

1 State of Arkansas  
2 92nd General Assembly  
3 Fiscal Session, 2020  
4

# A Bill

HOUSE BILL 1071

5 By: Joint Budget Committee  
6

## For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES  
9 AND OPERATING EXPENSES FOR THE DEPARTMENT OF COMMERCE  
10 - ARKANSAS WATERWAYS COMMISSION FOR THE FISCAL YEAR  
11 ENDING JUNE 30, 2021; AND FOR OTHER PURPOSES.  
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## Subtitle

13 AN ACT FOR THE DEPARTMENT OF COMMERCE -  
14 ARKANSAS WATERWAYS COMMISSION  
15 APPROPRIATION FOR THE 2020-2021 FISCAL  
16 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 - OPERATIONS. There is hereby established  
23 for the Department of Commerce - Arkansas Waterways Commission for the 2020-  
24 2021 fiscal year, the following maximum number of regular employees.  
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| Item No. | Class Code | Title                          | Maximum No. of Employees | Maximum Annual Salary Rate Fiscal Year 2020-2021 |
|----------|------------|--------------------------------|--------------------------|--------------------------------------------------|
| 30       | (1) B009C  | DIRECTOR WATERWAYS COMMISSION  | 1                        | GRADE GS11                                       |
| 31       | (2) C037C  | ADMINISTRATIVE ANALYST         | 1                        | GRADE GS06                                       |
| 32       | (3) C022C  | BUSINESS OPERATIONS SPECIALIST | <u>1</u>                 | GRADE GS05                                       |
| 33       |            | MAX. NO. OF EMPLOYEES          | 3                        |                                                  |

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35 SECTION 2. APPROPRIATION - OPERATIONS. There is hereby appropriated,  
36 to the Department of Commerce, to be payable from the Miscellaneous Agencies



1 Fund Account, for personal services and operating expenses of the Department  
 2 of Commerce - Arkansas Waterways Commission for the fiscal year ending June  
 3 30, 2021, the following:

| ITEM                            | FISCAL YEAR             |
|---------------------------------|-------------------------|
| <u>NO.</u>                      | <u>2020-2021</u>        |
| (01) REGULAR SALARIES           | \$158,806               |
| (02) PERSONAL SERVICES MATCHING | 51,408                  |
| (03) MAINT. & GEN. OPERATION    |                         |
| (A) OPER. EXPENSE               | 93,879                  |
| (B) CONF. & TRAVEL              | 3,151                   |
| (C) PROF. FEES                  | 0                       |
| (D) CAP. OUTLAY                 | 0                       |
| (E) DATA PROC.                  | 0                       |
| (04) STATE'S CONTRIBUTIONS      | <u>2,555</u>            |
| TOTAL AMOUNT APPROPRIATED       | <u><u>\$309,799</u></u> |

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 18 SECTION 3. APPROPRIATION - WATERWAY DEVELOPMENT GRANT PROGRAM. There  
 19 is hereby appropriated, to the Department of Commerce, to be payable from the  
 20 Arkansas Port, Intermodal, and Waterway Development Grant Program Fund, for  
 21 grants to port authorities and intermodal authorities under the Arkansas  
 22 Port, Intermodal, and Waterway Development Grant Program for port development  
 23 projects as defined by Arkansas Code § 15-23-205 for the fiscal year ending  
 24 June 30, 2021, the following:

| ITEM                             | FISCAL YEAR               |
|----------------------------------|---------------------------|
| <u>NO.</u>                       | <u>2020-2021</u>          |
| (01) WATERWAY DEVELOPMENT GRANTS | <u><u>\$5,000,000</u></u> |

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 30 SECTION 4. APPROPRIATION - ARKANSAS RIVER NAVIGATION SYSTEM FUND.  
 31 There is hereby appropriated, to the Department of Commerce, to be payable  
 32 from the Arkansas River Navigation System Fund, for expenses for the  
 33 development, improvement, and expansion of river transportation resources  
 34 within the portion of the McClellan-Kerr Arkansas River Navigation System  
 35 located in the State of Arkansas for the fiscal year ending June 30, 2021,  
 36 the following:

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| ITEM                                           | FISCAL YEAR        |
|------------------------------------------------|--------------------|
| NO.                                            | 2020-2021          |
| (01) ARKANSAS RIVER NAVIGATION SYSTEM EXPENSES | <u>\$2,000,000</u> |

SECTION 5. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

ASSOCIATION DUES. Of the amounts appropriated for regional contributions by the State Contributions line item in the Operations appropriation of this Act, three thousand dollars (\$3,000.00), or three-sevenths (3/7) whichever is less of the appropriated or funded amount, each fiscal year shall be allocated for membership dues for the Lower Mississippi Valley Flood Control Association and one thousand dollars (\$1,000.00), or one-seventh (1/7) whichever is less of the appropriated or funded amount, each fiscal year shall be allocated for membership dues for each of the following associations: Ouachita River Valley Association, Red River Valley Association, Arkansas Waterways Association, and White River Valley Coalition.

The provisions of this section shall be in effect only from July 1, ~~2019~~ 2020 through June 30, ~~2020~~ 2021.

SECTION 6. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

PROMOTIONAL ITEMS. Upon approval of the Chief Fiscal Officer of the State, the Arkansas Waterways Commission is hereby authorized to transfer appropriation from Operating Expenses to Promotional Items in the Operations Appropriation provided by this Act in an amount not to exceed one thousand five hundred dollars (\$1,500) each fiscal year to meet the Commission's educational/outreach needs.

The provisions of this section shall be in effect only from July 1, ~~2019~~ 2020 through June 30, ~~2020~~ 2021.

SECTION 7. 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

1 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
 2 Procedures and Restrictions Act, or their successors, and other fiscal  
 3 control laws of this State, where applicable, and regulations promulgated by  
 4 the Department of Finance and Administration, as authorized by law, shall be  
 5 strictly complied with in disbursement of said funds.

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 7 SECTION 8. LEGISLATIVE INTENT. It is the intent of the General  
 8 Assembly that any funds disbursed under the authority of the appropriations  
 9 contained in this act shall be in compliance with the stated reasons for  
 10 which this act was adopted, as evidenced by the Agency Requests, Executive  
 11 Recommendations and Legislative Recommendations contained in the budget  
 12 manuals prepared by the Department of Finance and Administration, letters, or  
 13 summarized oral testimony in the official minutes of the Arkansas Legislative  
 14 Council or Joint Budget Committee which relate to its passage and adoption.

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 16 SECTION 9. EMERGENCY CLAUSE. It is found and determined by the General  
 17 Assembly, that the Constitution of the State of Arkansas prohibits the  
 18 appropriation of funds for more than a one (1) year period; that the  
 19 effectiveness of this Act on July 1, 2020 is essential to the operation of  
 20 the agency for which the appropriations in this Act are provided, and that in  
 21 the event of an extension of the legislative session, the delay in the  
 22 effective date of this Act beyond July 1, 2020 could work irreparable harm  
 23 upon the proper administration and provision of essential governmental  
 24 programs. Therefore, an emergency is hereby declared to exist and this Act  
 25 being necessary for the immediate preservation of the public peace, health  
 26 and safety shall be in full force and effect from and after July 1, 2020.

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 29 **APPROVED: 4/17/20**  
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