

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas
2 81st General Assembly
3 Regular Session, 1997
4

As Engrossed: S2/6/97 S2/11/97 S2/21/97

A Bill

ACT 849 OF 1997
SENATE BILL 135

5 By: Joint Budget Committee
6
7

For An Act To Be Entitled

9 "AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL SERVICES AND
10 OPERATING EXPENSES FOR THE ARKANSAS DEVELOPMENT FINANCE
11 AUTHORITY FOR THE BIENNIAL PERIOD ENDING JUNE 30, 1999;
12 AND FOR OTHER PURPOSES."
13

Subtitle

14 "AN ACT FOR THE ARKANSAS DEVELOPMENT
15 FINANCE AUTHORITY APPROPRIATION FOR THE
16 1997-99 BIENNIUM."
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19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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21 SECTION 1. REGULAR SALARIES. There is hereby established for the
22 Arkansas Development Finance Authority for the 1997-99 biennium, the following
23 maximum number of regular employees whose salaries shall be governed by the
24 provisions of the Uniform Classification and Compensation Act (Arkansas Code
25 §21-5-201 et seq.), or its successor, and all laws amendatory thereto.
26 Provided, however, that any position to which a specific maximum annual salary
27 is set out herein in dollars, shall be exempt from the provisions of said
28 Uniform Classification and Compensation Act. All persons occupying positions
29 authorized herein are hereby governed by the provisions of the Regular
30 Salaries Procedures and Restrictions Act (Arkansas Code §21-5-101), or its
31 successor.
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Item	Class	No. of	Maximum Annual
		Employees	Salary Rate
			Fiscal Years
No.	Code	Title	1997-98 1998-99

1	(1)	9969	ADFA EXECUTIVE DIRECTOR	1	\$ 93,307	\$ 95,919
2	(2)	7479	ADFA DEPUTY DIR ECON DEVELOP	1	\$ 75,796	\$ 77,918
3	(3)	9973	ADFA DEPUTY DIRECTOR	2	\$ 70,629	\$ 72,606
4	(4)	9611	ADFA DEPUTY DIRECTOR OF AGRI	1	\$ 70,629	\$ 72,606
5	(5)	9961	ADFA DEPUTY DIR - AQUA CULTURAL	1	\$ 70,423	\$ 72,394
6	(6)	8700	GENERAL COUNSEL	1	\$ 66,484	\$ 68,345
7	(7)	8819	ADFA PROGRAM OFFICER	5	\$ 59,284	\$ 60,943
8	(8)	9727	ADFA MULTI FAMILY HOUSING SUPV	1	\$ 47,663	\$ 48,997
9	(9)	7481	ADFA EXPORT FINANCE OFFICER	1	\$ 47,663	\$ 48,997
10	(10)	7480	ADFA ECONOMIC DEVELOPMENT OFFICER	1	\$ 47,663	\$ 48,997
11	(11)	8033	ADFA ASST. DIR. - AQUACULTURE	1	\$ 30,500	
12	(12)	400Z	ADFA FISCAL MANAGER	1		GRADE 24
13	(13)	N330	LICENSED ARCHITECT	1		GRADE 23
14	(14)	R498	ADFA FINANCE PROGRAM COORDINATOR	4		GRADE 22
15	(15)	D123	APPLICATIONS & SYSTEMS ANALYST	1		GRADE 21
16		A008	ACCOUNTING SUPERVISOR II	2		
17		D036	SR PROGRAMMER/ANALYST	1		
18	(16)	A099	FIN AUTH SPECIALIST SUPERVISOR	5		GRADE 20
19		A006	ACCOUNTING SUPERVISOR I	3		
20	(17)	A111	ACCOUNTANT	5		GRADE 18
21		A096	FINANCE AUTHORITY SPECIALIST	11		
22		V040	PURCHASE AGENT II/PURCHASE AGENT	1		
23		R196	PROPERTY DISPOSITION COORD	1		
24		X315	CONSTRUCTION INSPECTOR	2		
25	(18)	R010	ADMINISTRATIVE ASSISTANT II	1		GRADE 17
26	(19)	R132	PLANNING SPECIALIST I	1		GRADE 16
27	(20)	R009	ADMINISTRATIVE ASSISTANT I	2		GRADE 15
28	(21)	K041	EXECUTIVE SECY./ADMINISTRATIVE SECY.	1		GRADE 14
29	(22)	K153	SECRETARY II	<u>1</u>		GRADE 13
30			MAX NO. OF EMPLOYEES	61		

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32 SECTION 2. APPROPRIATIONS. There is hereby appropriated, to the
 33 Arkansas Development Finance Authority, to be payable from cash funds as
 34 defined by Arkansas Code 19-4-801 of the Arkansas Development Finance
 35 Authority, for personal services and operating expenses of the Arkansas

1 Development Finance Authority for the biennial period ending June 30, 1999,
 2 the following:

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ITEM		FISCAL YEARS	
NO.		1997-98	1998-99
6 (01)	REGULAR SALARIES	\$ 2,163,563	\$ 2,224,151
7 (02)	PERSONAL SERV MATCHING	543,286	555,164
8 (03)	MAINT. & GEN. OPERATION		
9	(A) OPER. EXPENSE	540,388	540,388
10	(B) CONF. & TRVL.	55,400	55,400
11	(C) PROF. FEES	79,580	79,580
12	(D) CAP. OUTLAY	22,000	22,000
13	(E) DATA PROC.	0	0
14 (04)	HOUSING RENTAL ASSISTANCE	7,500,000	7,500,000
15 (05)	DATA PROCESSING SERVICES	175,000	175,000
16 (06)	HUD HOME PROGRAM	<u>12,500,000</u>	<u>12,500,000</u>
17	TOTAL AMOUNT APPROPRIATED	<u>\$ 23,579,217</u>	<u>\$ 23,651,682</u>

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19 SECTION 3. APPROPRIATIONS - HOME EQUITY LOAN PROGRAM. There is hereby
 20 appropriated, to the Arkansas Development Finance Authority, to be payable
 21 from cash funds as defined by Arkansas Code 19-4-801 of the Arkansas
 22 Development Finance Authority, for operating expenses of the Arkansas
 23 Development Finance Authority - Home Equity Loan Program for the biennial
 24 period ending June 30, 1999, the following:

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ITEM		FISCAL YEARS	
NO.		1997-98	1998-99
28 (01)	MAINT. & GEN. OPERATION		
29	(A) OPER. EXPENSE	8,000	8,000
30	(B) CONF. & TRVL.	0	0
31	(C) PROF. FEES	1,040	1,040
32	(D) CAP. OUTLAY	0	0
33	(E) DATA PROC.	0	0
34 (02)	PAYMENT TO PARTICIPANTS	<u>\$ 8,288</u>	<u>\$ 8,288</u>
35	TOTAL AMOUNT APPROPRIATED	<u>\$ 17,328</u>	<u>\$ 17,328</u>

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2 SECTION 4. APPROPRIATIONS - FARMER MAC GUARANTEED LOAN PROGRAM. There
 3 is hereby appropriated, to the Arkansas Development Finance Authority, to be
 4 payable from cash funds as defined by Arkansas Code 19-4-801 of the Arkansas
 5 Development Finance Authority, for operating expenses of the Arkansas
 6 Development Finance Authority - Farmer Mac Guaranteed Loan Program for the
 7 biennial period ending June 30, 1999, the following:

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9 ITEM	FISCAL YEARS	
10 NO.	1997-98	1998-99
11 (01) REGULAR SALARIES	\$ 56,523	\$ 58,086
12 (02) PERSONAL SERV MATCHING	16,035	16,310
13 (03) MAINT. & GEN. OPERATION		
14 (A) OPER. EXPENSE	10,500	10,500
15 (B) CONF. & TRVL.	3,005	3,005
16 (C) PROF. FEES	2,600	2,600
17 (D) CAP. OUTLAY	0	0
18 (E) DATA PROC.	<u>0</u>	<u>0</u>
19 TOTAL AMOUNT APPROPRIATED	<u>\$ 88,663</u>	<u>\$ 90,501</u>

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21 SECTION 5. APPROPRIATIONS - AGRICULTURAL LOAN MEDIATION. There is
 22 hereby appropriated, to the Arkansas Development Finance Authority, to be
 23 payable from cash funds as defined by Arkansas Code 19-4-801 of the Arkansas
 24 Development Finance Authority, for personal services and operating expenses of
 25 the Arkansas Development Finance Authority - Agricultural Loan Mediation and
 26 Development Program for the biennial period ending June 30, 1999, the
 27 following:

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29 ITEM	FISCAL YEARS	
30 NO.	1997-98	1998-99
31 (01) REGULAR SALARIES	\$ 154,047	\$ 158,360
32 (02) PERSONAL SERV MATCHING	35,969	36,853
33 (03) MAINT. & GEN. OPERATION		
34 (A) OPER. EXPENSE	37,458	37,458
35 (B) CONF. & TRVL.	6,060	6,060

1	(C) PROF. FEES	6,400	6,400
2	(D) CAP. OUTLAY	0	0
3	(E) DATA PROC.	0	0
4	TOTAL AMOUNT APPROPRIATED	<u>\$ 239,934</u>	<u>\$ 245,131</u>

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6 SECTION 6. SPECIAL LANGUAGE. The disbursement of funds appropriated in
 7 Item (06) of Section 2 of this Act shall be in accordance with the State of
 8 Arkansas Comprehensive Housing Affordability Strategy developed and
 9 administered by the Arkansas Development Finance Authority and shall be in
 10 accordance with project requirements and regulations of the U.S. Department of
 11 Housing and Urban Development HOME Program.

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13 SECTION 7. SPECIAL LANGUAGE. CARRY FORWARD. Any unexpended balance of
 14 the appropriation authorized in Item (06) of Section 2 of this Act which
 15 remains at the close of the fiscal year ending June 30, 1998 shall be carried
 16 forward and made available for the same purpose for the fiscal year ended June
 17 30, 1999.

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19 SECTION 8. EMPLOYMENT OF ATTORNEYS. None of the funds appropriated in
 20 this Act for Maintenance and General Operation shall be expended in payment
 21 for services of attorneys, unless the agency shall first make a request in
 22 writing to the Attorney General of the State of Arkansas to provide the
 23 required legal services. The Attorney General's Office shall provide the
 24 requested legal services, or, if the Attorney General's Office shall determine
 25 that sufficient personnel are not available to provide the requested legal
 26 services, the Attorney General shall certify the same to the agency and may
 27 authorize the agency to employ legal counsel and to expend monies appropriated
 28 for Maintenance and General Operations therefor, if:

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

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

33 Such certification shall be required with respect to each instance of
 34 the employment of special legal counsel, or shall be required annually with
 35 respect to legal counsel employed on a retainer basis. A copy of such

1 certification shall be entered in the official minutes of the agency, and
2 shall be retained in the fiscal records of the agency for audit purposes.

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

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14 SECTION 10. LEGISLATIVE INTENT. It is the intent of the General
15 Assembly that any funds disbursed under the authority of the appropriations
16 contained in this Act shall be in compliance with the stated reasons for which
17 this Act was adopted, as evidenced by the Agency Requests, Executive
18 Recommendations and Legislative Recommendations contained in the budget
19 manuals prepared by the Department of Finance and Administration, letters, or
20 summarized oral testimony in the official minutes of the Arkansas Legislative
21 Council or Joint Budget Committee which relate to its passage and adoption.

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23 SECTION 11. CODE. All provisions of this Act of a general and
24 permanent nature are amendatory to the Arkansas Code of 1987 Annotated and the
25 Arkansas Code Revision Commission shall incorporate the same in the Code.

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27 SECTION 12. SEVERABILITY. If any provision of this Act or the
28 application thereof to any person or circumstance is held invalid, such
29 invalidity shall not affect other provisions or applications of the Act which
30 can be given effect without the invalid provision or application, and to this
31 end the provisions of this Act are declared to be severable.

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33 SECTION 13. GENERAL REPEALER. All laws and parts of laws in conflict
34 with this Act are hereby repealed.

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1 SECTION 14. EMERGENCY CLAUSE. It is hereby found and determined by the
2 Eighty-First General Assembly, that the Constitution of the State of Arkansas
3 prohibits the appropriation of funds for more than a two (2) year period; that
4 the effectiveness of this Act on July 1, 1997 is essential to the operation of
5 the agency for which the appropriations in this Act are provided, and that in
6 the event of an extension of the Regular Session, the delay in the effective
7 date of this Act beyond July 1, 1997 could work irreparable harm upon the
8 proper administration and provision of essential governmental programs.
9 Therefore, an emergency is hereby declared to exist and this Act being
10 necessary for the immediate preservation of the public peace, health and
11 safety shall be in full force and effect from and after July 1, 1997.

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/s/Russ et al

APPROVED:3-27-97

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