

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.
12

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:

5 ITEM	FISCAL YEAR
6 <u>NO.</u>	<u>2020-2021</u>
7 (01) REGULAR SALARIES	\$158,806
8 (02) PERSONAL SERVICES MATCHING	51,408
9 (03) MAINT. & GEN. OPERATION	
10 (A) OPER. EXPENSE	93,879
11 (B) CONF. & TRAVEL	3,151
12 (C) PROF. FEES	0
13 (D) CAP. OUTLAY	0
14 (E) DATA PROC.	0
15 (04) STATE'S CONTRIBUTIONS	<u>2,555</u>
16 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:

26 ITEM	FISCAL YEAR
27 <u>NO.</u>	<u>2020-2021</u>
28 (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.