

ARKANSAS REGISTER

Transmittal Sheet

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Secretary of State

John Thurston

500 Woodlane, Suite 026

Little Rock, Arkansas 72201-1094

(501) 682-5070

www.sos.arkansas.gov



For Office

Use Only:

Effective Date _____ Code Number _____

Name of Agency Arkansas Game and Fish Commission

Department Legal Division

Contact James Goodhart, Chief Counsel E-mail james.goodhart@agfc.ar.gov Phone 501-223-6327

Statutory Authority for Promulgating Rules Amendment 35

Rule Title: Conservation License Plate Policy and Procedure

Intended Effective Date
(Check One)

☐ Emergency (ACA 25-15-204)

☒ 10 Days After Filing (ACA 25-15-204)

☐ Other _____
(Must be more than 10 days after filing date.)

Legal Notice Published

Final Date for Public Comment

Reviewed by Legislative Council

Adopted by State Agency

Date

January 20, 2019

February 21, 2019

NA

February 21, 2019

Electronic Copy of Rule e-mailed from: (Required under ACA 25-15-218)

April M. Soman

April.Soman@agfc.ar.gov

Feb. 26, 2019

Contact Person

E-mail Address

Date

CERTIFICATION OF AUTHORIZED OFFICER

I Hereby Certify That The Attached Rules Were Adopted

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In Substantial Compliance with Act 434 of 1967 the Arkansas Administrative Procedures Act. Pursuant to 2011 decision rendered by the Pulaski County Circuit Court and 2000 opinion by the Arkansas Attorney General, the rulemaking requirements in the Arkansas Administrative Procedures Act cannot be constitutionally applied to the AGFC. Nevertheless, the AGFC does substantially comply with the rulemaking provisions under Ark. Code Ann. section 25-15-204 for public notice, opportunity for comment, and filing of all regulations adopted by the Commission.

James Goodhart
Signature

Phone Number

E-mail Address

General Counsel
Title

February 26, 2019
Date

Date

ARKANSAS GAME AND FISH COMMISSION
 Little Rock, Arkansas

MINUTE ORDER NO:	<u>19-009</u>	SUBJECT:	<u>Revised Conservation License Plate</u>
DATE PASSED:	<u>February 21, 2019</u>		<u>Policy & Procedure</u>
PAGE <u>1</u> of <u>1</u> PAGES		LOCATION:	<u>Statewide</u>

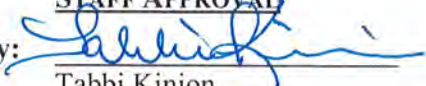
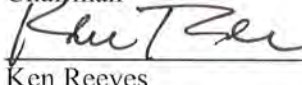
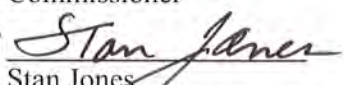

WHEREAS, the Arkansas Game and Fish Commission collects funds through the Conservation License Plate (CLP) Program and uses these funds for scholarships, land purchases, and conservation education programming as directed by the Commission and in accordance with the provisions of Ark. Code Ann. § 27-24-905; **and**

WHEREAS, in 2014 the Commission adopted a Conservation License Plate Policy & Procedure document to set forth the specific authorized uses of CLP funds; **and**

WHEREAS, the proposed updates and changes contained in the attached revised Conservation License Plate Policy & Procedure reflect updated information for current Education Division programs and agency protocols for disbursement of CLP funds; **and**

WHEREAS, after carefully considering information and recommendations provided by staff, which have been reviewed by the Education/Information/IT Committee, and the present priorities, needs, budgetary concerns, and public expectations for this agency, it now is the desire of the Commission to adopt the revised Conservation License Plate Policy & Procedure.

NOW, THEREFORE, BE IT ORDERED this 21st day of February 2019, that the Arkansas Game and Fish Commission hereby approves and adopts the attached revised Conservation License Plate Policy & Procedure, effective immediately, and authorizes Director Fitts to do all things necessary and proper to begin implementing the revised policy and procedures. To the extent the attached policy and procedures are inconsistent with any existing Commission policy or procedure, the attached policy and procedures shall control.

<u>STAFF APPROVAL</u>	<u>COMMISSION APPROVAL</u>
Submitted by:  Tabbi Kinion Chief	  Ford Overton Chairman
Division: <u>Education Division</u>	  Ken Reeves Vice Chairman
Approved:  Director	  Andrew Parker Commissioner
Approved:  Legal	 Joe Morgan Commissioner
Approved:  Fiscal	



Conservation License Plate Fund Policy and Procedure

Adopted February 21, 2019

Keeping the Natural State natural.

I. Purpose

The purpose of this document is to act as a policy for allocation of funds collected through the Conservation License Plate (“CLP”) Program.

II. Background

The Arkansas Department of Finance and Administration offers over 100 specialty license plates to Arkansas residents. These plates are sold for \$35 above standard registration, with \$25 going to the sponsoring agency and \$10 going to the Department of Finance and Administration.

In 2000, the Arkansas Game and Fish Commission issued its first specialty license plate and continues to do so today under the authority of Arkansas Code Annotated § 27-24-905.

Section (e) of this code authorizes the use of proceeds from the license plates as follows:

The fee remitted under subdivision (b) (2) of this section shall be deposited into the Game Protection Fund to be used by the commission for the following purposes: (1) Sponsoring college scholarships related to the field of conservation; (2) Funding land purchases for the benefit of the public; and (3) Providing conservation education programs.

The Conservation License Plate Program generates around \$1 million annually in revenue for the Arkansas Game and Fish Commission. The goal is to maintain a balance of no less than \$1 million in the fund, so annual budget disbursements vary.

History has proven that the plate design choice dictates the success level of sales. License plate designs include the following:

2000: White-tailed deer
2001: Ruby-throated hummingbird
2002: Largemouth bass
2003: Wild turkey
2004: Mallard
2005: Rainbow trout
2006: Ivory-billed woodpecker
2007: Rocky Mountain elk
2008: American black bear
2009: Diana fritillary butterfly
2010: Labrador retriever

2011: White-tailed deer
2012: Black crappie
2013: Bald eagle
2014: Fox squirrel
2015: Smallmouth bass
2016: Northern cardinal
2017: Red-tailed fox
2018: White-tailed deer
2019: Northern pintail
2020: TBD

III. Use of Funds and Procedures

Arkansas Code Annotated § 27-24-905(e) authorizes AGFC to use Conservation License Plate funds for three purposes: sponsoring college scholarships for students studying in conservation-related fields, funding public land purchases, and providing conservation education programs.

For purposes of this policy and procedures, the term wildlife conservation education means projects, including public outreach, that are intended to foster responsible natural resource stewardship, and includes, but is not limited to, programs that build outdoor skills, knowledge, and encourage responsible behavior in the outdoors.

Conservation License Plate revenue may *only* be used for manpower, equipment, materials, printing, supplies and any other expenses *associated with one or more of the above authorized purposes*. Purchases and expenditures must be made in accordance with this and all other Commission policies.

Applications for CLP funding must be submitted and approved by the Chief of Education and the Director.

1. Conservation License Plate revenue is available for sponsoring college scholarships and funding public land purchases as described below in Section IV.
2. Items eligible for purchase and approved expenses with Conservation License Plate revenue include, but are not limited to, the following items as long as they are *associated with direct provision of conservation education programming to the public*:
 - a) Educational fees and honorariums.
 - b) Equipment and supplies and other items for educational programing.
 - c) Printed or electronic media.
 - d) Interpretive panels, exhibits and displays.
 - e) Publicity and marketing.
 - f) Facility rental for program delivery.
 - g) Awards for competitive programs.
 - h) Promotional items for educational programing and promotion of the CLP Program.
3. Expenses and items *ineligible* for purchase with Conservation License Plate revenue include, but are not limited to:
 - a) Employee travel expenses.
 - b) Fulltime employee salaries.
 - c) Promotional items (for example, pins, buttons, pens, tee shirts, sweatshirts, water bottles, and plaques) that are not directly related to educational programing or promotion of the CLP Program.
 - d) Food expenses.
 - e) Construction of free-standing buildings.

IV. Authorized CLP Funding Opportunities

A. Conservation Scholarship Program

The Conservation Scholarship Program uses funds from license plate sales to assist students in reaching their potential as tomorrow's conservation professionals. The CLP Program provides scholarships for Arkansas residents to attend institutions of higher education. To be eligible, students must declare and maintain a major in a field of study that could potentially lead to a career related to conservation.

Many fields of study can lead to careers in conservation. Students must be a full-time student in a degree program directly related to one of the following subject areas: agriculture, anthropology, aquaculture, biology (except medical field), botany, civil engineering with an emphasis in resource management, criminal justice, environmental interpretation or education, environmental management, environmental science, fisheries, forestry, history, hydraulic engineering, natural resources management, park and recreation administration, public administration, science education, structural engineering, wildlife or conservation biology, or zoology.

For all scholarship programs, selections are based on merit, without discrimination as to race/color, sex, religion, age, disability, or national origin.

1. Eligibility:

Applicants must be accepted to attend an accredited college or university.

a) First time applicants must meet the following criteria:

- Currently a graduating high school senior, college undergraduate, or graduate student.
- Pursuing a major that can lead to a career in the field of conservation.
- Demonstrate a minimum cumulative grade point average of 2.5 (4.0 scale).
- Verify Arkansas residency.
- Comply with application and timeline requirements.

b) Renewal applicants must meet the following criteria:

- Continue to meet all eligibility requirements.
- Submit a renewal application.
- Provide an official transcript and verification of declared major.
- Renewal is only eligible for consecutive years. If a student does not renew, they must re-apply on return to eligible status as a first time applicant.

2. Award Amount:

Scholarships awarded are **\$1,000** per semester for freshman and sophomore students; **\$1,500** per semester for junior and senior students; **\$2,000** per semester for graduate students. The scholarship is renewable for up to eight semesters based on submission of a renewal application, official transcript, and verification of major documenting continued qualifications based on those of a first-time applicant. Scholarships will be paid directly to the college or university.

3. Process of Selection:

a) First Time Applicants

- All applicant names, classification for upcoming school year, county and referral source will be entered into a database.
- Applications will be screened for eligibility criteria. Those missing any supporting paperwork or failing to meet eligibility criteria will not pass the screening phase of selection and will be sent a letter detailing the issues with their applications.
- All complete and eligible applicants will be compiled into a database with address, phone numbers, email, university, area of study, gender, and race.
- A committee of three or more non-AGFC conservation professionals will score each application meeting minimum qualifications.
- Scoring will be based on a pre-determined rubric evaluating the essay; letters of recommendation and the planned program of study.
- Preferential choice will be given to students attending in-state colleges and universities.
- Scholarships will be awarded based on ranking or until budgeted funds are exhausted

b) Renewal Applicants

- Applications will be screened to verify ranking. Applications missing supporting documentation will not pass the screening phase of selection and a letter will be sent to the applicant documenting the issues with their application.
- If applicant does not receive a continuing scholarship for any reason, a first time application must be submitted to enter the selection process again (i.e., student receives scholarship as a freshman for the fall semester but fails to maintain an adequate grade point average. If he raises the GPA the following semester, the student must reapply using the first time applicant application and criteria.) First-time applications are only accepted for fall semesters. No student will be eligible for more than eight semesters of funding in total.

B. Land Purchases

Under the legislation, the Commission is authorized to purchase critical tracts of land that will serve the AGFC mission. All land acquisitions utilizing Conservation License Plate revenue funds will be coordinated with the Commission and negotiated under normal Commission policy.

C. Conservation Education Programs

Arkansas Game and Fish Commission offers many educational programs, several of which receive substantial funding from the Conservation License Plate fund.

1. Arkansas Youth Shooting Sports Program (AYSSP)

Promoting the recruitment and retention of youth in shooting sports activities, AYSSP offers competition shooting for youth throughout Arkansas and scholarships through tournament-style competition. The program emphasizes participation by all youth regardless of shooting experience or ability. By participating in this shooting sports program, students learn about AGFC, participate in Hunter Education classes, are encouraged to pursue hunting, and are encouraged to become life-long supporters of wildlife conservation.

- Equipment grants are available. These grants are provided to fund purchase of trap machines, targets, and ammunition until budgeted funds are exhausted.

- Fifteen college scholarships are awarded to senior division tournament winners. Each team has five members. Selection is based on performance in the AYSSP state tournament. Each member of the first, second and third place team in the senior division is awarded a scholarship in the amounts listed below.
- AGFC will hold all scholarship funds until the awardee submits a request for distribution of the held funds with proof of current enrollment in an institution of higher education. Awardee must submit the request no later than his or her 20th birthday, unless within that time Awardee provides proof of entry into full time active military duty, in which case Awardee must submit the request within one year following discharge from full time active military duty. If Awardee fails to timely make the request, then the scholarship award is void and the held funds are forfeited back to AGFC.
- Students who are members of winning teams in multiple years may accumulate scholarship funds.
- **AYSSP Tournament Team Scholarship Amounts**
 - First Place: \$1,500 per member
 - Second Place: \$1,000 per member
 - Third Place: \$500 per member

2. **Arkansas National Archery in the Schools Program (ANASP)**

ANASP promotes archery as a life-long sport for students in elementary through high school. Learning archery in school inspires students to spend more time outdoors and there have been several student surveys that demonstrate that this program increases student interest in shooting sports, hunting, wildlife conservation, and increases awareness of AGFC.

- 50/50 matching grants are awarded to schools to purchase equipment for establishing archery programs until budgeted funds are exhausted. These grants are generally awarded to schools to start teaching archery during physical education classes.
- College scholarships are awarded to tournament winners in the senior division (male and female). Individual scholarships are awarded to the top five senior high male and female qualifiers in the amounts listed below. Selection is based on top performance in the ANASP state tournament.
- AGFC will hold all scholarship funds until the awardee submits a request for distribution of the held funds with proof of current enrollment in an institution of higher education. Awardee must submit the request no later than his or her 20th birthday, unless within that time Awardee provides proof of entry into full time active military duty, in which case Awardee must submit the request within one year following discharge from full time active military duty. If Awardee fails to timely make the request, then the scholarship award is void and the held funds are forfeited back to AGFC.
- Students who win in multiple years may accumulate scholarship funds.

ANASP Scholarship Amounts

- First Place: \$2,500
- Second Place: \$2,000
- Third Place: \$1,500
- Fourth Place: \$1,000
- Fifth Place: \$500

3. Fishing in the Natural State (FINS)

The FINS program provides youth a recreational outlet while encouraging involvement in the lifelong hobby of sport fishing. FINS programs work with schools, churches, and other organized groups to set up fishing clubs that participate in a comprehensive training curriculum that includes stream and pond ecology, fish biology, fishing skills and equipment, and helps students understand the need for conservation of aquatic resources. By training and engaging students in the sport of fishing, students become more interested in conservation and participate in funding conservation by becoming license buyers. The Conservation License Plate funds allow for leaders and teachers to be trained and clubs to receive necessary fishing equipment.

- Through participation in FINS, grants are provided to schools to purchase equipment and supplies and register students in state and national tournaments until budgeted funds are exhausted.

4. Junior Duck Stamp Program

The Junior Duck Stamp Program combines art and conservation lessons by offering students and their teachers the ability and support necessary to teach about ducks and their habitat. Students are then encouraged to participate in a statewide art contest featuring ducks.

Conservation License Plate funds are used to train teachers, purchase materials and supplies, and award college scholarships in the amounts listed below to the most deserving entrants of the annual Junior Duck Stamp contest. Winners are determined by a panel of AGFC staff.

AGFC will hold all scholarship funds until the awardee submits a request for distribution of the held funds with proof of current enrollment in an institution of higher education. Awardee must submit the request no later than his or her 20th birthday, unless within that time Awardee provides proof of entry into full time active military duty, in which case Awardee must submit the request within one year following discharge from full time active military duty. If Awardee fails to timely make the request, then the scholarship award is void and the held funds are forfeited back to AGFC.

Junior Duck Stamp Scholarship Amounts

- Best of Show: \$1,000
- Overall First Place: \$500
- Overall Second Place: \$250

5. Aquatic Resources Education Program (ARE)

The Aquatic Resources Education (ARE) program educates the public about the state's fisheries, fisheries conservation, and fishing as a lifelong sport. Conservation License Plate funds are utilized to supplement funding for mobile aquariums, fishing derbies, the classroom aquarium program and to provide fishing clinics and seminars.

6. Becoming An Outdoors-Woman (BOW)

Becoming an Outdoors-Woman is an outdoors skills workshop for women intended to provide a non-threatening atmosphere where women can have fun learning skills that will enhance their enjoyment of Arkansas's outdoors. Every BOW workshop allows participants to choose course offerings on a wide variety of conservation topics, outdoor recreation opportunities, and outdoor skill trainings. Conservation License Plate funds are utilized to purchase supplies and materials utilized during the BOW workshops.

7. Project WILD

Project WILD is a professional development program for teachers that helps prepare them to provide wildlife conservation education programming to students. Workshops and materials are aligned to Arkansas K-12 education standards and offer resources and experiences to support educators. CLP funds are used to support Project WILD trainings as well as provide materials for teachers.

WILD Schoolyard Habitat Grants

Schoolyard Habitat Grants are operated through AGFC's Project WILD program and provide funding for schools to develop wildlife habitat on school property. Grants of up to \$5,000 are awarded annually and schools are allowed to reapply for additional funding in subsequent years. In addition to providing small areas of habitat for birds, small mammals, and other species, the schoolyard habitat program offers students opportunities to observe wildlife and have hands-on experience in habitat development and management.

8. AGFC Internship Program

The AGFC Internship program is designed to help students gain education and practical experience related to the conservation work AGFC performs and to meet hands-on training requirements necessary for students to earn their degree. This training is critical to students pursuing a conservation career and is often the deciding factor in gaining employment after college.

The AGFC Internship program operates under these guidelines:

- Interns are considered Extra Help positions and are subject to all related AGFC policies for Extra Help employment.
- Internships are up to 400 hours and paid an established hourly rate of \$12.75 per hour. Increases in the hourly rate require Director approval.
- The Human Resources Division will allocate the number of Intern positions available to each Division.
- Divisions are required to submit an Internship Work Plan along with all applicable hiring paperwork.

To be eligible for an Internship, applicants must meet the following prerequisites:

- Must have a declared degree in a conservation field.
- Must have 60 hours of college credits earned by the time the Internship begins.
- At the time of application, must be a college student, graduated within the previous 12 months, or currently enrolled in a post-graduate program.
- Must have a 2.5 cumulative grade point average on a 4.0 scale.
- Intern supervisors are required to provide a conservation education component to the internship.
- Intern supervisors are required to complete an end-of-internship evaluation with the Intern and submit final report to the Human Resources Division.
- Selected interns will coordinate directly with their college or university to obtain course credit for the internship.

9. Nature Center/Education Center Programming

Conservation License Plate funds are utilized to purchase supplies and materials utilized during conservation education programming at the educational facilities throughout the year. Funds can also be used to improve, enhance, or create interpretive displays at the centers.

10. General Programming

Conservation License Plate funds are eligible to be utilized to purchase supplies and materials for conservation education programming by AGFC employees.

11. Grants to Non-Governmental Organizations and other Conservation Agencies

On occasion, AGFC will receive a request to fund a conservation education endeavor outside the agency's core programs. These grants are submitted to and approved by the Chief of Education and the Director.

Updated 1/19