

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 *As Engrossed: H3/5/09 H3/12/09 H3/19/09*

2 87th General Assembly

A Bill

3 Regular Session, 2009

HOUSE BILL 1704

4

5 By: Representatives Reep, Hardy, Maloch, G. Smith, *Cole, Abernathy*

6 By: Senator G. Jeffress

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For An Act To Be Entitled

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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.

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15

16

Subtitle

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AN ACT FOR THE SAU-TECH - FIRE TRAINING

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ACADEMY APPROPRIATION FOR THE 2009-2010

19

FISCAL YEAR.

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

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SECTION 1. APPROPRIATION - FIRE TRAINING ACADEMY. There is hereby

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appropriated, to the SAU-Tech, to be payable from the SAU-Tech Fund, in

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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,

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the following:

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30 ITEM

FISCAL YEAR

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NO.

2009-2010

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(01) PERSONAL SERVICES AND OPERATING

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EXPENSES

\$ 700,000

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SECTION 2. SPECIAL LANGUAGE. Arkansas Code Annotated Title 19, Chapter

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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 five hundred thousand dollars
14 (\$9,500,000) in a fiscal year shall be distributed evenly between the Fire
15 Protection Premium Tax Fund 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 five hundred
21 thousand dollars (\$9,500,000) in a fiscal year shall be distributed to the
22 Fire Protection 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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