

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: H3/17/09

# A Bill

HOUSE BILL 1720

5 By: Representatives Maloch, Abernathy, Adcock, Allen, Baird, T. Baker, Barnett, Betts, Blount, T.  
6 Bradford, Breedlove, J. Brown, M. Burris, J. Burris, Carnine, Carroll, Carter, Cash, Cheatham,  
7 Clemmer, Cole, Cook, Cooper, L. Cowling, D. Creekmore, Dale, Davenport, Davis, J. Dickinson,  
8 Dismang, Dunn, J. Edwards, English, Everett, Flowers, Garner, Gaskill, George, Glidewell, R. Green,  
9 Greenberg, Hall, Hardy, Harrelson, Hawkins, Hobbs, Hopper, House, Hoyt, D. Hutchinson, Hyde,  
10 Ingram, Kerr, Kidd, King, Lea, W. Lewellen, Lindsey, Lovell, Lowery, S. Malone, M. Martin, Maxwell,  
11 McCrary, McLean, Moore, Nickels, Nix, Overbey, Patterson, Pennartz, Perry, Pierce, Powers, Pyle,  
12 Ragland, Rainey, Reep, Reynolds, Rice, J. Roebuck, T. Rogers, J. Rogers, Sample, Saunders, Shelby,  
13 Slinkard, G. Smith, L. Smith, Stewart, Summers, Tyler, Wagner, Webb, Wells, B. Wilkins, Williams, Wills,  
14 Woods, Word  
15  
16

## For An Act To Be Entitled

18 AN ACT TO MAKE AN APPROPRIATION FOR GRANTS TO  
19 FIRE DEPARTMENTS FOR THE DEPARTMENT OF FINANCE  
20 AND ADMINISTRATION - DISBURSING OFFICER FOR THE  
21 FISCAL YEAR ENDING JUNE 30, 2010; AND FOR OTHER  
22 PURPOSES.  
23  
24

## Subtitle

25 AN ACT FOR THE DEPARTMENT OF FINANCE  
26 AND ADMINISTRATION - DISBURSING OFFICER  
27 - GRANTS TO FIRE DEPARTMENTS  
28 APPROPRIATION FOR THE 2009-2010 FISCAL  
29 YEAR.  
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31  
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33 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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35 SECTION 1. APPROPRIATION - GRANTS TO FIRE DEPARTMENTS. There is hereby  
36 appropriated, to the Department of Finance and Administration - Disbursing



1 Officer, to be payable from the General Improvement Fund or its successor  
2 fund or fund accounts, the following:

3 (A) For grants to fire departments, the sum of .....\$5,000,000.  
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5 SECTION 2. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS  
6 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FIRE  
7 DEPARTMENT GRANT ALLOCATION AND UTILIZATION. The Department of Finance and  
8 Administration shall distribute the fire department grants appropriation and  
9 funds authorized by this act, or so much thereof as is available, to each  
10 county based on the percentages as prescribed in Arkansas Code 14-284-403.  
11 The fire department grants authorized by this act may be used by the fire  
12 departments for maintenance and general operations, fire fighting training  
13 expenses, purchase of fire fighting equipment, and other expenses necessary  
14 to provide fire fighting protection.

15 No less than thirty (30) days prior to the distribution of any funds  
16 appropriated by this act, the director of the agency shall notify the Speaker  
17 of the House of Representatives of the name and address of each recipient and  
18 the amount that is being distributed to each recipient.

19 The Fire Departments receiving grants authorized by this act are not  
20 subject to meeting the requirements or other criteria that may be required of  
21 fire departments under the provisions of Act 833 of 1991, as amended, or  
22 Arkansas Code 14-284-401 through 14-284-411.  
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24 SECTION 3. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor  
25 obligations otherwise incurred in relation to the project or projects  
26 described herein in excess of the State Treasury funds actually available  
27 therefor as provided by law. Provided, however, that institutions and  
28 agencies listed herein shall have the authority to accept and use grants and  
29 donations including Federal funds, and to use its unobligated cash income or  
30 funds, or both available to it, for the purpose of supplementing the State  
31 Treasury funds for financing the entire costs of the project or projects  
32 enumerated herein. Provided further, that the appropriations and funds  
33 otherwise provided by the General Assembly for Maintenance and General  
34 Operations of the agency or institutions receiving appropriation herein shall  
35 not be used for any of the purposes as appropriated in this act.

36 (B) The restrictions of any applicable provisions of the State Purchasing

1 Law, the General Accounting and Budgetary Procedures Law, the Revenue  
2 Stabilization Law and any other applicable fiscal control laws of this State  
3 and regulations promulgated by the Department of Finance and Administration,  
4 as authorized by law, shall be strictly complied with in disbursement of any  
5 funds provided by this act unless specifically provided otherwise by law.

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

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

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28 /s/ Maloch  
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