

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 61 of the Regular Session

1 State of Arkansas
2 87th General Assembly
3 Regular Session, 2009
4

A Bill

HOUSE BILL 1123

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, 2010; AND FOR OTHER PURPOSES.
13
14

Subtitle

15 AN ACT FOR THE WAR MEMORIAL STADIUM
16 COMMISSION APPROPRIATION FOR THE
17 2009-2010 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 2009-2010 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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Maximum Annual



Item No.	Class Code	Title	Maximum No. of Employees	Salary Rate Fiscal Year 2009-2010
1	(1)	N105N STADIUM CMSN EXECUTIVE DIRECTOR	1	GRADE N905
2	(2)	C001C STADIUM CMSN ASSISTANT MANAGER/ADMIN	1	GRADE C126
3	(3)	A050C AGENCY FISCAL MANAGER	1	GRADE C121
4	(4)	C003C STADIUM CMSN MARKETING/EVENT MGR	1	GRADE C121
5	(5)	C008C STADIUM COMMISSION OFFICE MANAGER	1	GRADE C118
6	(6)	A091C FISCAL SUPPORT ANALYST	1	GRADE C115
7	(7)	S072C STADIUM COMMISSION CUSTODIAN	<u>1</u>	GRADE C107
8	MAX. NO. OF EMPLOYEES		7	

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13 SECTION 2. EXTRA HELP - OPERATIONS. There is hereby authorized, for the
 14 War Memorial Stadium Commission for the 2009-2010 fiscal year, the following
 15 maximum number of part-time or temporary employees, to be known as "Extra
 16 Help", payable from funds appropriated herein for such purposes: one hundred
 17 fifty (150) temporary or part-time employees, when needed, at rates of pay
 18 not to exceed those provided in the Uniform Classification and Compensation
 19 Act, or its successor, or this act for the appropriate classification.

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21 SECTION 3. APPROPRIATION - STATE OPERATIONS. There is hereby appropriated,
 22 to the War Memorial Stadium Commission, to be payable from the Miscellaneous
 23 Agencies Fund Account, for personal services, operating expenses, major
 24 maintenance, renovation of facilities and scoreboards, and repairs of the War
 25 Memorial Stadium Commission for the fiscal year ending June 30, 2010, the
 26 following:

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ITEM NO.	FISCAL YEAR 2009-2010
28 (01) REGULAR SALARIES	\$ 326,276
29 (02) EXTRA HELP	40,000
30 (03) PERSONAL SERVICES MATCHING	95,043
31 (04) OVERTIME	1,500
32 (05) MAINT. & GEN. OPERATION	
33 (A) OPER. EXPENSE	412,247
34 (B) CONF. & TRAVEL	0

36

1	(C) PROF. FEES	0
2	(D) CAP. OUTLAY	0
3	(E) DATA PROC.	<u>0</u>
4	TOTAL AMOUNT APPROPRIATED	<u>\$ 875,066</u>

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6 SECTION 4. APPROPRIATION - CASH OPERATIONS. There is hereby appropriated,
7 to the War Memorial Stadium Commission, to be payable from cash funds as
8 defined by Arkansas Code 19-4-801 of the War Memorial Stadium Commission, for
9 personal services and operating expenses of the War Memorial Stadium
10 Commission for the fiscal year ending June 30, 2010, the following:

12	ITEM	FISCAL YEAR
13	<u>NO.</u>	<u>2009-2010</u>
14	(01) REGULAR SALARIES	\$ 29,251
15	(02) EXTRA HELP	65,000
16	(03) PERSONAL SERVICES MATCHING	16,897
17	(04) OVERTIME	7,000
18	(05) MAINT. & GEN. OPERATION	
19	(A) OPER. EXPENSE	572,555
20	(B) CONF. & TRAVEL	2,000
21	(C) PROF. FEES	54,538
22	(D) CAP. OUTLAY	0
23	(E) DATA PROC.	0
24	(06) CONSTRUCTION	4,000,000
25	(07) RESALE AND GAME EXPENSE	649,383
26	(08) REFUNDS/REIMBURSEMENTS	130,000
27	(09) CONTINGENCY	<u>30,000</u>
28	TOTAL AMOUNT APPROPRIATED	<u>\$ 5,556,624</u>

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

36 Determining the maximum number of employees and the maximum amount of

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

14 The provisions of this section shall be in effect only from July 1,
 15 ~~2007~~ 2009 through June 30, ~~2009~~ 2010.

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

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

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 36 SECTION 8. EMERGENCY CLAUSE. It is found and determined by the General

1 Assembly, that the Constitution of the State of Arkansas prohibits the
2 appropriation of funds for more than a one (1) year period; that the
3 effectiveness of this Act on July 1, 2009 is essential to the operation of
4 the agency for which the appropriations in this Act are provided, and that in
5 the event of an extension of the Regular Session, the delay in the effective
6 date of this Act beyond July 1, 2009 could work irreparable harm upon the
7 proper administration and provision of essential governmental programs.
8 Therefore, an emergency is hereby declared to exist and this Act being
9 necessary for the immediate preservation of the public peace, health and
10 safety shall be in full force and effect from and after July 1, 2009.

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13 **APPROVED: 2/5/2009**
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