

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.

1 State of Arkansas
2 85th General Assembly
3 Regular Session, 2005
4

As Engrossed: H2/16/05

A Bill

HOUSE BILL 1120

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 BIENNIAL
12 PERIOD ENDING JUNE 30, 2007; AND FOR OTHER
13 PURPOSES.
14

Subtitle

15
16 AN ACT FOR THE WAR MEMORIAL STADIUM
17 COMMISSION APPROPRIATION FOR THE
18 2005-2007 BIENNIUM.
19
20
21

22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
23

24 SECTION 1. REGULAR SALARIES - OPERATIONS. There is hereby established for
25 the War Memorial Stadium Commission for the 2005-2007 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.
35

36 Maximum Annual



| Item No. | Class Code | Title | Maximum No. of Employees | Salary Rate Fiscal Years 2005-2006 | Salary Rate Fiscal Years 2006-2007 |
|----------|-----------------------|---|--------------------------|------------------------------------|------------------------------------|
| 1 | (1) | 7140 STADIUM COMM STADIUM MANAGER | 1 | \$78,888 | \$80,936 |
| 2 | (2) | 7141 STADIUM COMM ASST MANAGER/ADMR | 1 | \$59,748 | \$61,433 |
| 3 | (3) | 7142 STADIUM COMM OFFICE MANAGER | 1 | \$49,373 | \$50,854 |
| 4 | (4) | 7199 STADIUM COMM ADMIN ASST | 1 | \$45,992 | \$47,371 |
| 5 | (5) | 7145 STADIUM COMM BUILDING MAINT SUPT | 1 | \$44,121 | \$45,444 |
| 6 | (6) | 9343 STADIUM COMM ACCOUNTANT/BOOKKEEPER | 1 | \$35,783 | \$36,856 |
| 7 | (7) | 7146 STADIUM COMM CUSTODIAN | <u>1</u> | \$23,458 | \$24,161 |
| 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 2005-2007 biennium, 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
 22 appropriated, to the War Memorial Stadium Commission, to be payable from the
 23 *Miscellaneous Agencies Fund*, for personal services, operating expenses, major
 24 maintenance, renovation of facilities and scoreboards, and repairs of the War
 25 Memorial Stadium Commission for the biennial period ending June 30, 2007, the
 26 following:

27

| ITEM NO. | FISCAL YEARS 2005-2006 | FISCAL YEARS 2006-2007 |
|------------------------------------|------------------------|------------------------|
| 28 (01) REGULAR SALARIES | \$278,122 | \$286,038 |
| 29 (02) EXTRA HELP | 40,000 | 40,000 |
| 30 (03) PERSONAL SERVICES MATCHING | 76,590 | 78,100 |
| 31 (04) OVERTIME | 1,500 | 1,500 |
| 32 (05) MAINT. & GEN OPERATION | | |
| 33 (A) OPER. EXPENSE | 350,000 | 350,000 |
| 34 (B) CONF. & TRAVEL | 0 | 0 |

36

| | | | |
|---|---------------------------|------------------|------------------|
| 1 | (C) PROF. FEES | 0 | 0 |
| 2 | (D) CAP. OUTLAY | 0 | 0 |
| 3 | (E) DATA PROC. | <u>0</u> | <u>0</u> |
| 4 | TOTAL AMOUNT APPROPRIATED | <u>\$746,212</u> | <u>\$755,638</u> |

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 6 SECTION 4. APPROPRIATIONS – CASH OPERATIONS. There is hereby
 7 appropriated, to the War Memorial Stadium Commission, to be payable from cash
 8 funds as defined by Arkansas Code 19-4-801 of the War Memorial Stadium
 9 Commission, for personal services and operating expenses of the War Memorial
 10 Stadium Commission for the biennial period ending June 30, 2007, the
 11 following:

| 13 | ITEM | FISCAL YEARS | |
|----|---------------------------------|---------------------|---------------------|
| 14 | <u>NO.</u> | 2005-2006 | 2006-2007 |
| 15 | (01) REGULAR SALARIES | \$ 337,363 | \$ 347,055 |
| 16 | (02) EXTRA HELP | 65,000 | 65,000 |
| 17 | (03) PERSONAL SERVICES MATCHING | 96,632 | 98,455 |
| 18 | (04) OVERTIME | 7,000 | 7,000 |
| 19 | (05) MAINT. & GEN. OPERATION | | |
| 20 | (A) OPER. EXPENSE | 572,555 | 572,555 |
| 21 | (B) CONF. & TRAVEL | 2,000 | 2,000 |
| 22 | (C) PROF. FEES | 54,538 | 54,538 |
| 23 | (D) CAP. OUTLAY | 50,000 | 30,000 |
| 24 | (E) DATA PROC. | 0 | 0 |
| 25 | (06) CONSTRUCTION | 4,000,000 | 4,000,000 |
| 26 | (07) RESALE AND GAME EXPENSE | 449,383 | 449,383 |
| 27 | (08) REFUND/REIMBURSEMENTS | 130,000 | 130,000 |
| 28 | (09) CONTINGENCY | <u>30,000</u> | <u>30,000</u> |
| 29 | TOTAL AMOUNT APPROPRIATED | <u>\$ 5,794,471</u> | <u>\$ 5,785,986</u> |

30
 31 SECTION 5. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
 32 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FUND
 33 BALANCES - WAR MEMORIAL STADIUM CASH FUND BALANCE. (A) For all
 34 appropriations as provided in this Act, the agency disbursing officer shall
 35 monitor the level of fund balances in relation to expenditures on a monthly
 36 basis. If any proposed expenditures would cause the War Memorial Stadium

1 Cash Fund Balance to decline below two hundred ten thousand seven hundred
2 thirty dollars (\$210,730), the disbursing officer shall immediately notify
3 the executive head of the agency. Prior to any obligations being made under
4 these circumstances, the agency head shall file written documentation with
5 the Chief Fiscal Officer of the State requesting approval of the
6 expenditures. Such documentation shall provide sufficient financial data to
7 justify the expenditures and shall include the following:

8 1) a plan that clearly indicates the specific fiscal impact of such
9 expenditures on the fund balance.

10 2) information clearly indicating and explaining what programs would be cut
11 or any other measures to be taken by the agency to restore the fund balance.

12 3) the extent to which any of the planned expenditures are for one-time costs
13 or one-time purchase of capitalized items.

14 4) a statement certifying that the expenditure of fund balances will not
15 jeopardize the financial health of the agency, nor result in a permanent
16 depletion of the fund balance.

17 (B) The Chief Fiscal Officer of the State shall review the request and
18 approve or disapprove all or any part of the request, after having sought
19 prior review by the Legislative Council.

20 The provisions of this section shall be in effect only from July 1, ~~2003~~ 2005
21 through June 30, ~~2005~~ 2007.

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

32
33 SECTION 7. LEGISLATIVE INTENT. It is the intent of the General Assembly
34 that any funds disbursed under the authority of the appropriations contained
35 in this act shall be in compliance with the stated reasons for which this act
36 was adopted, as evidenced by the Agency Requests, Executive Recommendations

1 and Legislative Recommendations contained in the budget manuals prepared by
2 the Department of Finance and Administration, letters, or summarized oral
3 testimony in the official minutes of the Arkansas Legislative Council or
4 Joint Budget Committee which relate to its passage and adoption.

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6 SECTION 8. EMERGENCY CLAUSE. It is found and determined by the General
7 Assembly, that the Constitution of the State of Arkansas prohibits the
8 appropriation of funds for more than a two (2) year period; that the
9 effectiveness of this Act on July 1, 2005 is essential to the operation of
10 the agency for which the appropriations in this Act are provided, and that in
11 the event of an extension of the Regular Session, the delay in the effective
12 date of this Act beyond July 1, 2005 could work irreparable harm upon the
13 proper administration and provision of essential governmental programs.
14 Therefore, an emergency is hereby declared to exist and this Act being
15 necessary for the immediate preservation of the public peace, health and
16 safety shall be in full force and effect from and after July 1, 2005.

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18 */s/ Joint Budget Committee*
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