

Stricken language will be deleted and underlined language will be added.

State of Arkansas  
92nd General Assembly  
Regular Session, 2019

As Engrossed: S3/27/19  
**A Bill**

SENATE BILL 69

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, 2020; AND FOR OTHER PURPOSES.

**Subtitle**

AN ACT FOR THE ARKANSAS STATE GAME AND  
FISH COMMISSION APPROPRIATION FOR THE  
2019-2020 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 2019-2020 fiscal year, the  
following maximum number of regular employees.

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



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

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

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

SECTION 2. EXTRA HELP. There is hereby authorized, for the Arkansas State Game and Fish Commission for the 2019-2020 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 and operating expenses 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) REGULAR SALARIES	\$39,586,383
(02) EXTRA HELP	1,187,500
(03) PERSONAL SERVICES MATCHING	11,957,482
(04) OVERTIME	250,000

(05)	UNIFORM ALLOWANCE	885,000
(06)	MAINT. & GEN. OPERATION	
	(A) OPER. EXPENSE	33,346,984
	(B) CONF. & TRAVEL	450,535
	(C) PROF. FEES	4,309,003
	(D) CAP. OUTLAY	10,000,000
	(E) DATA PROC.	0
(07)	GAME AND FISH GRANTS	7,000,000
(08)	CONSTRUCTION	<u>15,000,000</u>
	TOTAL AMOUNT APPROPRIATED	<u>\$123,972,887</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, and grants 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)	MAINT. & GEN. OPERATION	
	(A) OPER. EXPENSE	\$2,350,000
	(B) CONF. & TRAVEL	0
	(C) PROF. FEES	500,000
	(D) CAP. OUTLAY	1,500,000
	(E) DATA PROC.	0
(02)	GAS LEASE GRANTS	<u>150,000</u>
	TOTAL AMOUNT APPROPRIATED	<u>\$4,500,000</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 of the Arkansas State Game and Fish Commission for the fiscal year ending June 30, 2020, the following:

ITEM NO.	FISCAL YEAR 2019-2020
(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 NO.	FISCAL YEAR 2019-2020
(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 NO.	FISCAL YEAR 2019-2020
(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

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

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

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

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

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

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

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

(2) A lump-sum payment.

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

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

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

15-41-123. Compensation differentials.

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

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

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

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

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

- (1) A shift differential;
- (2) A hazardous-duty differential;
- (3) A certification differential; and
- (4) A second-language differential.

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

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

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

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

- (1) Share the harvest of an abundant resource with Arkansans who are in need of food;
- (2) Partner with the Arkansas State Game and Fish Commission to provide a solution for a healthy, balanced deer herd;
- (3) Provide a much-needed free, low fat, high-protein food source to agencies and organizations that provide meals across Arkansas; and
- (4) Create a provider purpose for hunters who participate in the program, which allows them to give back and share with others.

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

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

15-41-125. Overtime payments.

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

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

(b) Overtime payments under this section shall be:

(1) Processed through the State Accounting System; and

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

SECTION 9. 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 the Operating Expenses line item of the Operations appropriation.

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

SECTION 10. 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 the Operations appropriation to any other line item authorized in the Operations appropriation and the Agency is authorized to transfer appropriation from any line item authorized in the Gas Lease Revenues appropriation to any other line item authorized in the same section.

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

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

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

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

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, 2019 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, 2019 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, 2019.

*/s/ Joint Budget Committee*