

State of Arkansas  
94th General Assembly  
Regular Session, 2023

# A Bill

HOUSE BILL 1063

By: Joint Budget Committee

## For An Act To Be Entitled

AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES  
AND OPERATING EXPENSES FOR THE DEPARTMENT OF COMMERCE  
- ARKANSAS WATERWAYS COMMISSION FOR THE FISCAL YEAR  
ENDING JUNE 30, 2024; AND FOR OTHER PURPOSES.

## Subtitle

AN ACT FOR THE DEPARTMENT OF COMMERCE -  
ARKANSAS WATERWAYS COMMISSION  
APPROPRIATION FOR THE 2023-2024 FISCAL  
YEAR.

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

SECTION 1. REGULAR SALARIES - OPERATIONS. There is hereby established for the Department of Commerce - Arkansas Waterways Commission for the 2023-2024 fiscal year, the following maximum number of regular employees.

Item No.	Class Code	Title	Maximum	Maximum Annual
			No. of Employees	Salary Rate Fiscal Year 2023-2024
(1)	B009C	ACOM DIRECTOR WATERWAYS COMMISSION	1	GRADE GS11
(2)	C037C	ADMINISTRATIVE ANALYST	1	GRADE GS06
(3)	C022C	BUSINESS OPERATIONS SPECIALIST	<u>1</u>	GRADE GS05
		MAX. NO. OF EMPLOYEES	3	

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



to the Department of Commerce, to be payable from the Miscellaneous Agencies Fund Account, for personal services and operating expenses of the Department of Commerce - Arkansas Waterways Commission for the fiscal year ending June 30, 2024, the following:

ITEM NO.	FISCAL YEAR 2023-2024
(01) REGULAR SALARIES	\$171,883
(02) PERSONAL SERVICES MATCHING	61,876
(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>\$333,344</u></u>

SECTION 3. APPROPRIATION - WATERWAY DEVELOPMENT GRANT PROGRAM. There is hereby appropriated, to the Department of Commerce, to be payable from the Arkansas Port, Intermodal, and Waterway Development Grant Program Fund, for grants to port authorities and intermodal authorities under the Arkansas Port, intermodal, and Waterway Development Grant Program for port development projects as defined by Arkansas Code 15-23-205 for the fiscal year ending June 30, 2024, the following:

ITEM NO.	FISCAL YEAR 2023-2024
(01) WATERWAY DEVELOPMENT GRANTS	<u><u>\$5,000,000</u></u>

SECTION 4. APPROPRIATION - ARKANSAS RIVER NAVIGATION SYSTEM FUND. There is hereby appropriated, to the Department of Commerce, to be payable from the Arkansas River Navigation System Fund, for expenses for the development, improvement, and expansion of river transportation resources within the portion of the McClellan-Kerr Arkansas River Navigation System located in the State of Arkansas for the fiscal year ending June 30, 2024,

the following:

ITEM NO.	FISCAL YEAR 2023-2024
(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, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

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, ~~2022~~ 2023 through June 30, ~~2023~~ 2024.

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

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

SECTION 9. EMERGENCY CLAUSE. It is found and determined by the General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a one (1) year period; that the effectiveness of this Act on July 1, 2023 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the legislative session, the delay in the effective date of this Act beyond July 1, 2023 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 2023.