

# ARKANSAS WATERWAYS COMMISSION

## Enabling Laws

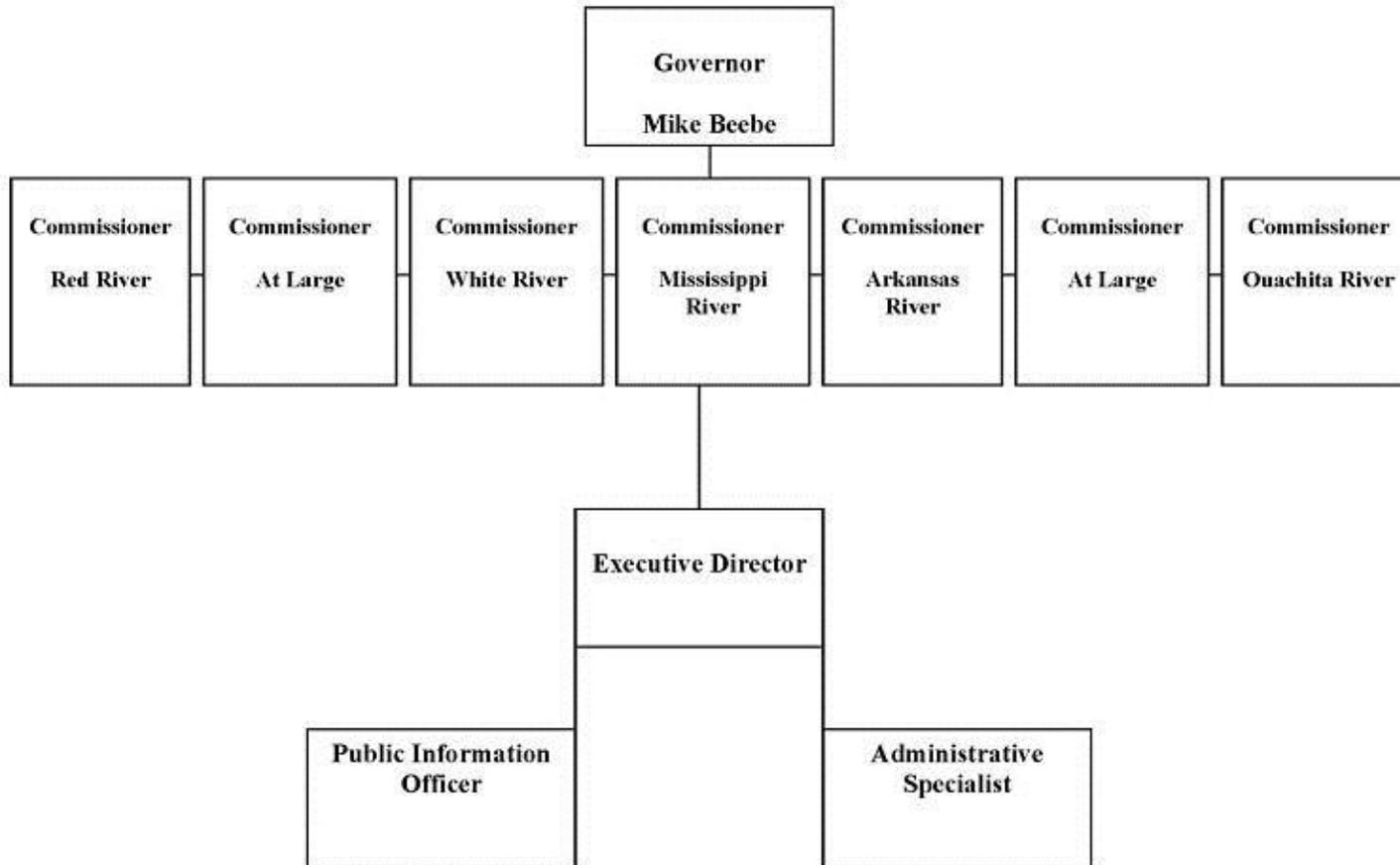
Act 187 of 2012

A.C.A. §15-23-201 et seq.

A.C.A. §15-23-901 et seq.

## History and Organization

The Arkansas Waterways Commission supports the development of the navigable waterways of Arkansas. The seven member, Governor-appointed Commission was created by Act 242 of 1967. The Commission, which is funded by general revenues, is supported by a three person staff and offers services and advice to the water transportation industry by means of correspondence, participation in seminars, serving on advisory committees and boards, and providing research on specialty subjects. The Commission also supports the efforts of the Red River Valley, Arkansas Basin Development and White River Valley Associations through its States Contribution line item.



## **Agency Commentary**

The Arkansas Waterways Commission is the sole state agency responsible for developing, promoting and protecting for waterborne transportation and economic development of the five commercially navigable rivers of the state: The Arkansas, Mississippi, Ouachita, Red, and White Rivers. These natural resources are under-developed and consequently, under-used, especially in comparison to the investments made by other states with which we share waterways and with which we compete for economic development. Opportunities lost for lack of funding include local economic development, transportation savings, international trade, and potential loss of federal construction and maintenance funding of navigable waterways. Competition for federal maintenance and construction funds is intense, putting at risk our rivers' annual \$800 million dollar contribution to the economy of Arkansas.

Two needs are within the state's ability to correct: 1) port infrastructure, and 2) marketing of existing resources. The infrastructure needs are addressed in Act 1546, the Arkansas Port Priorities Development Program of 2001, which has never been funded. The marketing efforts are included in the operating and maintenance budget of the Waterways Commission. Marketing successes will be measured by port development and waterways utilization brought about through shipper awareness of capabilities, direct marketing to target industries, education of government leaders at local, state and federal levels, and education of general public.

The agency requests the Central Growth Pool position, a Public Information Specialist, approved during FY11 be continued as a Regular Position. This position is necessary to meet the mandate of promoting the development of commercial water transportation in the State by executing all communications, public relations and outreach activities. This position is responsible for news releases, website maintenance, a monthly newsletter concerning agency activities, water and river port issues, and brochures explaining economic development opportunities, and planning and coordination of the annual Arkansas Regional Waterways Conference. This Specialist will coordinate a speaker's series for the Executive Director and develop and initiate educational programs for school-aged children. This position will develop and maintain essential communications tools to increase the effectiveness of the agency's mission and be positioned as the local source for news outlets regarding rivers, waterways, and river ports.

The agency requests a change level of \$25,399 in FY14 and \$13,172 in FY15 increases in Operating Expenses, Conference & Travel, and State's Contributions line items. The agency requests an increase of \$4,000 each year in Operating Expenses for anticipated increases in the cost of board member mileage reimbursement for meetings which will be located around the state to increase statewide Commission awareness; and to allow the general public and waterway users a more direct contact with the Commission. Also requested is an increase \$12,999 for telecommunications and network expenses, and for media center equipment for the Director's office, which includes a tv, web camera and an iPad; and to replace a computer. The FY15 increase includes \$4,000 for board member travel reimbursement, telecommunications and network expenses, and replacement of two computers and an iPad. The increase of \$4,000 each year for Conference & Travel is for staff attendance at conferences and other professional development activities which enhance staff skills to further the agency's mission. The \$4,400 increase in the State's Contributions line item each year is to fulfill its obligation as outlined in Act 1585 of 2001 of \$7,000 each year.

## Audit Findings

DIVISION OF LEGISLATIVE AUDIT  
AUDIT OF :  
ARKANSAS WATERWAYS COMMISSION  
FOR THE YEAR ENDED JUNE 30, 2010

Findings

Recommendations

None

None

## State Contracts Over \$25,000 Awarded To Minority Owned Businesses Fiscal Year 2012

None

## Employment Summary

	Male	Female	Total	%
White Employees	1	1	2	67 %
Black Employees	0	1	1	33 %
Other Racial Minorities	0	0	0	0 %
Total Minorities			1	33 %
Total Employees			3	100 %

## Publications

### A.C.A. 25-1-204

Name	Statutory Authorization	Required for		# of Copies	Reason(s) for Continued Publication and Distribution
		Governor	General Assembly		
Biennial Report	A.C.A §15-23-204	Y	N	200	To inform state elected officials, colleagues and other interested parties on activities, goals and accomplishments of the Arkansas Waterways Commission.

## Agency Position Usage Report

FY2010 - 2011						FY2011 - 2012						FY2012 - 2013					
Authorized in Act	Budgeted			Unbudgeted	% of Authorized Unused	Authorized in Act	Budgeted			Unbudgeted	% of Authorized Unused	Authorized in Act	Budgeted			Unbudgeted	% of Authorized Unused
	Filled	Unfilled	Total	Total			Total	Total	Filled	Unfilled			Total	Total	Filled	Unfilled	
3	2	0	2	1	33.33 %	2	3	0	3	-1	-50.00 %	2	3	0	3	-1	-50.00 %

Total Budgeted positions exceed Authorized amount due to positions authorized from the Central Growth Pool.

## **Analysis of Budget Request**

**Appropriation:** 085 - Arkansas Waterways Commission

**Funding Sources:** HUA - Miscellaneous Agencies Fund

The Arkansas Waterways Commission supports the development of the navigable waterways of Arkansas. The seven (7) member, Governor-appointed Commission was created by Act 242 of 1967. The Commission, which is funded by general revenues, is supported by a three (3) member staff and offers services and advice to the water transportation industry by means of correspondence, participation in seminars, serving on advisory committee and boards, and providing research on specialty subjects. The Commission also supports the efforts of the Red River Valley, Arkansas Basin and White River Valley Associations through the State's Contributions line item.

This appropriation is funded by General Revenue.

Base Level Regular Salaries and Personal Services Matching includes Career Service payments for eligible employees. Personal Services Matching also includes a \$20 increase in the monthly contribution for State employee's health insurance for a total State match per budgeted employee of \$410 per month. Base Level salaries and matching do not include appropriation for a Cost of Living Adjustment or Merit Pay increases. The Base Level request for Regular Salaries includes board member stipend payments.

The Agency's Change Level Request of \$82,008 for FY14 and \$78,181 in FY15 for promotion of the development of commercial water transportation in the State reflects the following:

- Growth Pool position, a Public Information Specialist Grade C116, continue as a Regular Salary Position; this will increase Regular Salaries and Personal Services Matching \$506,609 each year. This position is responsible for all agency communications and public relations. The position will plan and coordinate the annual Arkansas Regional Waterways Conference and also coordinate a speaker's series for the Executive Director and develop and initiate educational programs for school-aged children.
- Operating Expense of \$16,999 in FY14 and \$13,172 in FY15 includes increases for board member travel reimbursement of \$4,000 for meetings to be held around the state to increase the board's visibility; increases for telecommunications and network services of \$10,000 and \$6,572; respectively, \$2,999 and \$2,600; respectively, for computer replacements and a computing tablet, software and, a web-tv, web-enabled camera and computing tablet for a media presentation center in the Director's office.
- Conference & Travel of \$4,000 for both FY14 and FY15 is for professional development and staff training;
- State's Contribution of \$4,400 for both FY14 and FY15 is to fulfill its obligation as outlined in Act 1585 of 2001 of \$7,000 per year.

The Executive Recommendation provides for the Growth Pool position, the Public Information Specialist Grade C116 and additional General Revenue of \$56,509.

## Appropriation Summary

**Appropriation:** 085 - Arkansas Waterways Commission

**Funding Sources:** HUA - Miscellaneous Agencies Fund

### Historical Data

### Agency Request and Executive Recommendation

Commitment Item		Historical Data			Agency Request and Executive Recommendation			Agency Request and Executive Recommendation		
		2011-2012 Actual	2012-2013 Budget	2012-2013 Authorized	2013-2014			2014-2015		
					Base Level	Agency	Executive	Base Level	Agency	Executive
Regular Salaries	5010000	177,935	151,800	120,670	110,015	152,400	152,400	110,015	152,400	152,400
<b>#Positions</b>		<b>3</b>	<b>3</b>	<b>2</b>	<b>2</b>	<b>3</b>	<b>3</b>	<b>2</b>	<b>3</b>	<b>3</b>
Personal Services Matching	5010003	46,476	46,962	33,126	33,679	47,903	47,903	33,679	47,903	47,903
Operating Expenses	5020002	41,307	43,879	43,879	43,879	60,878	43,879	43,879	57,051	43,879
Conference & Travel Expenses	5050009	2,717	3,151	3,151	3,151	7,151	3,151	3,151	7,151	3,151
Professional Fees	5060010	0	0	0	0	0	0	0	0	0
Data Processing	5090012	0	0	0	0	0	0	0	0	0
Capital Outlay	5120011	0	0	0	0	0	0	0	0	0
State's Contributions	5900021	2,600	2,600	2,600	2,600	7,000	2,600	2,600	7,000	2,600
<b>Total</b>		<b>271,035</b>	<b>248,392</b>	<b>203,426</b>	<b>193,324</b>	<b>275,332</b>	<b>249,933</b>	<b>193,324</b>	<b>271,505</b>	<b>249,933</b>
<b>Funding Sources</b>										
General Revenue	4000010	193,510	193,510		193,324	275,332	249,933	193,324	271,505	249,933
Merit Adjustment Fund	4000055	77,525	54,882		0	0	0	0	0	0
<b>Total Funding</b>		<b>271,035</b>	<b>248,392</b>		<b>193,324</b>	<b>275,332</b>	<b>249,933</b>	<b>193,324</b>	<b>271,505</b>	<b>249,933</b>
Excess Appropriation/(Funding)		0	0		0	0	0	0	0	0
<b>Grand Total</b>		<b>271,035</b>	<b>248,392</b>		<b>193,324</b>	<b>275,332</b>	<b>249,933</b>	<b>193,324</b>	<b>271,505</b>	<b>249,933</b>

FY13 Budget amount in Positions, Regular Salaries and Personal Services Matching exceeds the authorized amounts due to transfers from the Central Growth Pool during the 2011-2013 Biennium.

## Change Level by Appropriation

**Appropriation:** 085 - Arkansas Waterways Commission  
**Funding Sources:** HUA - Miscellaneous Agencies Fund

### Agency Request

Change Level		2013-2014	Pos	Cumulative	% of BL	2014-2015	Pos	Cumulative	% of BL
<b>BL</b>	<b>Base Level</b>	<b>193,324</b>	<b>2</b>	<b>193,324</b>	<b>100.0</b>	<b>193,324</b>	<b>2</b>	<b>193,324</b>	<b>100.0</b>
C01	Existing Program	12,400	0	205,724	106.4	12,400	0	205,724	106.4
C06	Restore Position/Approp	56,609	1	262,333	135.7	56,609	1	262,333	135.7
C08	Technology	12,999	0	275,332	142.4	9,172	0	271,505	140.4

### Executive Recommendation

Change Level		2013-2014	Pos	Cumulative	% of BL	2014-2015	Pos	Cumulative	% of BL
<b>BL</b>	<b>Base Level</b>	<b>193,324</b>	<b>2</b>	<b>193,324</b>	<b>100.0</b>	<b>193,324</b>	<b>2</b>	<b>193,324</b>	<b>100.0</b>
C01	Existing Program	0	0	193,324	100.0	0	0	193,324	100.0
C06	Restore Position/Approp	56,609	1	249,933	129.3	56,609	1	249,933	129.3
C08	Technology	0	0	249,933	129.3	0	0	249,933	129.3

### Justification

C01	The agency requests a change level of \$12,400 each year of the biennium for increases in Operating Expenses, Conference & Travel, and State's Contributions line items. The agency requests an increase of \$4,000 each year in Operating Expenses for anticipated increases in the cost of board member mileage reimbursement for meetings which will be located around the state to increase statewide Commission awareness; and to allow the general public and waterway users a more direct contact with the Commission. The increase of \$4,000 each year for Conference & Travel is for staff attendance at conferences and other professional development activities which enhance staff skills to further the agency's mission. The \$4,400 increase in the State's Contributions line item is to fulfill its obligation as outlined in Act 1585 of 2001 of \$7,000 each year.
C06	The agency requests the Central Growth Pool position, a Public Information Specialist, approved during FY11 be continued as a Regular Position. This position is necessary to meet the mandate of promoting the development of commercial water transportation in the State by executing all communications, public relations and outreach activities. This position is responsible for news releases, website maintenance, a monthly newsletter concerning agency activities, water and river port issues, and brochures explaining economic development opportunities, and planning and coordination of the annual Arkansas Regional Waterways Conference. This Specialist will coordinate a speaker's series for the Executive Director and develop and initiate educational programs for school-aged children. This position will develop and maintain essential communications tools to increase the effectiveness of the agency's mission and be positioned as the local source for news outlets regarding rivers, waterways, and river ports.
C08	The agency requests a change level of \$12,999 for FY14 for Operating Expenses for Network Services, Telephone – Wired, Telephone – Wireless, Equipment, and Software. The increase in Network Services of \$4,060 is to increase internet connection from 1MB to 3MB to bring speed up to current requirements and to launch a new website to replace the current website that is over seven (7) year old for annual maintenance of website. The increase in Telephone – Wired of \$4,100 is for switch from analog telephone service to VOIP service. The increase in Telephone – Wireless of \$1,440 is for annual service for two (2) smart-phones or personal digital assistants for the Director and the Public Information Specialist to stay in constant contact while out of the office. The agency requests an increase in Software of \$1,000 for the new computer. The agency requests equipment of \$2,399 to replace one (1) computer which is over three years old, two (2) personal digital assistants/smart-phones, and media presentation equipment (tv, web-enabled camera, and ipad) for a media presentation center in the Director's office. This equipment will allow presentations and images be displayed in a large-screen format for meetings and presentations. It will also allow individuals in remote locations be involved in meetings via Skype; the iPad will be used for marketing, promotion, and educational activities outside the office. The change level request for FY15 of \$9,172 for Operating Expenses is mainly recurring annual costs of the website maintenance, PDA service fees and VOIP. These costs are estimated at \$7,472. The agency requests \$1,700 to replace two (2) desktop computers that will be over three (3) years old and an iPad used for expanded educational outreach programs.