

1 State of Arkansas As Engrossed: H4/5/13 H4/10/13 S4/16/13

2 89th General Assembly

A Bill

3 Regular Session, 2013

HOUSE BILL 1921

4

5 By: Representatives J. Edwards, Barnett, D. Douglas, Farrer, Gillam, Gossage, Hawthorne, Hillman,

6 Jean, Kizzia, Lampkin, McCrary, McElroy, Rice, Sabin, Talley, Wardlaw, D. Whitaker, McGill

7 By: Senators Files, E. Cheatham, Holland, J. Key, B. Pierce, Rapert, B. Sample, Teague, D. Wyatt

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For An Act To Be Entitled

10 AN ACT TO IMPROVE TRANSPORTATION IN ARKANSAS; AND FOR

11 OTHER PURPOSES.

12

13

14

Subtitle

15

TO IMPROVE TRANSPORTATION IN ARKANSAS.

16

17

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

19

20 *SECTION 1. DO NOT CODIFY. Legislative findings and intent.*

21 *(a) The General Assembly finds that:*

22 *(1) Arkansas has the third largest inland waterway system in the*
23 *United States and is thirty-fourth in waterway shipments;*

24 *(2) Each barge that travels on Arkansas's waterways reduces the*
25 *number of trucks traveling on Arkansas's roadways by sixty (60), which*
26 *reduces roadway congestion and highway maintenance costs; and*

27 *(3) Arkansas's waterways allow the state's agricultural industry*
28 *to export crops around the world in a cost-effective manner.*

29 *(b) The General Assembly intends for this act to:*

30 *(1) Reduce traffic and improve safety on the roadways in*
31 *Arkansas;*

32 *(2) Reduce the cost of maintaining Arkansas roadways; and*

33 *(3) Increase Arkansas's ability to be competitive in the*
34 *worldwide economy.*

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36 *SECTION 2. Arkansas Code Title 15, Chapter 23, Subchapter 2, is*



1 amended to add an additional section to read as follows:

2 15-23-205. Arkansas Port, Intermodal, and Waterway Development Grant
3 Program.

4 (a)(1) The Arkansas Waterways Commission shall establish and
5 administer the Arkansas Port, Intermodal, and Waterway Development Grant
6 Program that shall be used to provide financial assistance to port
7 authorities and intermodal authorities for the purpose of funding port
8 development projects, including without limitation the construction,
9 improvement, capital facility rehabilitation, and expansion of a public port
10 facility, including without limitation an intermodal facility and a maritime-
11 related industrial park infrastructure development.

12 (2) Wharves, cargo handling equipment, utilities, railroads,
13 primary access roads, and buildings that are an integral part of a port
14 development project are also eligible for funding under this section.

15 (b) The goals of the program are to:

16 (1) Ensure that adequate land-side facilities are available to
17 meet a definite market need by providing guidance and public funds to build
18 land-side infrastructure that will provide jobs and competitive
19 transportation costs for moving cargo, thereby minimizing highway congestion,
20 improving safety, and reducing maintenance costs related to Arkansas's
21 highways; and

22 (2) Provide funding for dredging ports and waterways to allow
23 Arkansas products to reach additional markets.

24 (c) An Arkansas public port authority or intermodal authority may
25 apply for funding of a port development project under the program.

26 (d)(1) To apply for funding under the program, a port authority or
27 intermodal authority shall submit an application for funding to the
28 commission on or before June 1 for funding consideration in the following
29 fiscal year.

30 (2) The application required under subdivision (d)(1) of this
31 section shall include the following:

32 (A) A description of the port development project;

33 (B) Evidence that the port authority or intermodal
34 authority has an immediate need for the port development project;

35 (C) A description of the benefits to be derived from the
36 port development project;

- 1 (D) A preliminary design of the port development project;
- 2 (E) A cost estimate for the port development project;
- 3 (F) A description of the port development project area;
- 4 and
- 5 (G) Any other information or documentation required by the
- 6 commission.
- 7 (e) The funding provided under the program shall not exceed ninety
- 8 percent (90%) of the cost of construction or fifty percent (50%) of the
- 9 dredging costs.
- 10 (f) The commission shall promulgate rules to implement this section.

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12 SECTION 3. EFFECTIVE DATE. This act is effective on and after January
13 1, 2014.

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15 /s/J. Edwards

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18 **APPROVED: 04/22/2013**