

1 State of Arkansas
2 88th General Assembly
3 Regular Session, 2011
4

A Bill

HOUSE BILL 1133

5 By: Joint Budget Committee
6

For An Act To Be Entitled

8 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL
9 SERVICES AND OPERATING EXPENSES FOR THE WAR
10 MEMORIAL STADIUM COMMISSION FOR THE FISCAL YEAR
11 ENDING JUNE 30, 2012; AND FOR OTHER PURPOSES.
12
13

Subtitle

14 AN ACT FOR THE WAR MEMORIAL STADIUM
15 COMMISSION APPROPRIATION FOR THE 2011-2012
16 FISCAL YEAR.
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20 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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22 SECTION 1. REGULAR SALARIES - OPERATIONS. There is hereby
23 established for the War Memorial Stadium Commission for the 2011-2012 fiscal
24 year, the following maximum number of regular employees.
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Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2011-2012
30	(1) N105N	STADIUM COMMISSION EXEC DIRECTOR	1	GRADE N905
31	(2) C001C	STADIUM COMMISSION ASST MGR/ADMR	1	GRADE C126
32	(3) A050C	AGENCY FISCAL MANAGER	1	GRADE C121
33	(4) C003C	STADIUM COMM MARKETING/EVENT MGR	1	GRADE C121
34	(5) C008C	STADIUM COMM OFFICE MANAGER	1	GRADE C118
35	(6) A091C	FISCAL SUPPORT ANALYST	1	GRADE C115
36	(7) S072C	STADIUM COMMISSION CUSTODIAN	<u>1</u>	GRADE C107



1 MAX. NO. OF EMPLOYEES 7

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3 SECTION 2. EXTRA HELP - OPERATIONS. There is hereby authorized, for
 4 the War Memorial Stadium Commission for the 2011-2012 fiscal year, the
 5 following maximum number of part-time or temporary employees, to be known as
 6 "Extra Help", payable from funds appropriated herein for such purposes: one
 7 hundred fifty (150) temporary or part-time employees, when needed, at rates
 8 of pay not to exceed those provided in the Uniform Classification and
 9 Compensation Act, or its successor, or this act for the appropriate
 10 classification.

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12 SECTION 3. APPROPRIATION - STATE OPERATIONS. There is hereby
 13 appropriated, to the War Memorial Stadium Commission, to be payable from the
 14 Miscellaneous Agencies Fund Account, for personal services, operating
 15 expenses, major maintenance, renovation of facilities and scoreboards, and
 16 repairs of the War Memorial Stadium Commission for the fiscal year ending
 17 June 30, 2012, the following:

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19 ITEM	FISCAL YEAR
20 <u>NO.</u>	<u>2011-2012</u>
21 (01) REGULAR SALARIES	\$336,557
22 (02) EXTRA HELP	40,000
23 (03) PERSONAL SERVICES MATCHING	98,988
24 (04) OVERTIME	1,500
25 (05) MAINT. & GEN. OPERATION	
26 (A) OPER. EXPENSE	412,247
27 (B) CONF. & TRAVEL	0
28 (C) PROF. FEES	0
29 (D) CAP. OUTLAY	0
30 (E) DATA PROC.	<u>0</u>
31 TOTAL AMOUNT APPROPRIATED	<u><u>\$889,292</u></u>

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33 SECTION 4. APPROPRIATION - CASH OPERATIONS. There is hereby
 34 appropriated, to the War Memorial Stadium Commission, to be payable from cash
 35 funds as defined by Arkansas Code 19-4-801 of the War Memorial Stadium
 36 Commission, for personal services and operating expenses of the War Memorial

1 Stadium Commission for the fiscal year ending June 30, 2012, the following:

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3 ITEM	FISCAL YEAR
4 <u>NO.</u>	<u>2011-2012</u>
5 (01) REGULAR SALARIES	\$29,251
6 (02) EXTRA HELP	115,000
7 (03) PERSONAL SERVICES MATCHING	18,931
8 (04) OVERTIME	7,000
9 (05) MAINT. & GEN. OPERATION	
10 (A) OPER. EXPENSE	572,555
11 (B) CONF. & TRAVEL	2,000
12 (C) PROF. FEES	54,538
13 (D) CAP. OUTLAY	0
14 (E) DATA PROC.	0
15 (06) RESALE AND GAME EXPENSE	1,025,000
16 (07) REFUNDS/REIMBURSEMENTS	130,000
17 (08) DEBT SERVICE	<u>4,000,000</u>
18 TOTAL AMOUNT APPROPRIATED	<u><u>\$5,954,275</u></u>

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

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

26 Determining the maximum number of employees and the maximum amount of
 27 appropriation and general revenue funding for a state agency each fiscal year
 28 is the function of the General Assembly. This is usually accomplished by
 29 delineating such maximums as the appropriation in the appropriation act(s)
 30 for a state agency and the general revenue allocations authorized for each
 31 fund and fund account by amendment to the Revenue Stabilization law.
 32 Therefore, it is both necessary and appropriate that the General Assembly
 33 maintain oversight by requiring prior approval of the Legislative Council or
 34 Joint Budget Committee as provided by this section. The requirement of
 35 approval by the Legislative Council or Joint Budget Committee is not a
 36 severable part of this section. If the requirement of approval by the

1 Legislative Council or Joint Budget Committee is ruled unconstitutional by a
2 court of competent jurisdiction, then the authority of the Commission to
3 acquire real estate is void.

4 The provisions of this section shall be in effect only from July 1, ~~2010~~
5 2011 through June 30, ~~2011~~ 2012.

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7 SECTION 6. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
8 authorized by this act shall be limited to the appropriation for such agency
9 and funds made available by law for the support of such appropriations; and
10 the restrictions of the State Procurement Law, the General Accounting and
11 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
12 Procedures and Restrictions Act, or their successors, and other fiscal
13 control laws of this State, where applicable, and regulations promulgated by
14 the Department of Finance and Administration, as authorized by law, shall be
15 strictly complied with in disbursement of said funds.

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

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26 SECTION 8. EMERGENCY CLAUSE. It is found and determined by the General
27 Assembly, that the Constitution of the State of Arkansas prohibits the
28 appropriation of funds for more than a one (1) year period; that the
29 effectiveness of this Act on July 1, 2011 is essential to the operation of
30 the agency for which the appropriations in this Act are provided, and that in
31 the event of an extension of the legislative session, the delay in the
32 effective date of this Act beyond July 1, 2011 could work irreparable harm
33 upon the proper administration and provision of essential governmental
34 programs. Therefore, an emergency is hereby declared to exist and this Act
35 being necessary for the immediate preservation of the public peace, health
36 and safety shall be in full force and effect from and after July 1, 2011.