

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 235 of the Regular Session

As Engrossed: H2/19/09

A Bill

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

SENATE BILL 274

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

9 AN ACT TO REAPPROPRIATE THE BALANCES OF CAPITAL
10 IMPROVEMENT APPROPRIATIONS FOR THE WAR MEMORIAL
11 STADIUM COMMISSION; AND FOR OTHER PURPOSES.
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14 **Subtitle**

15 AN ACT FOR THE WAR MEMORIAL STADIUM
16 COMMISSION REAPPROPRIATION.
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 SECTION 1. REAPPROPRIATION - ELEVATOR CONSTRUCTION/ MAINTENANCE. There is
22 hereby appropriated, to the War Memorial Stadium Commission, to be payable
23 from the General Improvement Fund or its successor fund or fund accounts, for
24 the War Memorial Stadium Commission, the following:

25 (A) Effective July 1, 2009, the balance of the appropriation provided in
26 Item (A) of Section 1 of Act 1526 of 2007, for elevator construction and
27 maintenance, *or for costs associated with various maintenance, renovation,*
28 *equipping, construction, acquisition, improvement, upgrades and repair*
29 *projects for War Memorial Stadium Commission, in a sum not to*
30 *exceed.....\$77,285.*
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32 SECTION 2. REAPPROPRIATION - VARIOUS RENOVATION PROJECTS. There is hereby
33 appropriated, to the War Memorial Stadium Commission, to be payable from the
34 General Improvement Fund or its successor fund or fund accounts, for the War
35 Memorial Stadium Commission, the following:



1 (A) Effective July 1, 2009, the balance of the appropriation provided in
2 Item (A) of Section 1 of Act 1140 of 2007, for renovation of restrooms,
3 concession stands and locker rooms at War Memorial Stadium, in a sum not to
4 exceed\$700,000.
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6 SECTION 3. REAPPROPRIATION - RENOVATION/ CONSTRUCTION/ REMODELING. There
7 is hereby appropriated, to the War Memorial Stadium Commission, to be payable
8 from the General Improvement Fund or its successor fund or fund accounts, for
9 the War Memorial Stadium Commission, the following:

10 (A) Effective July 1, 2009, the balance of the appropriation provided in
11 Item (A) of Section 1 of Act 1522 of 2007, for renovation, construction and
12 remodeling expenses for the War Memorial Stadium, in a sum not to exceed
13\$5,000,000.
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15 SECTION 4. REAPPROPRIATION - PRESS BOX RENOVATION. There is hereby
16 appropriated, to the War Memorial Stadium Commission, to be payable from the
17 Arkansas Natural and Cultural Resources Grant and Trust Fund, for the War
18 Memorial Stadium Commission, the following:

19 (A) Effective July 1, 2009, the balance of the appropriation provided in
20 Item (1) of Section 30 of Act 793 of 2007, for renovation of the Press Box,
21 in a sum not to exceed\$1,500,000.
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23 SECTION 5. REAPPROPRIATION - MAJOR MAINTENANCE/ RENOVATION/ REPAIRS. There
24 is hereby appropriated, to the War Memorial Stadium Commission, to be payable
25 from the cash funds as defined by Arkansas Code 19-4-801, for the War
26 Memorial Stadium Commission, the following:

27 (A) Effective July 1, 2009, the balance of the appropriation provided in
28 Item (A) of Section 1 of Act 353 of 2007, for major maintenance, renovation
29 and repairs to War Memorial Stadium, in a sum not to exceed\$2,330,700.
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31 SECTION 6. REAPPROPRIATION - BOND PROCEEDS. There is hereby appropriated,
32 to the War Memorial Stadium Commission, to be payable from Bond Proceeds, for
33 the War Memorial Stadium Commission, the following:

34 (A) Effective July 1, 2009, the balance of the appropriation provided in
35 Item (A) of Section 2 of Act 353 of 2007, for expenses associated with the
36 press box and private box addition projects, in a sum not to exceed

.....\$11,133,967.

(B) Effective July 1, 2009, the balance of the appropriation provided in Item (B) of Section 2 of Act 353 of 2007, for reconstruction of the north/south end zones and providing for new restrooms and other facilities, in a sum not to exceed\$4,736,835.

(C) Effective July 1, 2009, the balance of the appropriation provided in Item (C) of Section 2 of Act 353 of 2007, for expenses associated with the upper deck and concourse project, in a sum not to exceed\$9,958,000.

SECTION 7. REAPPROPRIATION - NEW PRESS BOX - CASH AND VARIOUS RENOVATION PROJECTS. There is hereby appropriated, to the War Memorial Stadium Commission, to be payable from the cash funds as defined by Arkansas Code 19-4-801, for the War Memorial Stadium Commission, the following:

(A) Effective July 1, 2009, the balance of the appropriation provided in Item (A) of Section 2 of Act 1140 of 2007, for construction of a new Press Box at War Memorial Stadium, in a sum not to exceed\$500,000.

(B) Effective July 1, 2009, the balance of the appropriation provided in Item (B) of Section 2 of Act 1140 of 2007, for renovation of restrooms, concession stands and locker rooms at War Memorial Stadium, in a sum not to exceed\$378,850.

SECTION 8. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. As referenced in SECTION 3 of Act 1202 of 2007 and SECTION 3 of Act 1753 of 2007, the authorized funding for the War Memorial Stadium Commission for elevator construction and maintenance shall also be deemed to include costs associated with various maintenance, renovation, equipping, construction, acquisition, improvement, upgrades and repair projects for War Memorial Stadium Commission.

SECTION 9. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor obligations otherwise incurred in relation to the project or projects described herein in excess of the State Treasury funds actually available therefor as provided by law. Provided, however, that institutions and agencies listed herein shall have the authority to accept and use grants and donations including Federal funds, and to use its unobligated cash income or

1 funds, or both available to it, for the purpose of supplementing the State
2 Treasury funds for financing the entire costs of the project or projects
3 enumerated herein. Provided further, that the appropriations and funds
4 otherwise provided by the General Assembly for Maintenance and General
5 Operations of the agency or institutions receiving appropriation herein shall
6 not be used for any of the purposes as appropriated in this act.

7 (B) The restrictions of any applicable provisions of the State Purchasing
8 Law, the General Accounting and Budgetary Procedures Law, the Revenue
9 Stabilization Law and any other applicable fiscal control laws of this State
10 and regulations promulgated by the Department of Finance and Administration,
11 as authorized by law, shall be strictly complied with in disbursement of any
12 funds provided by this act unless specifically provided otherwise by law.

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14 SECTION 10. LEGISLATIVE INTENT. It is the intent of the General Assembly
15 that any funds disbursed under the authority of the appropriations contained
16 in this act shall be in compliance with the stated reasons for which this act
17 was adopted, as evidenced by the Agency Requests, Executive Recommendations
18 and Legislative Recommendations contained in the budget manuals prepared by
19 the Department of Finance and Administration, letters, or summarized oral
20 testimony in the official minutes of the Arkansas Legislative Council or
21 Joint Budget Committee which relate to its passage and adoption.

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23 SECTION 11. EMERGENCY CLAUSE. It is found and determined by the General
24 Assembly, that the Constitution of the State of Arkansas prohibits the
25 appropriation of funds for more than a one (1) year period; that the
26 effectiveness of this Act on July 1, 2009 is essential to the operation of
27 the agency for which the appropriations in this Act are provided, and that in
28 the event of an extension of the Regular Session, the delay in the effective
29 date of this Act beyond July 1, 2009 could work irreparable harm upon the
30 proper administration and provision of essential governmental programs.
31 Therefore, an emergency is hereby declared to exist and this Act being
32 necessary for the immediate preservation of the public peace, health and
33 safety shall be in full force and effect from and after July 1, 2009.

34
35 /s/ Joint Budget Committee

36 APPROVED: 2/25/2009