

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.

Act 323 of the Regular Session

1 State of Arkansas
2 86th General Assembly
3 Regular Session, 2007

As Engrossed: H2/7/07

A Bill

HOUSE BILL 1166

4
5 By: Joint Budget Committee
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For An Act To Be Entitled

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9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL
10 SERVICES AND OPERATING EXPENSES FOR THE WAR
11 MEMORIAL STADIUM COMMISSION FOR THE BIENNIAL
12 PERIOD ENDING JUNE 30, 2009; AND FOR OTHER
13 PURPOSES.
14

Subtitle

15
16 AN ACT FOR THE WAR MEMORIAL STADIUM
17 COMMISSION APPROPRIATION FOR THE
18 2007-2009 BIENNIUM.
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22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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24 SECTION 1. REGULAR SALARIES - OPERATIONS. There is hereby established for
25 the War Memorial Stadium Commission for the 2007-2009 biennium, the following
26 maximum number of regular employees whose salaries shall be governed by the
27 provisions of the Uniform Classification and Compensation Act (Arkansas Code
28 §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.
29 Provided, however, that any position to which a specific maximum annual
30 salary is set out herein in dollars, shall be exempt from the provisions of
31 said Uniform Classification and Compensation Act. All persons occupying
32 positions authorized herein are hereby governed by the provisions of the
33 Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101),
34 or its successor.
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Item	Class	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Years	
				2007-2008	2008-2009
(1)	7140	STADIUM COMM STADIUM MANAGER	1	\$82,554	\$84,205
(2)	7141	STADIUM COMM ASST MANAGER/ADMR	1	\$62,661	\$63,914
(3)	7142	STADIUM COMM OFFICE MANAGER	1	\$51,871	\$52,908
(4)	7199	STADIUM COMM ADMIN ASST	1	\$48,318	\$49,284
(5)	7145	STADIUM COMM BUILDING MAINT SUPT	1	\$46,352	\$47,279
(6)	9343	STADIUM COMM ACCOUNTANT/BOOKKEEPER	1	\$37,593	\$38,344
(7)	7146	STADIUM COMM CUSTODIAN	<u>1</u>	\$24,644	\$25,136
MAX. NO. OF EMPLOYEES			7		

SECTION 2. EXTRA HELP - OPERATIONS. There is hereby authorized, for the War Memorial Stadium Commission for the 2007-2009 biennium, the following maximum number of part-time or temporary employees, to be known as "Extra Help", payable from funds appropriated herein for such purposes: one hundred fifty (150) temporary or part-time employees, when needed, at rates of pay not to exceed those provided in the Uniform Classification and Compensation Act, or its successor, or this act for the appropriate classification.

SECTION 3. APPROPRIATION - STATE OPERATIONS. There is hereby appropriated, to the War Memorial Stadium Commission, to be payable from the Miscellaneous Agencies Fund Account, for personal services, operating expenses, major maintenance, renovation of facilities and scoreboards, and repairs of the War Memorial Stadium Commission for the biennial period ending June 30, 2009, the following:

ITEM NO.		FISCAL YEARS	
		2007-2008	2008-2009
(01)	REGULAR SALARIES	\$ 316,400	\$ 322,726
(02)	EXTRA HELP	40,000	40,000
(03)	PERSONAL SERVICES MATCHING	92,657	93,941
(04)	OVERTIME	1,500	1,500
(05)	MAINT. & GEN. OPERATION		
(A)	OPER. EXPENSE	400,000	450,000

1	(B) CONF. & TRAVEL	0	0
2	(C) PROF. FEES	0	0
3	(D) CAP. OUTLAY	0	0
4	(E) DATA PROC.	<u>0</u>	<u>0</u>
5	TOTAL AMOUNT APPROPRIATED	<u>\$ 850,557</u>	<u>\$ 908,167</u>

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 7 SECTION 4. APPROPRIATIONS - CASH OPERATIONS. There is hereby
 8 appropriated, to the War Memorial Stadium Commission, to be payable from cash
 9 funds as defined by Arkansas Code 19-4-801 of the War Memorial Stadium
 10 Commission, for personal services and operating expenses of the War Memorial
 11 Stadium Commission for the biennial period ending June 30, 2009, the
 12 following:
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14	ITEM	FISCAL YEARS	
15	<u>NO.</u>	<u>2007-2008</u>	<u>2008-2009</u>
16	(01) REGULAR SALARIES	\$ 37,593	\$ 38,344
17	(02) EXTRA HELP	65,000	65,000
18	(03) PERSONAL SERVICES MATCHING	18,242	18,393
19	(04) OVERTIME	7,000	7,000
20	(05) MAINT. & GEN. OPERATION		
21	(A) OPER. EXPENSE	572,555	572,555
22	(B) CONF. & TRAVEL	2,000	2,000
23	(C) PROF. FEES	54,538	54,538
24	(D) CAP. OUTLAY	30,000	30,000
25	(E) DATA PROC.	0	0
26	(06) CONSTRUCTION	4,000,000	4,000,000
27	(07) RESALE AND GAME EXPENSE	449,383	449,383
28	(08) REFUNDS/REIMBURSEMENTS	130,000	130,000
29	(09) CONTINGENCY	<u>30,000</u>	<u>30,000</u>
30	TOTAL AMOUNT APPROPRIATED	<u>\$ 5,396,311</u>	<u>\$ 5,397,213</u>

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 32 SECTION 5. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 33 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.
 34 APPROPRIATION RESTRICTIONS - LAND ACQUISITION. In no event shall any funds
 35 appropriated to the War Memorial Stadium Commission be used for the
 36 acquisition of real estate without the prior review and approval of the

1 Arkansas Legislative Council or Joint Budget Committee.

2 Determining the maximum number of employees and the maximum amount of
3 appropriation and general revenue funding for a state agency each fiscal year
4 is the function of the General Assembly. This is usually accomplished by
5 delineating such maximums as the appropriation in the appropriation act(s)
6 for a state agency and the general revenue allocations authorized for each
7 fund and fund account by amendment to the Revenue Stabilization law.

8 Therefore, it is both necessary and appropriate that the General Assembly
9 maintain oversight be requiring prior approval of the Legislative Council or
10 Joint Budget Committee as provided by this section. The requirement of
11 approval by the Legislative Council or Joint Budget Committee is not a
12 severable part of this section. If the requirement of approval be the
13 Legislative Council or Joint Budget Committee is ruled unconstitutional by a
14 court of competent jurisdiction, then the authority of the Commission to
15 acquire real estate is void.

16 The provisions of this section shall be in effect only from July 1, 2007
17 through June 30, 2009.

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19 SECTION 6. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
20 authorized by this act shall be limited to the appropriation for such agency
21 and funds made available by law for the support of such appropriations; and
22 the restrictions of the State Procurement Law, the General Accounting and
23 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
24 Procedures and Restrictions Act, or their successors, and other fiscal
25 control laws of this State, where applicable, and regulations promulgated by
26 the Department of Finance and Administration, as authorized by law, shall be
27 strictly complied with in disbursement of said funds.

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

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SECTION 8. 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 two (2) year period; that the effectiveness of this Act on July 1, 2007 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 Regular Session, the delay in the effective date of this Act beyond July 1, 2007 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, 2007.

/s/ Joint Budget Committee

APPROVED: 3/19/2007