

State of Arkansas

76th General Assembly

Regular Session, 1987

AS ENGROSSED 2/21/87

HOUSE BILL 1638

By: Joint Budget Committee

AS ENGROSSED 4/08/87

"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, 1989; 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 1987-89 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	Class	No. _____	Code _____	Title _____	Maximum	Maximum Annual	
						No. of	Salary Rate
		Employees				Fiscal Years	
						1987-88	1988-89
(1)	9969	ADFA	EXECUTIVE	DIRECTOR	1	\$51,062	\$51,062
(2)	7479	ADFA	DEPUTY DIR	ECON DEVELOP	1	\$46,420	\$46,420
(3)	9973	ADFA	DEPUTY	DIRECTOR	2	\$43,255	\$43,255
(4)	9727	ADFA	MULTI FAMILY	HOUSING SUPV	1	\$29,871	\$29,871
(5)	9787	ADFA	COORD	SINGLE FAM PROG	1	\$29,871	\$29,871
(6)	9788	HOUSING	DEV	CHIEF FISCAL OFFICER	1	\$29,871	\$29,871
(7)	7480	ADFA	ECONOMIC	DEVELOPMENT OFFICER	1	\$29,871	\$29,871
(8)	N330	ARCHITECT	II		1		GRADE 23

(9) D066 SYSTEMS COORDINATION ANALYST	1	GRADE 21
(10) A008 ACCOUNTING SUPV II	1	GRADE 20
(11) R266 MANAGEMENT PROJECT ANALYST II	2	GRADE 19
(12) A006 ACCOUNTING SUPV I	3	GRADE 18
(13) A004 ACCOUNTANT II	7	GRADE 17
R134 PLANNING SPECIALIST II	12	
R196 HOUSING DEVELOPMENT OFFICER	1	
X315 CONSTRUCTION INSPECTOR	3	
(14) R009 ADMINISTRATIVE ASSISTANT I	3	GRADE 14
R132 PLANNING SPECIALIST I	1	
(15) K041 EXECUTIVE SECY/ADMINISTRATIVE SECY	1	GRADE 13
(16) K153 SECRETARY II	3	GRADE 11
(17) K155 SECRETARY I	<u>1</u>	GRADE 09
MAX NO. OF EMPLOYEES	48	

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, 1989, the following:

ITEM	FISCAL YEARS	
NO. _____	1987-88 _____	1988-89 _____
(01) REGULAR SALARIES	\$ 916,743	\$ 948,151
(02) PERSONAL SERV MATCHING	202,226	209,208
(03) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSES	\$ 313,840	\$ 350,605
(B) CONF. & TRAVEL	25,500	27,660
(C) PROF. FEES	42,931	45,931
(D) CAPITAL OUTLAY	16,500	9,000
(E) DATA PROCESSING	_____0	_____0
TOTAL MAINT. & GEN. OPER.	398,771	433,196
(04) DATA PROCESSING SERV-NON STATE AGENCY	55,000	55,000
(05) SECTION 8 - HOUSING RENTAL ASSISTANCE		
PAYMENT PROGRAM	<u>6,250,000</u>	<u>6,500,000</u>
TOTAL AMOUNT APPROPRIATED	\$ 7,822,740	\$ 8,145,555

SECTION 3. 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, 1987 and ending June 30, 1989.

SECTION 4. APPROPRIATIONS. There is hereby appropriated to the Arkansas Development Finance Authority - Home Equity Loan Program, 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, 1989, the following:

ITEM	FISCAL YEARS	
NO. _____	1987-88 _____	1988-89 _____
(01) MAINT. & GEN. OPERATION		
(A) OPER. EXPENSES     \$	13,800	\$ 13,800
(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.	15,000	15,000
(02) PAYMENT TO PARTICIPANTS	\$ _____	\$ _____
TOTAL AMOUNT APPROPRIATED	\$ 135,000	\$ 135,000

SECTION 5. 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 6. (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 making such selection and the compensation proposed to be paid for such services has been submitted to and approved by the Arkansas Legislative Council. The approval of the Legislative Council shall be by a majority vote of the membership of the Council.

(b) The Arkansas Development Finance Authority shall not enter into any bond purchase agreement with any party or parties unless it has first obtained approval of the fees, interest rates, average coupon, average life of the securities and gross spread, by the Arkansas Legislative Council. Approval of the Council shall be by a majority vote of the membership of the Council.

SECTION 7. 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 8. 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 9. CONTRACT RESTRICTIONS. The agency, board, commission, department or institution to whom funds are appropriated by this Act shall not enter into any contract for any professional or consultant services which shall extend for more than twenty (20) actual working days or the total compensation exceeds five thousand dollars (\$5,000) during any one fiscal year without first seeking the advice of the Arkansas Legislative Council. Provided further, that all contracts for professional or consultant services shall be submitted monthly to the Chief Fiscal Officer of the State for reporting to the Legislative Council.

SECTION 10. EMERGENCY CLAUSE. It is hereby found and determined by the Seventy-Sixth 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, 1987 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, 1987 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, 1987.

/s/ John E. Miller

