

As Engrossed: 3/5/91

1 **State of Arkansas**
2 **78th General Assembly**
3 **Regular Session, 1991**
4 **By: Joint Budget Committee**

A BILL ACT 1059 OF 1991
SENATE BILL 383

For An Act To Be Entitled

8 "AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND
9 OPERATING EXPENSES FOR THE ARKANSAS DEVELOPMENT FINANCE
10 AUTHORITY FOR THE BIENNIAL PERIOD ENDING JUNE 30, 1993;
11 AND FOR OTHER PURPOSES."

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

15 SECTION 1. REGULAR SALARIES. There is hereby established for the
16 Arkansas Development Finance Authority for the 1991-93 biennium, the following
17 maximum number of regular employees whose salaries shall be governed by the
18 provisions of the Uniform Classification and Compensation Act (Arkansas Code
19 §§21-5-201 et seq.), or its successor, and all laws amendatory thereto.
20 Provided, however, that any position to which a specific maximum annual salary
21 is set out herein in dollars, shall be exempt from the provisions of said
22 Uniform Classification and Compensation Act. All persons occupying positions
23 authorized herein are hereby governed by the provisions of the Regular
24 Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its
25 successor.

			Maximum Annual		
			Maximum	Salary Rate	
Item	Class		No. of	Fiscal Years	
No.	Code	Title	Employees	1991-92	1992-93
31	(1) 9969	ADFA EXECUTIVE DIRECTOR	1	\$ 72,661	\$ 76,294
32	(2) 7479	ADFA DEPUTY DIR ECON DEVELOP	1	\$ 59,025	\$ 61,976
33	(3) 9973	ADFA DEPUTY DIRECTOR	2	\$ 55,002	\$ 57,752
34	(4) 9611	ADFA DEPUTY DIRECTOR OF AGRI	1	\$ 55,002	\$ 57,752
35	(5) 9727	ADFA MULTI FAMILY HOUSING SUPV	1	\$ 37,119	\$ 38,974
36	(6) 9787	ADFA COORD SINGLE FAM PROG	1	\$ 37,119	\$ 38,974

1	(7) 9788 ADFA CHIEF FISCAL OFFICER	1	\$ 37,119	\$ 38,974
2	(8) 7480 ADFA ECONOMIC DEVELOPMENT OFFICER	2	\$ 37,119	\$ 38,974
3	(9) 7481 ADFA EXPORT FINANCE OFFICER	1	\$ 37,119	\$ 38,974
4	(10) 400Z ADFA FISCAL MANAGER	1		GRADE 24
5	(11) N330 LICENSED ARCHITECT	1		GRADE 23
6	(12) R498 ADFA FINANCE PROGRAM COORDINATOR	5		GRADE 22
7	(13) D123 APPLICATIONS & SYSTEMS ANALYST	1		GRADE 21
8				1
9				2
10	(14) A099 FIN AUTH SPECIALIST SUPERVISOR	5		GRADE 20
11	A006 ACCOUNTING SUPV I	3		
12	(15) A111 ACCOUNTANT	6		GRADE 18
13	A096 FINANCE AUTHORITY SPECIALIST	11		
14	V040 PURCHASE AGENT II/PURCHASE AGENT	1		
15	R196 PROPERTY DISPOSITION COORD	1		
16	X315 CONSTRUCTION INSPECTOR	3		
17	(16) R010 ADMINISTRATIVE ASSISTANT II	1		GRADE 17
18	(17) R132 PLANNING SPECIALIST I	1		GRADE 16
19	(18) R009 ADMINISTRATIVE ASSISTANT I	3		GRADE 15
20	(19) K041 EXECUTIVE SECY/ADMINISTRATIVE SECY	1		GRADE 14
21	(20) K153 SECRETARY II	3		GRADE 13
22	(21) K155 SECRETARY I	<u>1</u>		GRADE 11
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SECTION 2. APPROPRIATIONS. There is hereby appropriated, to the Arkansas Development Finance Authority, to be payable from cash funds as defined by Arkansas Code 19-4-801 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, 1993, the following:

ITEM	FISCAL YEARS	
NO.	1991-92	1992-93
(01) REGULAR SALARIES	\$ 1,495,406	\$ 1,569,202
(02) PERSONAL SERV MATCHING		351,180
371,183		

1	(03)	MAINTENANCE & GENERAL OPERATIONS		
2	(A)	OPER. EXPENSES	\$516,952	\$540,388
3	(B)	CONF. & TRAVEL	53,065	55,400
4	(C)	PROF. FEES	92,445	95,795
5	(D)	CAPITAL OUTLAY	38,700	22,200
6	(E)	DATA PROCESSING	<u>0</u>	<u>0</u>
7		TOTAL MAINT. & GEN. OPER.		701,102 713,783
8	(04)	HOUSING RENTAL ASSISTANCE		7,250,000 7,500,000
9	(05)	DATA PROCESSING-NON STATE		<u>300,000</u> <u>300,000</u>
10		TOTAL AMOUNT APPROPRIATED		<u>\$ 10,097,748</u> <u>\$10,454,168</u>

11 SECTION 3. APPROPRIATIONS - HOME EQUITY LOAN PROGRAM. There is hereby
 12 appropriated, to the Arkansas Development Finance Authority, to be payable
 13 from cash funds as defined by Arkansas Code 19-4-801 of the Arkansas
 14 Development Finance Authority, for operating expenses of the Arkansas
 15 Development Finance Authority - Home Equity Loan Program for the biennial
 16 period ending June 30, 1993, the following:

18	ITEM	FISCAL YEARS	
19	NO.	1991-92	1992-93
20	(01)	MAINT. & GEN. OPERATION	
21	(A)	OPER. EXPENSES \$ 8,000 \$ 8,000	
22	(B)	CONF. & TRAVEL 0 0	
23	(C)	PROF. FEES 2,000 2,000	
24	(D)	CAPITAL OUTLAY 0 0	
25	(E)	DATA PROCESSING <u>0</u> <u>0</u>	
26		TOTAL MAINT. & GEN. OPER.	\$ 10,000 \$ 10,000
27	(02)	PAYMENT TO PARTICIPANTS	<u>9,200</u> <u>9,200</u>
28		TOTAL AMOUNT APPROPRIATED	<u>\$ 19,200</u> <u>\$ 19,200</u>

30 SECTION 4. APPROPRIATIONS - GENERAL IMPROVEMENT FUND TRANSFER. There is
 31 hereby appropriated, to the Arkansas Development Finance Authority, to be
 32 payable from the General Improvement Fund or its successor fund or fund
 33 accounts, for the purpose of allowing a fund transfer to the Construction
 34 Grants Revolving Loan Fund for the biennial period ending June 30, 1993, the
 35 following:

ITEM	FISCAL YEARS	
NO.	1991-92	1992-93
(01) TRANSFER TO CONSTRUCTION GRANTS REVOLVING LOAN FUND	<u>\$ 2,380,000</u>	<u>\$ 1,580,000</u>

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, 1993, the following:

ITEM	FISCAL YEARS	
NO.	1991-92	1992-93
(01) CONSTRUCTION GRANT LOANS	<u>\$ 66,410,282</u>	<u>\$ 75,890,282</u>

SECTION 6. APPROPRIATIONS - FARMER MAC GUARANTEED LOAN PROGRAM. There

is hereby appropriated, to the Arkansas Development Finance Authority, to be payable from cash funds as defined by Arkansas Code 19-4-801 of the Arkansas Development Finance Authority, for personal services and operating expenses of the Arkansas Development Finance Authority - Farmer Mac Guaranteed Loan Program for the biennial period ending June 30, 1993, the following:

ITEM	FISCAL YEARS	
NO.	1991-92	1992-93
(01) REGULAR SALARIES	\$ 52,536	\$ 55,196
(02) PERSONAL SERV MATCHING	12,423	13,137
(03) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSES	\$ 11,550	\$ 12,120
(B) CONF. & TRAVEL	2,870	3,005
(C) PROF. FEES	6,000	5,000
(D) CAPITAL OUTLAY	1,000	1,000
(E) DATA PROCESSING	<u>0</u>	
TOTAL MAINT. & GEN. OPER.	<u>21,420</u>	<u>21,125</u>

1 TOTAL AMOUNT APPROPRIATED \$ 86,379 \$ 89,458

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3 SECTION 7. APPROPRIATIONS - AGRICULTURAL LOAN MEDIATION AND DEVELOPMENT

4 PROGRAM. There is hereby appropriated, to the Arkansas Development Finance
 5 Authority, to be payable from cash funds as defined by Arkansas Code 19-4-801
 6 of the Arkansas Development Finance Authority, for personal services and
 7 operating expenses of the Arkansas Development Finance Authority -
 8 Agricultural Loan Mediation and Development Program for the biennial period
 9 ending June 30, 1993, the following:

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11 ITEM		FISCAL YEARS	
12 NO.		1991-92	1992-93
13 (01)	REGULAR SALARIES	\$ 138,917	\$ 145,915
14 (02)	PERSONAL SERV MATCHING	30,687	32,402
15 (03)	MAINT. & GEN. OPERATION		
16 (A)	OPER. EXPENSES \$ 31,505	\$ 33,050	
17 (B)	CONF. & TRAVEL 5,780	6,060	
18 (C)	PROF. FEES 14,000	14,000	
19 (D)	CAPITAL OUTLAY 1,400	1,400	
20 (E)	DATA PROCESSING <u>0</u>		
21	TOTAL MAINT. & GEN. OPER.	<u>52,685</u>	<u>54,510</u>
22	TOTAL AMOUNT APPROPRIATED	<u>\$ 222,289</u>	<u>\$ 232,827</u>

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24 SECTION 8. APPROPRIATIONS - SMALL BUSINESS REVOLVING LOAN PROGRAM.

25 There is hereby appropriated, to the Arkansas Development Finance Authority,
 26 to be payable from the Small Business Revolving Loan Cash Fund, for business
 27 development loans in accordance with the small business Act of 1989 (Act 623
 28 of 1989) for the biennial period ending June 30, 1993, the sum of
 29 \$2,000,000.

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31 SECTION 9. (a) The disbursement of the funds appropriated in Sections 4
 32 and 5 of this Act shall be in accordance with the Construction Grants Priority
 33 System developed and administered by the Department of Pollution Control &
 34 Ecology and shall be in accordance with project requirements and regulations
 35 of the Department of Pollution Control & Ecology and the U.S. Environmental

1 Protection Agency.

2 (b) Any unexpended balance of the appropriation authorized for Transfer to
3 Construction Grants Revolving Loan Fund in Section 4 of this Act and for
4 Construction Grant Loans in Section 5 of this Act which remains at the close
5 of the fiscal year ending June 30, 1992, shall be carried forward and made
6 available for the same purposes for the fiscal year ending June 30, 1993.

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8 SECTION 10. Funds appropriated and transferred under Section 4 of this
9 Act may be utilized as a source of lending or to facilitate lending to
10 entities of the government in order to match federal funds provided for the
11 Construction Grants Program for the construction of municipal wastewater
12 treatment facilities.

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14 SECTION 11. *SMALL BUSINESS REVOLVING LOAN CASH FUND.* Funds
15 appropriated in Section 8 of this Act shall be used for the purpose of making
16 or securing business development loans to new or expanding businesses located
17 in Arkansas. Loan amounts shall not exceed one hundred thousand dollars
18 (\$100,000) each.

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20 SECTION 12. EMPLOYMENT OF ATTORNEYS. None of the funds appropriated in
21 this Act for Maintenance and General Operation shall be expended in payment
22 for services of attorneys, unless the agency shall first make a request in
23 writing to the Attorney General of the State of Arkansas to provide the
24 required legal services. The Attorney General's Office shall provide the
25 requested legal services, or, if the Attorney General's Office shall determine
26 that sufficient personnel are not available to provide the requested legal
27 services, the Attorney General shall certify the same to the agency and may
28 authorize the agency to employ legal counsel and to expend monies appropriated
29 for Maintenance and General Operations therefor, if:

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

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

34 Such certification shall be required with respect to each instance of
35 the employment of special legal counsel, or shall be required annually with

1 respect to legal counsel employed on a retainer basis. A copy of such
2 certification shall be entered in the official minutes of the agency, and
3 shall be retained in the fiscal records of the agency for audit purposes.
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5 SECTION 13. COMPLIANCE WITH OTHER LAWS. Disbursement of funds
6 authorized by this Act shall be limited to the appropriation for such agency
7 and funds made available by law for the support of such appropriations; and
8 the restrictions of the State Purchasing Law, the General Accounting and
9 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary
10 Procedures and Restrictions Act, or their successors, and other fiscal control
11 laws of this State, where applicable, and regulations promulgated by the
12 Department of Finance and Administration, as authorized by law, shall be
13 strictly complied with in disbursement of said funds.
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15 SECTION 14. LEGISLATIVE INTENT. It is the intent of the General
16 Assembly that any funds disbursed under the authority of the appropriations
17 contained in this Act shall be in compliance with the stated reasons for which
18 this Act was adopted, as evidenced by the Agency Requests, Executive
19 Recommendations and Legislative Recommendations contained in the budget
20 manuals prepared by the Department of Finance and Administration, letters, or
21 summarized oral testimony in the official minutes of the Arkansas Legislative
22 Council or Joint Budget Committee which relate to its passage and adoption.
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24 SECTION 15. CODE. All provisions of this Act of a general and
25 permanent nature are amendatory to the Arkansas Code of 1987 Annotated and
26 the Arkansas Code Revision Commission shall incorporate the same in the Code.
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28 SECTION 16. SEVERABILITY. If any provision of this Act or the
29 application thereof to any person or circumstance is held invalid, such
30 invalidity shall not affect other provisions or applications of the Act which
31 can be given effect without the invalid provision or application, and to this
32 end the provisions of this Act are declared to be severable.
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34 SECTION 17. GENERAL REPEALER. All laws and parts of laws in conflict
35 with this Act are hereby repealed.

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SECTION 18. HEALTH PREMIUMS. The Arkansas Development Finance Authority shall not, during the 1992-93 fiscal year, spend more for health insurance per employee than the amount being contributed to the State Employees Health Insurance Program.

SECTION 19. EMERGENCY CLAUSE. It is hereby found and determined by the Seventy-Eighth 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, 1991 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, 1991 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, 1991.

/s/Russ

APPROVED: 4-9-91

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