

State of Arkansas
87th General Assembly
Regular Session, 2009

A Bill

HOUSE BILL 1123

By: Joint Budget Committee

For An Act To Be Entitled

AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL
SERVICES AND OPERATING EXPENSES FOR THE WAR
MEMORIAL STADIUM COMMISSION FOR THE FISCAL YEAR
ENDING JUNE 30, 2010; AND FOR OTHER PURPOSES.

Subtitle

AN ACT FOR THE WAR MEMORIAL STADIUM
COMMISSION APPROPRIATION FOR THE
2009-2010 FISCAL YEAR.

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

SECTION 1. REGULAR SALARIES - OPERATIONS. There is hereby established for the War Memorial Stadium Commission for the 2009-2010 fiscal year, the following maximum number of regular employees whose salaries shall be governed by the provisions of the Uniform Classification and Compensation Act (Arkansas Code §§21-5-201 et seq.), or its successor, and all laws amendatory thereto. Provided, however, that any position to which a specific maximum annual salary is set out herein in dollars, shall be exempt from the provisions of said Uniform Classification and Compensation Act. All persons occupying positions authorized herein are hereby governed by the provisions of the Regular Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its successor.

	Maximum Annual
Maximum	Salary Rate



Item	Class	No. of	Fiscal Year
No.	Code Title	Employees	2009-2010
(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	

SECTION 2. EXTRA HELP - OPERATIONS. There is hereby authorized, for the War Memorial Stadium Commission for the 2009-2010 fiscal year, 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 fiscal year ending June 30, 2010, the following:

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

1	(D) CAP. OUTLAY	0
2	(E) DATA PROC.	<u>0</u>
3	TOTAL AMOUNT APPROPRIATED	<u>\$ 875,066</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, 2010, the following:

11	ITEM	FISCAL YEAR
12	<u>NO.</u>	<u>2009-2010</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~~ 2009 through June 30, ~~2009~~ 2010.

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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, 2009 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 Regular Session, the delay in the effective
5 date of this Act beyond July 1, 2009 could work irreparable harm upon the
6 proper administration and provision of essential governmental programs.
7 Therefore, an emergency is hereby declared to exist and this Act being
8 necessary for the immediate preservation of the public peace, health and
9 safety shall be in full force and effect from and after July 1, 2009.