

Act 828 of the 1989 Regular Session.

Act 828

SB292

By: Joint Budget Committee

"AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND OPERATING EXPENSES OF THE ARKANSAS DEVELOPMENT FINANCE AUTHORITY FOR THE BIENNIAL PERIOD ENDING JUNE 30, 1991; AND FOR OTHER PURPOSES."

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

SECTION 1. REGULAR SALARIES. There is hereby established for the Arkansas Development Finance Authority for the 1989-91 biennium, the following maximum number of regular employees whose salaries shall be governed by the provisions of the Uniform Classification and Compensation Act, 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, or its successor.

Item No.	Class Code	Title	Maximum No. of Employees	Maximum Annual Salary Rate Fiscal Years	
				1989-90	1990-91
(1)	9969	ADFA EXECUTIVE DIRECTOR	1	\$52,339	\$53,647
(2)	7479	ADFA DEPUTY DIR ECON DEVELOP	1	\$47,581	\$48,770
(3)	9973	ADFA DEPUTY DIRECTOR	2	\$44,336	\$45,445
(4)	7481	ADFA EXPORT FINANCE OFFICER	1	\$32,111	\$33,717
(5)	9727	ADFA MULTI FAMILY HOUSING SUPV	1	\$30,618	\$31,383
(6)	9787	ADFA COORD SINGLE FAM PROG	1	\$30,618	\$31,383
(7)	9788	HOUSING DEV CHIEF FISCAL OFFICER	1	\$30,618	\$31,383
(8)	7480	ADFA ECONOMIC DEVELOPMENT OFFICER	1	\$30,618	\$31,383
(9)	N330	ARCHITECT II	1		GRADE 23
(10)	R498	ADFA FINANCE PROGRAM COORDINATOR	1		GRADE 22
	A032	AGENCY FISCAL MANAGER	2		
(11)	D066	SYSTEMS COORDINATION ANALYST	1		GRADE 21
(12)	A008	ACCOUNTING SUPV II	1		GRADE 20
(13)	R266	MANAGEMENT PROJECT ANALYST II	3		GRADE 19
(14)	A006	ACCOUNTING SUPV I	3		GRADE 18
(15)	A004	ACCOUNTANT II	7		GRADE 17
	R134	PLANNING SPECIALIST II	12		
	R196	HOUSING DEVELOPMENT OFFICER	1		
	X315	CONSTRUCTION INSPECTOR	3		
(16)	R009	ADMINISTRATIVE ASSISTANT I	3		GRADE 14
	R132	PLANNING SPECIALIST I	1		
(17)	K041	EXECUTIVE SECY/ADMINISTRATIVE SECY	1		GRADE 13
(18)	K153	SECRETARY II	3		GRADE 11
(19)	K155	SECRETARY I	1		GRADE 09
		MAX NO. OF EMPLOYEES	53		

SECTION 2. APPROPRIATIONS. There is hereby appropriated to the Arkansas Development Finance Authority, to be payable from cash funds of the Arkansas

Development Finance Authority, for personal services and operating expenses of the Arkansas Development Finance Authority for the biennial period ending June 30, 1991, the following:

ITEM		FISCAL YEARS	
NO.		1989-90	1990-91
(01)	REGULAR SALARIES	\$ 1,183,955	\$ 1,215,982
(02)	PERSONAL SERV MATCHING	279,587	295,781
(03)	MAINT. & GEN. OPERATION		
	(A) OPER. EXPENSES	\$ 412,790	\$ 461,277
	(B) CONF. & TRAVEL	31,955	36,900
	(C) PROF. FEES	61,000	71,000
	(D) CAPITAL OUTLAY	30,000	30,000
	(E) DATA PROCESSING	0	0
	TOTAL MAINT. & GEN. OPER.	535,745	599,177
(04)	HOUSING RENTAL ASSISTANCE	6,750,000	7,000,000
(05)	DATA PROCESSING-NON STATE	250,000	100,000
	TOTAL AMOUNT APPROPRIATED	\$ 8,999,287	\$ 9,210,940

SECTION 3. APPROPRIATIONS - HOME EQUITY LOAN PROGRAM. There is hereby appropriated to the Arkansas Development Finance Authority, to be payable from cash funds of the Arkansas Development Finance Authority, for operating expenses of the Arkansas Development Finance Authority - Home Equity Loan Program for the biennial period ending June 30, 1991, the following:

ITEM		FISCAL YEARS	
NO.		1989-90	1990-91
(01)	MAINT. & GEN. OPERATION		
	(A) OPER. EXPENSES	\$ 6,000	\$ 6,000
	(B) CONF. & TRAVEL	0	0
	(C) PROF. FEES	1,200	1,200
	(D) CAPITAL OUTLAY	0	0
	(E) DATA PROCESSING	0	0
	TOTAL MAINT. & GEN. OPER.	7,200	7,200
(02)	PAYMENT TO PARTICIPANTS	12,000	12,000
	TOTAL AMOUNT APPROPRIATED	\$ 19,200	\$ 19,200

SECTION 4. APPROPRIATIONS - GENERAL IMPROVEMENT FUND TRANSFER. There is hereby appropriated, to the Arkansas Development Finance Authority, to be payable from the General Improvement Fund, for the purpose of allowing a fund transfer to the Arkansas Development Finance Authority's Construction Grants Revolving Loan Fund, for the biennial period ending June 30, 1991, the following:

ITEM		FISCAL YEARS	
NO.		1989-90	1990-91
(01)	TRANSFER TO CONSTRUCTION GRANTS REVOLVING LOAN FUND	\$ 3,200,000	\$ 3,200,000

SECTION 5. APPROPRIATIONS - GOVERNMENTAL CONSTRUCTION GRANT LOANS. There is hereby appropriated, to the Arkansas Development Finance Authority, to be payable from the Construction Grants Revolving Loan Fund, for providing grants to municipalities for the construction of sewage treatment facilities for the biennial period ending June 30, 1991, the following:

ITEM		FISCAL YEARS	
NO.		1989-90	1990-91
(01)	CONSTRUCTION GRANT LOANS	\$ 19,200,000	\$ 19,200,000

SECTION 6. The disbursement of the funds appropriated in Sections 4 and 5 of this Act shall be in accordance with the Construction Grants Priority System developed and administered by the Department of Pollution Control & Ecology and shall be in accordance with project requirements and regulations of the Department of Pollution Control & Ecology and the U.S. Environmental Protection Agency.

SECTION 7. Funds appropriated and transferred under Section 4 of this Act may be utilized as a source of lending to entities of government in order to match federal funds provided for the Construction Grants Program for the construction of municipal wastewater treatment facilities.

SECTION 8. (a) The Arkansas Development Finance Authority shall not employ or select any investment banker, consultant, professional financial advisor or attorney unless the selection criteria to be used in the selection has been submitted to the Arkansas Legislative Council for review.

(b) The Arkansas Development Finance Authority shall, as soon as practicable after closing any new bond issue, submit a program fact sheet for the issue to the Arkansas Legislative Council for its review. The program fact sheet shall include, but not be limited to, the fees, interest rates, average coupon life of the securities and gross spread for the issue.

SECTION 9. Highly competitive job market conditions exist for Mortgage Purchase Underwriters (Planning Specialists II). To assist the Agency to recruit and retain personnel for the Single Family Mortgage Purchase Program, the Arkansas Development Finance Authority is authorized special rates of pay for current and new employees to step six for the classification of Planning Specialist II, Grade 17, Class Code R134.

This provision shall be in full force and effect for the biennium beginning July 1, 1989 and ending June 30, 1991.

SECTION 10. EMPLOYMENT OF ATTORNEYS. None of the funds appropriated in this Act for Maintenance and General Operation shall be expended in payment for services of attorneys, unless the agency shall first make a request in writing to the Attorney General of the State of Arkansas to provide the required legal services. The Attorney General's Office shall provide the requested legal services, or, if the Attorney General's Office shall determine that sufficient personnel are not available to provide the requested legal services, the Attorney General shall certify the same to the agency and may authorize the agency to employ legal counsel and to expend monies appropriated for Maintenance and General Operations therefor, if:

(1) The Attorney General determines, and certifies in writing, that such agency needs the advice or assistance of legal counsel, and

(2) The Attorney General consents in writing to the employment of the legal counsel to be retained by the agency.

Such certification shall be required with respect to each instance of the employment of special legal counsel, or shall be required annually with respect to legal counsel employed on a retainer basis. A copy of such certification shall be entered in the official minutes of the agency, and shall be retained in the fiscal records of the agency for audit purposes.

SECTION 11. 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 Purchasing 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 12. 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 13. All provisions of this Act of a general and permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code Revision Commission shall incorporate the same in the Code.

SECTION 14. EMERGENCY CLAUSE. It is hereby found and determined by the Seventy-Seventh General Assembly, that the Constitution of the State of Arkansas prohibits the appropriation of funds for more than a two (2) year period; that the effectiveness of this Act on July 1, 1989 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 Regular Session, the delay in the effective date of this Act beyond July 1, 1989 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, 1989.

APPROVED: March 22, 1989
