

1 State of Arkansas
2 87th General Assembly
3 Fiscal Session, 2010

A Bill

HOUSE BILL 1042

4
5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

9 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL
10 SERVICES AND OPERATING EXPENSES FOR THE WAR
11 MEMORIAL STADIUM COMMISSION FOR THE FISCAL YEAR
12 ENDING JUNE 30, 2011; AND FOR OTHER PURPOSES.
13
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Subtitle

15 AN ACT FOR THE WAR MEMORIAL STADIUM
16 COMMISSION APPROPRIATION FOR THE 2010-
17 2011 FISCAL YEAR.
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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23 SECTION 1. REGULAR SALARIES - OPERATIONS. There is hereby established for
24 the War Memorial Stadium Commission for the 2010-2011 fiscal year, the
25 following maximum number of regular employees whose salaries shall be
26 governed by the provisions of the Uniform Classification and Compensation Act
27 (Arkansas Code §§21-5-201 et seq.), or its successor, and all laws amendatory
28 thereto. Provided, however, that any position to which a specific maximum
29 annual salary is set out herein in dollars, shall be exempt from the
30 provisions of said Uniform Classification and Compensation Act. All persons
31 occupying positions authorized herein are hereby governed by the provisions
32 of the Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-
33 101), or its successor.
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35 Maximum Annual
36 Maximum Salary Rate



Item	Class	No. of	Fiscal Year
No.	Code Title	Employees	2010-2011
(1)	N105N STADIUM CMSN EXECUTIVE DIRECTOR	1	GRADE N905
(2)	C001C STADIUM CMSN ASSISTANT MANAGER/ADMIN	1	GRADE C126
(3)	A050C AGENCY FISCAL MANAGER	1	GRADE C121
(4)	C003C STADIUM CMSN MARKETING/EVENT MGR	1	GRADE C121
(5)	C008C STADIUM COMMISSION OFFICE MANAGER	1	GRADE C118
(6)	A091C FISCAL SUPPORT ANALYST	1	GRADE C115
(7)	S072C STADIUM COMMISSION CUSTODIAN	<u>1</u>	GRADE C107
	MAX. NO. OF EMPLOYEES	7	

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12 SECTION 2. EXTRA HELP - OPERATIONS. There is hereby authorized, for the
 13 War Memorial Stadium Commission for the 2010-2011 fiscal year, the following
 14 maximum number of part-time or temporary employees, to be known as "Extra
 15 Help", payable from funds appropriated herein for such purposes: one hundred
 16 fifty (150) temporary or part-time employees, when needed, at rates of pay
 17 not to exceed those provided in the Uniform Classification and Compensation
 18 Act, or its successor, or this act for the appropriate classification.

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20 SECTION 3. APPROPRIATION - STATE OPERATIONS. There is hereby appropriated,
 21 to the War Memorial Stadium Commission, to be payable from the Miscellaneous
 22 Agencies Fund Account, for personal services, operating expenses, major
 23 maintenance, renovation of facilities and scoreboards, and repairs of the War
 24 Memorial Stadium Commission for the fiscal year ending June 30, 2011, the
 25 following:

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ITEM	FISCAL YEAR
NO.	2010-2011
(01) REGULAR SALARIES	\$ 332,821
(02) EXTRA HELP	40,000
(03) PERSONAL SERVICES MATCHING	96,269
(04) OVERTIME	1,500
(05) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	412,247
(B) CONF. & TRAVEL	0
(C) PROF. FEES	0

36

1	(D) CAP. OUTLAY	0
2	(E) DATA PROC.	<u>0</u>
3	TOTAL AMOUNT APPROPRIATED	<u>\$ 882,837</u>

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5 SECTION 4. APPROPRIATION - CASH OPERATIONS. There is hereby appropriated,
 6 to the War Memorial Stadium Commission, to be payable from cash funds as
 7 defined by Arkansas Code 19-4-801 of the War Memorial Stadium Commission, for
 8 personal services and operating expenses of the War Memorial Stadium
 9 Commission for the fiscal year ending June 30, 2011, the following:

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11	ITEM	FISCAL YEAR
12	<u>NO.</u>	<u>2010-2011</u>
13	(01) REGULAR SALARIES	\$ 29,251
14	(02) EXTRA HELP	65,000
15	(03) PERSONAL SERVICES MATCHING	16,897
16	(04) OVERTIME	7,000
17	(05) MAINT. & GEN. OPERATION	
18	(A) OPER. EXPENSE	572,555
19	(B) CONF. & TRAVEL	2,000
20	(C) PROF. FEES	54,538
21	(D) CAP. OUTLAY	0
22	(E) DATA PROC.	0
23	(06) CONSTRUCTION	4,000,000
24	(07) RESALE AND GAME EXPENSE	649,383
25	(08) REFUNDS/REIMBURSEMENTS	130,000
26	(09) CONTINGENCY	<u>30,000</u>
27	TOTAL AMOUNT APPROPRIATED	<u>\$ 5,556,624</u>

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29 SECTION 5. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 30 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW.

31 APPROPRIATION RESTRICTIONS - LAND ACQUISITION. In no event shall any funds
 32 appropriated to the War Memorial Stadium Commission be used for the
 33 acquisition of real estate without the prior review and approval of the
 34 Arkansas Legislative Council or Joint Budget Committee.

35 Determining the maximum number of employees and the maximum amount of
 36 appropriation and general revenue funding for a state agency each fiscal year

1 is the function of the General Assembly. This is usually accomplished by
 2 delineating such maximums as the appropriation in the appropriation act(s)
 3 for a state agency and the general revenue allocations authorized for each
 4 fund and fund account by amendment to the Revenue Stabilization law.
 5 Therefore, it is both necessary and appropriate that the General Assembly
 6 maintain oversight by requiring prior approval of the Legislative Council or
 7 Joint Budget Committee as provided by this section. The requirement of
 8 approval by the Legislative Council or Joint Budget Committee is not a
 9 severable part of this section. If the requirement of approval by the
 10 Legislative Council or Joint Budget Committee is ruled unconstitutional by a
 11 court of competent jurisdiction, then the authority of the Commission to
 12 acquire real estate is void.

13 The provisions of this section shall be in effect only from July 1,
 14 ~~2007~~ 2010 through June 30, ~~2009~~ 2011.

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

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

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 35 SECTION 8. EMERGENCY CLAUSE. It is found and determined by the General
 36 Assembly, that the Constitution of the State of Arkansas prohibits the

1 appropriation of funds for more than a one (1) year period; that the
2 effectiveness of this Act on July 1, 2010 is essential to the operation of
3 the agency for which the appropriations in this Act are provided, and that in
4 the event of an extension of the legislative session, the delay in the
5 effective date of this Act beyond July 1, 2010 could work irreparable harm
6 upon the proper administration and provision of essential governmental
7 programs. Therefore, an emergency is hereby declared to exist and this Act
8 being necessary for the immediate preservation of the public peace, health
9 and safety shall be in full force and effect from and after July 1, 2010.

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12 **APPROVED: 02/19/2010**
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