

1 **State of Arkansas**
2 **79th General Assembly**
3 **Regular Session, 1993**
4 **By: Representative J. Miller**

A Bill

ACT 1095 OF 1993
HOUSE BILL 1338

For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE 14-284-304, 14-284-305(a),
9 14-284-306 AND 14-284-307(c) RELATING TO THE ARKANSAS
10 FORESTRY COMMISSION'S RURAL FIRE FIGHTING EQUIPMENT
11 ASSISTANCE PROGRAM; AND FOR OTHER PURPOSES."

Subtitle

14 "RELATING TO THE FORESTRY COMMISSION'S RURAL FIRE FIGHTING
15 EQUIPMENT ASSISTANCE PROGRAM."

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

19 SECTION 1. Arkansas Code 14-284-304 is amended to read as follows:

20 "14-284-304. Powers and duties.

21 The Rural Fire Protection Service of the Arkansas Forestry Commission
22 shall have the following powers, functions, and duties to be performed under
23 appropriate policies, rules, and regulations promulgated by the Arkansas
24 Forestry Commission:

25 (1) To develop rural fire protection plans for the providing of fire
26 protection services in the various rural areas of this state which do not have
27 available the benefits or services of an organized or voluntary fire fighting
28 program, and to assist existing organized or volunteer fire fighting services;

29 (2) To encourage the establishment of rural fire protection districts
30 and to promulgate reasonable and necessary rules and regulations that rural
31 communities must meet in order to become eligible to secure fire fighting
32 vehicles and equipment through the Arkansas Forestry Commission;

33 (3) To cooperate with and assist the State Fire Training Academy in
34 developing training programs designed to instruct and train fire fighters
35 employed or used by rural fire protection districts in the suppression of
36 fires, and to especially establish training programs designed to prepare rural

1 fire fighters in the methods of handling fire fighting problems encountered in
2 rural areas;

3 (4) To provide leadership and to cooperate with the Office of Emergency
4 Services of this state, the State Fire Marshal's office, and the State Fire
5 Training Academy, in coordinating the efforts of these agencies with the
6 efforts and services of rural fire protection districts, for the purpose of
7 coordinating and making maximum use of the services and resources of this
8 state in providing rural fire protection services in this state;

9 (5) To establish a program to obtain by acquisition, donation,
10 transfer, loan or purchase, vehicles and other properties, which are suitable
11 for repair, refurbishing, and renovation, to be used as fire trucks or other
12 fire fighting equipment, and to acquire the necessary tanks, pumps, water
13 hoses, and other equipment to convert and adapt the equipment for fire
14 fighting purposes, and to make the equipment available to rural fire
15 protection districts, under appropriate rules and regulations and eligibility
16 standards promulgated by the Arkansas Forestry Commission, to be used by rural
17 fire protection districts in the suppression of fires;

18 (6) To provide technical assistance and guidance to rural fire
19 protection districts, to cooperate with and assist persons interested in the
20 creation of the districts in the collection of data and providing other
21 resources or technical assistance to aid rural property owners in efforts to
22 establish rural fire protection services, and to provide technical advice and
23 assistance to rural fire protection districts to enable the districts to
24 obtain and operate the necessary equipment and training and operating
25 procedures to function efficiently as a rural fire protection district;

26 (7) To contract with the Department of Correction for providing
27 mechanical, painting, body work, or other repair services relative to the
28 conversion, painting, and adaptation of vehicles being converted into fire
29 protection vehicles, and to reimburse the Department of Correction for the
30 cost of the services;

31 (8) To promulgate appropriate rules, regulations, and forms for the
32 administration of the Rural Fire Protection Revolving Fund, which shall
33 consist of moneys made available for it to be used by the Arkansas Forestry
34 Commission in defraying the initial cost of equipment, repair, furnishing, and
35 adaptation of vehicles as fire trucks, or other fire fighting equipment, with

1 the cost to be reimbursed to the Arkansas Forestry Commission upon the vehicle
2 being made available to a rural fire protection district or similar rural fire
3 fighting agency which operates not-for-profit and, in addition, to make loans,
4 as provided in this subchapter, to rural fire protection districts to provide
5 a portion of the moneys required to enable the districts to acquire vehicles
6 and equipment from the Arkansas Forestry Commission; and

7 (9) To perform such other functions and duties which may be necessary
8 to enable the Arkansas Forestry Commission to provide a program of
9 comprehensive services to encourage the development and availability of rural
10 fire protection services throughout this state."

11

12 SECTION 2. Arkansas Code 14-284-305(a) is amended to read as follows:

13 "(a) There is created and established on the books of the Treasurer of
14 State, the Auditor of State, and the Department of Finance and Administration
15 the Rural Fire Protection Revolving Fund, into which shall be transferred or
16 deposited the moneys to be provided by law for the fund, to be used as a
17 revolving fund by the Arkansas Forestry Commission for:

18 (1) The acquisition by the Arkansas Forestry Commission of vehicles and
19 for the payment of charges for labor, equipment, and materials necessary to
20 convert the vehicles into fire fighting vehicles suitable for rural fire
21 protection service, and to make reimbursement to the fund upon making the
22 vehicles available to rural fire protection districts, as provided by law; and

23 (2) Making loans to rural fire protection districts which apply therefor
24 and which are qualified under rules and regulations promulgated by the
25 Arkansas Forestry Commission as qualified rural fire protection districts.

26 (A) The loans shall be used by qualified rural fire protection
27 districts to provide moneys required to pay not more than seventy-five percent
28 (75%) of the cost of acquiring, repairing, renovating, or equipping fire
29 fighting vehicles which have been converted and adapted by the Arkansas
30 Forestry Commission for rural fire protection use.

31 (B) However, the moneys loaned to a rural fire protection district from
32 the Rural Fire Protection Revolving Fund shall be used exclusively to defray a
33 portion of the cost of acquiring the fire fighting equipment from the Arkansas
34 Forestry Commission.

35 (C) The Arkansas Forestry Commission may establish a reasonable rate of

1 interest to be charged on loans made from the revolving fund."

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3 SECTION 3. Arkansas Code 14-284-306 is amended to read as follows:

4 "14-284-306. Acquisition and renovation of equipment.

5 (a) The Arkansas Forestry Commission may provide through existing
6 facilities, or such expanded facilities as may be required therefor, a program
7 of acquisition of vehicles which are suitable for conversion to fire fighting
8 equipment, and may repair, refinish, and equip the vehicles for use as fire
9 fighting equipment, including the acquisition and furnishing of tanks, pumps,
10 hoses, and other equipment necessary for fire fighting purposes, and, upon
11 renovation thereof, may make them available to a rural fire protection
12 district or other rural fire protection district or service which operates
13 not-for-profit, and recover the cost of acquisition and repair or refurbishing
14 of the vehicle, plus a nominal charge to cover departmental overhead for the
15 services performed.

16 (b) All moneys acquired from the recovery of the cost of the fire
17 fighting equipment by the Arkansas Forestry Commission shall be deposited as
18 nonrevenue receipts in the Rural Fire Protection Revolving Fund in the State
19 Treasury."

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21 SECTION 4. Arkansas Code 14-284-307(c) is amended to read as follows:

22 "(c) The loans shall be for such period as may be approved by
23 regulation of the Arkansas Forestry Commission, and in no event may any loan
24 be for more than three (3) years."

25

26 SECTION 5. All provisions of this act of a general and permanent nature
27 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
28 Revision Commission shall incorporate the same in the Code.

29

30 SECTION 6. If any provision of this act or the application thereof to
31 any person or circumstance is held invalid, such invalidity shall not affect
32 other provisions or applications of the act which can be given effect without
33 the invalid provision or application, and to this end the provisions of this
34 act are declared to be severable.

35 SECTION 7. All laws and parts of laws in conflict with this act are

1 hereby repealed.

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APPROVED: 04/13/93