

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

A Bill

HOUSE BILL 1915

For An Act To Be Entitled

8 "AN ACT TO AMEND ARKANSAS CODE ANNOTATED §14-27-102 TO ADD
9 A RURAL FIRE CHIEF TO THE MEMBERSHIP OF EACH COUNTY
10 INTERGOVERNMENTAL COOPERATION COUNCIL; TO AMEND ARKANSAS
11 CODE ANNOTATED §14-284-403 (a) (2) TO ASSURE CERTIFIED FIRE
12 DEPARTMENTS RECEIVE CERTAIN FUNDS FROM THE RURAL FIRE
13 PROTECTION REVOLVING FUND; AND FOR OTHER PURPOSES."

Subtitle

16 "AN ACT TO ADD A RURAL FIRE CHIEF TO EACH COUNTY
17 INTERGOVERNMENTAL COOPERATION COUNCIL AND TO ASSURE THAT
18 FIRE DEPARTMENTS RECEIVE CERTAIN FUNDS."

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

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22 SECTION 1. Arkansas Code Annotated §14-27-102 is amended to read as
23 follows:

24 "§14-27-102. Creation - Membership, etc.

25 (a) There is established within each county of this state a county
26 intergovernmental cooperation council to facilitate cooperation among all the
27 local government subdivisions of each county, to encourage the efficient use
28 of local government resources, and to eliminate the duplication of services by
29 local governments.

30 (b) The membership of each cooperation council shall consist of the
31 county judge, the county clerk, and the mayor of each city and incorporated
32 town within each county, and one (1) fire chief of a rural volunteer fire
33 department to be selected with the approval of a majority of the certified
34 rural volunteer fire departments in the county.

35 (1) The county judge of each county shall serve as chairman of

1 the cooperation council.

2 (2) The county clerk of each county shall serve as the secretary
3 of the cooperation council, shall preside over cooperation council meetings in
4 the absence of the council chairman, and shall be responsible for writing and
5 submitting all reports of the cooperation council.

6 (c) Each member of the council shall have one (1) vote for the local
7 government jurisdiction they represent on the cooperation council, except the
8 chairman who shall vote only in the case of a tie vote.

9 (d) The members of the cooperation council shall serve without
10 compensation for their services.

11 (e) A quorum shall consist of a majority of the council's membership
12 and shall be necessary to conduct its business."

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14 SECTION 2. Arkansas Code Annotated §14-284-403(a)(2) is amended to read
15 as follows:

16 "(2) The moneys shall be apportioned by each quorum court to the
17 districts and municipalities within the county based upon population and
18 *I.S.O. fire rating* unless the County Intergovernmental Cooperation Council
19 notifies the quorum court of the fire protection needs of the districts and
20 municipalities, in which case the moneys shall be apportioned by the quorum
21 court based on those needs. Such funds shall be distributed to municipalities
22 and those certified departments in districts which are in compliance with this
23 subchapter and §§20-22-801 - 20-22-809. *Fire departments which are not*
24 certified by the Office of Fire Protection Services pursuant to §§20-22-801 -
25 20-22-809 shall also be eligible to receive moneys disbursed under this
26 section so long as all moneys received or spent directly on equipment,
27 training, capital improvements, or other expenditures necessary for upgrading
28 the service provided by the department."

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30 SECTION 3. All provisions of this act of a general and permanent nature
31 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
32 Revision Commission shall incorporate the same in the Code.

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34 SECTION 4. If any provision of this act or the application thereof to
35 any person or circumstance is held invalid, such invalidity shall not affect

1 other provisions or applications of the act which can be given effect without
2 the invalid provision or application, and to this end the provisions of this
3 act are declared to be severable.

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5 SECTION 5. All laws and parts of laws in conflict with this act are
6 hereby repealed.

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8 SECTION 6. EMERGENCY. *It is hereby found and determined by the General*
9 *Assembly of the State of Arkansas that this act is necessary to encourage*
10 *cooperation between local government jurisdictions so that services to the*
11 *public may be provided in the most efficient and advantageous manner possible.*
12 *Therefore, an emergency is hereby declared to exist and this act being*
13 *necessary for the immediate preservation of the public peace, health, and*
14 *safety, shall be in full force and effect from and after its passage and*
15 *approval.*

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/s/Mark Riable

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As Engrossed: 3/15/93 3/18/93

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