

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas  
2 87th General Assembly  
3 Regular Session, 2009  
4

As Engrossed: H3/5/09 H3/12/09

# A Bill

HOUSE BILL 1704

5 By: Representatives Reep, Hardy, Maloch, G. Smith, Cole, Abernathy  
6 By: Senator G. Jeffress  
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8

## For An Act To Be Entitled

10 AN ACT TO MAKE AN APPROPRIATION FOR PERSONAL  
11 SERVICES AND OPERATING EXPENSES FOR THE SAU-TECH  
12 - FIRE TRAINING ACADEMY FOR THE FISCAL YEAR  
13 ENDING JUNE 30, 2010; AND FOR OTHER PURPOSES.  
14  
15

### Subtitle

16 AN ACT FOR THE SAU-TECH - FIRE TRAINING  
17 ACADEMY APPROPRIATION FOR THE 2009-2010  
18 FISCAL YEAR.  
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21

22 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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24 SECTION 1. APPROPRIATION - FIRE TRAINING ACADEMY. There is hereby  
25 appropriated, to the SAU-Tech, to be payable from the SAU-Tech Fund, in  
26 addition to appropriation for personal services and operating expenses of the  
27 SAU-Tech - Fire Training Academy for the fiscal year ending June 30, 2010,  
28 the following:  
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30 ITEM	FISCAL YEAR
31 <u>NO.</u>	<u>2009-2010</u>
32 (01) PERSONAL SERVICES AND OPERATING	
33 EXPENSES	<u>\$ 700,000</u>

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35 SECTION 2. SPECIAL LANGUAGE. Arkansas Code Annotated Title 19, Chapter  
36 6, Section 468, concerning Fire Protection Premium Tax Fund and special



1 revenues, is amended:

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3 19-6-468. Fire Protection Premium Tax Fund.

4 (a) There is created upon the books of the Treasurer of State, the Auditor  
5 of State, and the Chief Fiscal Officer of the State a special revenue fund to  
6 be known as the Fire Protection Premium Tax Fund, which shall consist of  
7 those special revenues as specified in § 19-6-301(164) there to be used for  
8 fire protection services as set out in § 26-57-614 and § 14-284-401 et seq.

9 (b)(1) The Insurance Commissioner shall immediately deposit all moneys  
10 collected under § 26-57-614 and § 14-284-401 et seq. into the Revenue Holding  
11 Fund Account as provided in § 19-5-204.

12 (2)(A) Beginning July 1, 2009, any payments to the Fire Protection  
13 Premium Tax Fund that are above nine million dollars (\$9,000,000) in a fiscal  
14 year shall be distributed evenly between the Fire Protection Premium Tax Fund  
15 and the SAU-Tech Fund.

16 (B)(1) However, the distribution to the SAU-Tech fund under subdivision  
17 (b)(2)(A) of this section shall not exceed seven hundred thousand dollars  
18 (\$700,000) per fiscal year.

19 (2) If the distribution limit in subdivision (b)(2)(B)(1) of this  
20 section is reached, any additional payment above nine million dollars  
21 (\$9,000,000) in a fiscal year shall be distributed to the Fire Protection  
22 Premium Tax Fund.

23 (3) On the last business day of each quarter, the Chief Fiscal  
24 Officer of the State shall determine the amount of net special revenues to be  
25 transferred to the Fire Protection Premium Tax Fund and the SAU-Tech Fund by  
26 the Treasurer of State. The Chief Fiscal Officer of the State shall be the  
27 disbursing officer for the ~~fund~~ Fire Protection Premium Tax Fund, and shall  
28 distribute the moneys as provided in § 26-57-614 and § 14-284-401 et seq.

29 (c) The Insurance Commissioner shall disburse any refunds which may be due  
30 insurance carriers from the Miscellaneous Revolving Fund after certifying to  
31 the Chief Fiscal Officer of the State the amount to be refunded. The Chief  
32 Fiscal Officer of the State shall direct that the certified amount be  
33 transferred from the Revenue Holding Fund Account to the Miscellaneous  
34 Revolving Fund as provided in § 19-5-106(a)(3).

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36 SECTION 3. COMPLIANCE WITH OTHER LAWS. Disbursement of funds authorized

1 by this act shall be limited to the appropriation for such agency and funds  
2 made available by law for the support of such appropriations; and the  
3 restrictions of the State Procurement Law, the General Accounting and  
4 Budgetary Procedures Law, the Revenue Stabilization Law, the Regular Salary  
5 Procedures and Restrictions Act, the Higher Education Expenditures  
6 Restrictions Act, or their successors, and other fiscal control laws of this  
7 State, where applicable, and regulations promulgated by the Department of  
8 Finance and Administration, as authorized by law, shall be strictly complied  
9 with in disbursement of said funds.

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11 SECTION 4. LEGISLATIVE INTENT. It is the intent of the General Assembly  
12 that any funds disbursed under the authority of the appropriations contained  
13 in this act shall be in compliance with the stated reasons for which this act  
14 was adopted, as evidenced by the Agency Requests, Executive Recommendations  
15 and Legislative Recommendations contained in the budget manuals prepared by  
16 the Department of Finance and Administration, letters, or summarized oral  
17 testimony in the official minutes of the Arkansas Legislative Council or  
18 Joint Budget Committee which relate to its passage and adoption.

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20 SECTION 5. EMERGENCY CLAUSE. It is found and determined by the General  
21 Assembly, that the Constitution of the State of Arkansas prohibits the  
22 appropriation of funds for more than a one (1) year period; that the  
23 effectiveness of this Act on July 1, 2009 is essential to the operation of  
24 the agency for which the appropriations in this Act are provided, and that in  
25 the event of an extension of the Regular Session, the delay in the effective  
26 date of this Act beyond July 1, 2009 could work irreparable harm upon the  
27 proper administration and provision of essential governmental programs.  
28 Therefore, an emergency is hereby declared to exist and this Act being  
29 necessary for the immediate preservation of the public peace, health and  
30 safety shall be in full force and effect from and after July 1, 2009.

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32 /s/ Reep  
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