

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

State of Arkansas
83rd General Assembly
Regular Session, 2001

A Bill

HOUSE BILL 1308

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 WATERWAYS
COMMISSION FOR THE BIENNIAL PERIOD ENDING JUNE 30,
2003; AND FOR OTHER PURPOSES.

Subtitle

AN ACT FOR THE ARKANSAS WATERWAYS
COMMISSION APPROPRIATION FOR THE
2001-2003 BIENNIUM.

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

SECTION 1. REGULAR SALARIES. There is hereby established for the Arkansas Waterways Commission for the 2001-2003 biennium, the following maximum number of regular employees whose salaries shall be governed by the provisions of the Uniform Classification and Compensation Act (Arkansas Code §§21-5-201 et seq.), or its successor, and all laws amendatory thereto. Provided, however, that any position to which a specific maximum annual salary is set out herein in dollars, shall be exempt from the provisions of said Uniform Classification and Compensation Act. All persons occupying positions authorized herein are hereby governed by the provisions of the Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its successor.

Item	Class	No. of	Maximum Annual Salary Rate	Fiscal Years
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No.	Code	Title	Employees	2001-2002	2002-2003
(1)	9990	DIRECTOR WATERWAYS COMMISSION	1	\$59,274	\$60,815
(2)	R013	WATERWAYS ASST DIR COMMUNICATIONS	1	GRADE 20	
(3)	R010	ADMINISTRATIVE ASSISTANT II	1	GRADE 17	
		MAX. NO. OF EMPLOYEES	3		

SECTION 2. APPROPRIATION. There is hereby appropriated, to the Arkansas Waterways Commission, to be payable from the State General Services Fund Account, for personal services and operating expenses of the Arkansas Waterways Commission for the biennial period ending June 30, 2003, the following:

ITEM	FISCAL YEARS	
NO.	2001-2002	2002-2003
(01) REGULAR SALARIES	\$ 118,193	\$ 121,266
(02) PERSONAL SERV MATCHING	29,824	30,367
(03) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSE	43,622	43,622
(B) CONF. & TRAVEL	3,300	3,300
(C) PROF. FEES	124,650	159,800
(D) CAP. OUTLAY	0	0
(E) DATA PROC.	0	0
(04) STATE'S CONTRIBUTION	7,000	7,000
TOTAL AMOUNT APPROPRIATED	\$ 326,589	\$ 365,355

SECTION 3. 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 item (04) in Section 2 of this Act, three thousand dollars (\$3,000.00) each fiscal year shall be allocated for membership dues for the Lower Mississippi Valley Flood Control Association and one thousand dollars (\$1,000.00) each fiscal year shall be allocated for membership dues for each of the following associations: Ouachita River Valley Association, Red River Valley Association, Arkansas Basin Association, and White River Valley Association.

The provisions of this section shall be in effect only from July 1, 2001

1 through June 30, 2003.

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3 SECTION 4. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED
4 SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND BALANCES. (A) For all
5 appropriations as provided in this Act, the agency disbursing officer shall
6 monitor the level of fund balances in relation to expenditures on a monthly
7 basis. If any proposed expenditures would cause a fund balance to decline to
8 less than fifty percent (50%) of the balance available on July 1, 2001, the
9 disbursing officer shall immediately notify the executive head of the agency.
10 Prior to any obligations being made under these circumstances, the agency
11 head shall file written documentation with the Chief Fiscal Officer of the
12 State requesting approval of the expenditures. Such documentation shall
13 provide sufficient financial data to justify the expenditures and shall
14 include the following:

- 15 1) a plan that clearly indicates the specific fiscal impact of such
16 expenditures on the fund balance.
17 2) information clearly indicating and explaining what programs would be cut or
18 any other measures to be taken by the agency to restore the fund balance.
19 3) the extent to which any of the planned expenditures are for one-time costs
20 or one-time purchase of capitalized items.
21 4) a statement certifying that the expenditure of fund balances will not
22 jeopardize the financial health of the agency, nor result in a permanent
23 depletion of the fund balance.

24 (B) The Chief Fiscal Officer of the State shall review the request and
25 approve or disapprove all or any part of the request, after having sought
26 prior review by the Legislative Council.

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28 SECTION 5. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized by
29 this act shall be limited to the appropriation for such agency and funds made
30 available by law for the support of such appropriations; and the restrictions
31 of the State Purchasing Law, the General Accounting and Budgetary Procedures
32 Law, the Revenue Stabilization Law, the Regular Salary Procedures and
33 Restrictions Act, or their successors, and other fiscal control laws of this
34 State, where applicable, and regulations promulgated by the Department of
35 Finance and Administration, as authorized by law, shall be strictly complied
36 with in disbursement of said funds.

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2 SECTION 6. LEGISLATIVE INTENT. It is the intent of the General Assembly
3 that any funds disbursed under the authority of the appropriations contained
4 in this act shall be in compliance with the stated reasons for which this act
5 was adopted, as evidenced by the Agency Requests, Executive Recommendations
6 and Legislative Recommendations contained in the budget manuals prepared by
7 the Department of Finance and Administration, letters, or summarized oral
8 testimony in the official minutes of the Arkansas Legislative Council or Joint
9 Budget Committee which relate to its passage and adoption.

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11 SECTION 7. EMERGENCY CLAUSE. It is found and determined by the General
12 Assembly, that the Constitution of the State of Arkansas prohibits the
13 appropriation of funds for more than a two (2) year period; that the
14 effectiveness of this Act on July 1, 2001 is essential to the operation of the
15 agency for which the appropriations in this Act are provided, and that in the
16 event of an extension of the Regular Session, the delay in the effective date
17 of this Act beyond July 1, 2001 could work irreparable harm upon the proper
18 administration and provision of essential governmental programs. Therefore, an
19 emergency is hereby declared to exist and this Act being necessary for the
20 immediate preservation of the public peace, health and safety shall be in full
21 force and effect from and after July 1, 2001.

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