

1 State of Arkansas
2 93rd General Assembly
3 Regular Session, 2021
4

A Bill

HOUSE BILL 1094

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, 2022; AND FOR OTHER PURPOSES.
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Subtitle

14 AN ACT FOR THE DEPARTMENT OF COMMERCE -
15 ARKANSAS WATERWAYS COMMISSION
16 APPROPRIATION FOR THE 2021-2022 FISCAL
17 YEAR.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 SECTION 1. REGULAR SALARIES - OPERATIONS. There is hereby established
24 for the Department of Commerce - Arkansas Waterways Commission for the 2021-
25 2022 fiscal year, the following maximum number of regular employees.
26

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual
				Salary Rate Fiscal Year
				2021-2022
31	(1)	B009C ACOM DIRECTOR WATERWAYS COMMISSION	1	GRADE GS11
32	(2)	C037C ADMINISTRATIVE ANALYST	1	GRADE GS06
33	(3)	C022C BUSINESS OPERATIONS SPECIALIST	<u>1</u>	GRADE GS05
34	MAX. NO. OF EMPLOYEES		3	

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36 SECTION 2. APPROPRIATION - OPERATIONS. There is hereby appropriated,



1 to the Department of Commerce, to be payable from the Miscellaneous Agencies
 2 Fund Account, for personal services and operating expenses of the Department
 3 of Commerce - Arkansas Waterways Commission for the fiscal year ending June
 4 30, 2022, the following:

6 ITEM	FISCAL YEAR
7 <u>NO.</u>	<u>2021-2022</u>
8 (01) REGULAR SALARIES	\$161,593
9 (02) PERSONAL SERVICES MATCHING	54,613
10 (03) MAINT. & GEN. OPERATION	
11 (A) OPER. EXPENSE	93,879
12 (B) CONF. & TRAVEL	3,151
13 (C) PROF. FEES	0
14 (D) CAP. OUTLAY	0
15 (E) DATA PROC.	0
16 (04) STATE'S CONTRIBUTIONS	<u>2,555</u>
17 TOTAL AMOUNT APPROPRIATED	<u><u>\$315,791</u></u>

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 19 SECTION 3. APPROPRIATION - WATERWAY DEVELOPMENT GRANT PROGRAM. There
 20 is hereby appropriated, to the Department of Commerce, to be payable from the
 21 Arkansas Port, Intermodal, and Waterway Development Grant Program Fund, for
 22 grants to port authorities and intermodal authorities under the Arkansas
 23 Port, Intermodal, and Waterway Development Grant Program for port development
 24 projects as defined by Arkansas Code 15-23-205 for the fiscal year ending
 25 June 30, 2022, the following:

27 ITEM	FISCAL YEAR
28 <u>NO.</u>	<u>2021-2022</u>
29 (01) WATERWAY DEVELOPMENT GRANTS	<u><u>\$5,000,000</u></u>

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 31 SECTION 4. APPROPRIATION - ARKANSAS RIVER NAVIGATION SYSTEM FUND.
 32 There is hereby appropriated, to the Department of Commerce, to be payable
 33 from the Arkansas River Navigation System Fund, for expenses for the
 34 development, improvement, and expansion of river transportation resources
 35 within the portion of the McClellan-Kerr Arkansas River Navigation System
 36 located in the State of Arkansas for the fiscal year ending June 30, 2022,

1 the following:

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3 ITEM	FISCAL YEAR
4 <u>NO.</u>	<u>2021-2022</u>
5 (01) ARKANSAS RIVER NAVIGATION SYSTEM	
6 EXPENSES	<u>\$2,000,000</u>

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

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

21 The provisions of this section shall be in effect only from July 1, ~~2020~~
 22 2021 through June 30, ~~2021~~ 2022.

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

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

32 The provisions of this section shall be in effect only from July 1, ~~2020~~
 33 2021 through June 30, ~~2021~~ 2022.

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35 SECTION 7. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
 36 authorized by this act shall be limited to the appropriation for such agency

1 and funds made available by law for the support of such appropriations; and
 2 the restrictions of the State Procurement Law, the General Accounting and
 3 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
 4 Procedures and Restrictions Act, or their successors, and other fiscal
 5 control laws of this State, where applicable, and regulations promulgated by
 6 the Department of Finance and Administration, as authorized by law, shall be
 7 strictly complied with in disbursement of said funds.

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

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 18 SECTION 9. EMERGENCY CLAUSE. It is found and determined by the General
 19 Assembly, that the Constitution of the State of Arkansas prohibits the
 20 appropriation of funds for more than a one (1) year period; that the
 21 effectiveness of this Act on July 1, 2021 is essential to the operation of
 22 the agency for which the appropriations in this Act are provided, and that in
 23 the event of an extension of the legislative session, the delay in the
 24 effective date of this Act beyond July 1, 2021 could work irreparable harm
 25 upon the proper administration and provision of essential governmental
 26 programs. Therefore, an emergency is hereby declared to exist and this Act
 27 being necessary for the immediate preservation of the public peace, health
 28 and safety shall be in full force and effect from and after July 1, 2021.

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 31 **APPROVED: 2/2/21**
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