

1 State of Arkansas
2 88th General Assembly
3 Regular Session, 2011
4

As Engrossed: H3/7/11
A Bill

HOUSE BILL 1650

5 By: Representatives Webb, Allen, D. Altes, Baird, T. Baker, Barnett, Bell, Benedict, Biviano, T.
6 Bradford, Branscum, J. Brown, J. Burris, Carnine, Carter, Catlett, Cheatham, Clemmer, Collins, Collins-
7 Smith, L. Cowling, Dale, Deffenbaugh, J. Dickinson, J. Edwards, E. Elliott, English, Eubanks, Fielding,
8 Garner, Gaskill, Gillam, Hall, Hammer, Harris, Hickerson, Hobbs, Hopper, Hubbard, D. Hutchinson,
9 Hyde, Ingram, Jean, Johnston, Kerr, King, Lampkin, Lea, Leding, Lenderman, Linck, Lindsey, Love,
10 Lovell, S. Malone, Mauch, Mayberry, McCrary, McLean, D. Meeks, S. Meeks, Moore, Murdock,
11 Nickels, B. Overbey, Patterson, Pennartz, Perry, Pierce, Post, Powers, Ratliff, Rice, J. Roebuck, T.
12 Rogers, Shepherd, Slinkard, G. Smith, Steel, T. Steele, Stewart, Stubblefield, Summers, T. Thompson,
13 Tyler, Vines, Wagner, Walker, Wardlaw, Westerman, B. Wilkins, H. Wilkins, Williams, Woods, Word,
14 Wren, Wright
15

16 **For An Act To Be Entitled**

17 AN ACT TO MAKE AN APPROPRIATION FOR GRANTS TO
18 FIRE DEPARTMENTS FOR THE DEPARTMENT OF FINANCE
19 AND ADMINISTRATION - DISBURSING OFFICER FOR
20 GENERAL IMPROVEMENT PROJECTS; AND FOR OTHER
21 PURPOSES.
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24 **Subtitle**

25 AN ACT FOR THE DEPARTMENT OF FINANCE AND
26 ADMINISTRATION - DISBURSING OFFICER -
27 GRANTS TO FIRE DEPARTMENTS GENERAL
28 IMPROVEMENT APPROPRIATION.
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31 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:
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33 SECTION 1. APPROPRIATION - GRANTS TO FIRE DEPARTMENTS. There is hereby
34 appropriated, to the Department of Finance and Administration - Disbursing
35 Officer, to be payable from the General Improvement Fund or its successor
36 fund or fund accounts, the following:



1 (A) for grants to fire departments, in a sum not to exceed
2\$5,000,000.
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4 SECTION 2. SPECIAL LANGUAGE. NOT TO BE INCORPORATED INTO THE ARKANSAS
5 CODE NOR PUBLISHED SEPARATELY AS SPECIAL, LOCAL AND TEMPORARY LAW. FIRE
6 DEPARTMENT GRANT ALLOCATION AND UTILIZATION. The Department of Finance and
7 Administration shall distribute the fire department grants appropriation and
8 funds authorized by this act, or so much thereof as is available, to each
9 county based on the percentages as prescribed in Arkansas Code 14-284-403.
10 The fire department grants authorized by this act may be used by the fire
11 departments for maintenance and general operations, fire fighting training
12 expenses, purchase of firefighting equipment and other expenses necessary to
13 provide fire fighting protection. Notwithstanding any other provision of law
14 to the contrary regarding the distribution of funds, any funds distributed to
15 Pulaski County Fire Departments as authorized in Section 1 of this Act shall
16 be distributed solely based on a per capita basis.

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

21 The Fire Departments receiving grants authorized by this act are not
22 subject to meeting the requirements or other criteria that may be required of
23 fire departments under the provisions of Act 833 of 1991, as amended, or
24 Arkansas Code 14-284-401 through 14-284-411.

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26 SECTION 3. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor
27 obligations otherwise incurred in relation to the project or projects
28 described herein in excess of the State Treasury funds actually available
29 therefor as provided by law. Provided, however, that institutions and
30 agencies listed herein shall have the authority to accept and use grants and
31 donations including Federal funds, and to use its unobligated cash income or
32 funds, or both available to it, for the purpose of supplementing the State
33 Treasury funds for financing the entire costs of the project or projects
34 enumerated herein. Provided further, that the appropriations and funds
35 otherwise provided by the General Assembly for Maintenance and General
36 Operations of the agency or institutions receiving appropriation herein shall

1 not be used for any of the purposes as appropriated in this act.

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

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

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19 SECTION 5. EMERGENCY CLAUSE. It is found and determined by the General
20 Assembly, that the Constitution of the State of Arkansas prohibits the
21 appropriation of funds for more than a one (1) year period; that the
22 effectiveness of this Act on July 1, 2011 is essential to the operation of
23 the agency for which the appropriations in this Act are provided, and that in
24 the event of an extension of the legislative session, the delay in the
25 effective date of this Act beyond July 1, 2011 could work irreparable harm
26 upon the proper administration and provision of essential governmental
27 programs. Therefore, an emergency is hereby declared to exist and this Act
28 being necessary for the immediate preservation of the public peace, health
29 and safety shall be in full force and effect from and after July 1, 2011.

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/s/Webb

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