E) DATA PROC.	0
(05) NONPOINT SOURCE POLLUTION GRANTS	<u>5,642,276</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$6,875,840</u></u>

SECTION 10. APPROPRIATION - RED RIVER LEVEE REHABILITATION PROJECT.

There is hereby appropriated, to the Arkansas Natural Resources Commission, to be payable from the Red River Waterways Project Trust Fund, for expenses of a navigation feasibility study in conjunction with the Corp of Engineers on a cost sharing basis; the purchase of mitigation lands; and for acquisition of right-of-way and relocation utilities for a levee rehabilitation project for the Red River by the Arkansas Natural Resources Commission - Red River Levee Rehabilitation Project for the fiscal year ending June 30, 2013, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2012-2013</u>
(01) REGULAR SALARIES	\$122,862
(02) PERSONAL SERVICES MATCHING	38,580
(03) PROJECT COST-SHARE GRANTS	2,000,000
(04) STUDY EXPENSES	<u>1,372,828</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$3,534,270</u></u>

SECTION 11. APPROPRIATION - CONSTRUCTION ASSISTANCE REVOLVING LOAN FUND PROGRAM. There is hereby appropriated, to the Arkansas Natural Resources Commission, to be payable from the federal funds as designated by the Chief Fiscal Officer of the State, for personal services and operating expenses of the Arkansas Natural Resources Commission - Construction Assistance Revolving Loan Fund Program for the fiscal year ending June 30, 2013, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2012-2013</u>
(01) REGULAR SALARIES	\$763,861

(02) PERSONAL SERVICES MATCHING	222,396
(03) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	182,404
(B) CONF. & TRAVEL	7,219
(C) PROF. FEES	13,500
(D) CAP. OUTLAY	0
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$1,189,380</u></u>

SECTION 12. APPROPRIATION - BEAVER ERADICATION PROGRAM. There is hereby appropriated, to the Arkansas Natural Resources Commission, to be payable from the Miscellaneous Agencies Fund Account, for grants to the conservation districts for beaver control programs within the districts of the Arkansas Natural Resources Commission - Beaver Eradication Program for the fiscal year ending June 30, 2013, the following:

ITEM NO.	FISCAL YEAR 2012-2013
(01) GRANTS FOR BEAVER CONTROL PROGRAMS	<u><u>\$150,000</u></u>

SECTION 13. APPROPRIATION - GRANTS & ATTORNEY SERVICES. There is hereby appropriated, to the Arkansas Natural Resources Commission, to be payable from the Miscellaneous Agencies Fund Account, for operating expenses of the Arkansas Natural Resources Commission - Grants and Attorney Services for the fiscal year ending June 30, 2013, the following:

ITEM NO.	FISCAL YEAR 2012-2013
(01) RIVER BASIN COMPACT	\$42,820
(02) LEGAL COUNSEL	5,871
(03) COMMITTEE/COMMISSION EXPENSES	10,000
(04) CONSERVATION PROJECTS	3,500
(05) ARKANSAS RIVER COMPACT	17,800
(06) RED RIVER COMPACT	<u>11,720</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$91,711</u></u>

SECTION 14. APPROPRIATION - RURAL FIRE PROTECTION PROGRAM. There is hereby appropriated, to the Arkansas Natural Resources Commission, to be payable from the Miscellaneous Agencies Fund Account, for operating expenses of the Arkansas Natural Resources Commission - Rural Fire Protection Program for the fiscal year ending June 30, 2013, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2012-2013</u>
(01) RURAL FIRE PROTECTION PROGRAM	<u>\$1,100,000</u>

SECTION 15. APPROPRIATION - CONSERVATION DISTRICT PROGRAM GRANTS. There is hereby appropriated, to the Arkansas Natural Resources Commission, to be payable from the Miscellaneous Agencies Fund Account, for grants to conservation districts of the Arkansas Natural Resources Commission - Conservation District Program Grants for the fiscal year ending June 30, 2013, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2012-2013</u>
(01) GRANTS TO CONSERVATION DISTRICTS	<u>\$250,000</u>

SECTION 16. APPROPRIATION - WATER RESEARCH. There is hereby appropriated, to the Arkansas Natural Resources Commission, to be payable from the Miscellaneous Agencies Fund Account, for operating expenses of the Arkansas Natural Resources Commission - Water Research for the fiscal year ending June 30, 2013, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2012-2013</u>
(01) WATER RESEARCH/CONTRACT	<u>\$42,800</u>

SECTION 17. APPROPRIATION - CONSERVATION DISTRICT CLERKS' INSURANCE. There is hereby appropriated, to the Arkansas Natural Resources Commission, to be payable from the Miscellaneous Agencies Fund Account, for personal services matching of the Arkansas Natural Resources Commission - Conservation District Clerks' Insurance for the fiscal year ending June 30, 2013, the

following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2012-2013</u>
(01) MEDICAL INSURANCE MATCHING	<u>\$374,400</u>

SECTION 18. APPROPRIATION - WATER, SEWER, AND SOLID WASTE - REVOLVING. There is hereby appropriated, to the Arkansas Natural Resources Commission, to be payable from the Water, Sewer and Solid Waste Revolving Fund, for water, sewer, and solid waste grants of the Arkansas Natural Resources Commission - Water, Sewer, and Solid Waste - Revolving for the fiscal year ending June 30, 2013, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2012-2013</u>
(01) WATER, SEWER AND SOLID WASTE GRANTS & AID	<u>\$5,000,000</u>

SECTION 19. APPROPRIATION - WATER, SEWER, AND SOLID WASTE - STATE. There is hereby appropriated, to the Arkansas Natural Resources Commission, to be payable from the Miscellaneous Agencies Fund Account, for water, sewer, and solid waste grants or loans that will be repaid to Water, Sewer, and Solid Waste - Revolving appropriation of the Arkansas Natural Resources Commission - Water, Sewer, and Solid Waste - State for the fiscal year ending June 30, 2013, the following:

ITEM	FISCAL YEAR
<u>NO.</u>	<u>2012-2013</u>
(01) WATER, SEWER AND SOLID WASTE GRANTS	<u>\$736,219</u>

SECTION 20. APPROPRIATION - OUACHITA RIVER WATERWAYS PROJECTS. There is hereby appropriated, to the Arkansas Natural Resources Commission, to be payable from the Ouachita River Waterways Project Trust Fund, for project expenses of the Ouachita River Waterways Project of the Arkansas Natural Resources Commission for the fiscal year ending June 30, 2013, the following:

ITEM NO.	FISCAL YEAR 2012-2013
(01) OUACHITA RIVER WATERWAYS PROJECTS	<u>\$124,675</u>

SECTION 21. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. TRANSFER PROVISION. At the end of each fiscal year, the Chief Fiscal Officer of the State shall authorize the transfer of obligated water, sewer, and solid waste funds, as provided in the appropriation act for the Natural Resources Commission in the appropriation entitled "Water, Sewer and Solid Waste - State", from the Miscellaneous Agencies Fund Account, to the Water, Sewer and Solid Waste Revolving Fund.

The provisions of this section shall be in effect only from July 1, ~~2010~~ 2012 through June 30, ~~2011~~ 2013.

SECTION 22. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY FORWARD. At the end of each fiscal year, the Chief Fiscal Officer of the State shall authorize the carry forward of funds to support the amount of obligated grants that are certified by the Natural Resources Commission for Matching Grants in the appropriation entitled "Water Quality Plan Implementation".

Any carry forward of unexpended balance of funding as authorized herein, may be carried forward under the following conditions:

- (1) Prior to June 30, 2013 the Agency shall by written statement set forth its reason(s) for the need to carry forward said funding to the Department of Finance and Administration Office of Budget;
- (2) The Department of Finance and Administration Office of Budget shall report to the Arkansas Legislative Council all amounts carried forward by the September Arkansas Legislative Council or Joint Budget Committee meeting which report shall include the name of the Agency, Board, Commission or Institution and the amount of the funding carried forward from the first fiscal year to the second fiscal year, the program name or line item, the funding source of that appropriation and a copy of the written request set forth in (1) above;
- (3) Each Agency, Board, Commission or Institution shall provide a written

report to the Arkansas Legislative Council or Joint Budget Committee containing all information set forth in item (2) above, along with a written statement as to the current status of the project, contract, purpose etc. for which the carry forward was originally requested no later than thirty (30) days prior to the time the Agency, Board, Commission or Institution presents its budget request to the Arkansas Legislative Council/Joint Budget Committee; and

(4) Thereupon, the Department of Finance and Administration shall include all information obtained in item (3) above in the budget manuals and/or a statement of non-compliance by the Agency, Board, Commission or Institution.

SECTION 23. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. CARRY FORWARD. At the end of the fiscal year, the Chief Fiscal Officer of the State shall authorize the carry forward of funds to support the amount of obligated grants that are certified by the Natural Resources Commission for Water Quality Technicians in the appropriation entitled "Water Quality Plan Implementation".

Any carry forward of unexpended balance of funding as authorized herein, may be carried forward under the following conditions:

(1) Prior to June 30, 2013 the Agency shall by written statement set forth its reason(s) for the need to carry forward said funding to the Department of Finance and Administration Office of Budget;

(2) The Department of Finance and Administration Office of Budget shall report to the Arkansas Legislative Council all amounts carried forward by the September Arkansas Legislative Council or Joint Budget Committee meeting which report shall include the name of the Agency, Board, Commission or Institution and the amount of the funding carried forward from the first fiscal year to the second fiscal year, the program name or line item, the funding source of that appropriation and a copy of the written request set forth in (1) above;

(3) Each Agency, Board, Commission or Institution shall provide a written report to the Arkansas Legislative Council or Joint Budget Committee containing all information set forth in item (2) above, along with a written statement as to the current status of the project, contract, purpose etc. for which the carry forward was originally requested no later than thirty (30)

days prior to the time the Agency, Board, Commission or Institution presents its budget request to the Arkansas Legislative Council/Joint Budget Committee; and

(4) Thereupon, the Department of Finance and Administration shall include all information obtained in item (3) above in the budget manuals and/or a statement of non-compliance by the Agency, Board, Commission or Institution.

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

SECTION 25. 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 26. 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, 2012 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, 2012 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, 2012.