

State of Arkansas
88th General Assembly
Fiscal Session, 2012

A Bill

HOUSE BILL 1098

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, 2013; AND FOR OTHER PURPOSES.

Subtitle

AN ACT FOR THE WAR MEMORIAL STADIUM COMMISSION APPROPRIATION FOR THE 2012-2013 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 2012-2013 fiscal year, the following maximum number of regular employees.

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Year 2012-2013
(1)	N105N	STADIUM COMMISSION EXEC DIRECTOR	1	GRADE N905
(2)	C001C	STADIUM COMMISSION ASST MGR/ADMR	1	GRADE C126
(3)	A050C	AGENCY FISCAL MANAGER	1	GRADE C121
(4)	C003C	STADIUM COMM MARKETING/EVENT MGR	1	GRADE C121
(5)	C008C	STADIUM COMM 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

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SECTION 2. EXTRA HELP - OPERATIONS. There is hereby authorized, for the War Memorial Stadium Commission for the 2012-2013 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, 2013, the following:

ITEM NO.	FISCAL YEAR 2012-2013
(01) REGULAR SALARIES	\$344,049
(02) EXTRA HELP	40,000
(03) PERSONAL SERVICES MATCHING	100,498
(04) OVERTIME	1,500
(05) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	412,247
(B) CONF. & TRAVEL	0
(C) PROF. FEES	0
(D) CAP. OUTLAY	0
(E) DATA PROC.	<u>0</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$898,294</u></u>

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

Stadium Commission for the fiscal year ending June 30, 2013, the following:

ITEM NO.	FISCAL YEAR 2012-2013
(01) REGULAR SALARIES	\$29,251
(02) EXTRA HELP	115,000
(03) PERSONAL SERVICES MATCHING	18,931
(04) OVERTIME	7,000
(05) MAINT. & GEN. OPERATION	
(A) OPER. EXPENSE	572,555
(B) CONF. & TRAVEL	2,000
(C) PROF. FEES	54,538
(D) CAP. OUTLAY	0
(E) DATA PROC.	0
(06) RESALE AND GAME EXPENSE	1,025,000
(07) REFUNDS/REIMBURSEMENTS	130,000
(08) DEBT SERVICE	<u>4,000,000</u>
TOTAL AMOUNT APPROPRIATED	<u><u>\$5,954,275</u></u>

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

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

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

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

The provisions of this section shall be in effect only from July 1, ~~2010~~ 2012 through June 30, ~~2011~~ 2013.

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

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

SECTION 8. EMERGENCY CLAUSE. It is found and determined by the General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a one (1) year period; that the effectiveness of this Act on July 1, 2012 is essential to the operation of the agency for which the appropriations in this Act are provided, and that in the event of an extension of the legislative session, the delay in the effective date of this Act beyond July 1, 2012 could work irreparable harm upon the proper administration and provision of essential governmental programs. Therefore, an emergency is hereby declared to exist and this Act being necessary for the immediate preservation of the public peace, health and safety shall be in full force and effect from and after July 1, 2012.