

1 State of Arkansas
2 89th General Assembly
3 Regular Session, 2013
4

As Engrossed: H3/8/13

A Bill

HOUSE BILL 1610

5 By: Representatives Baird, *Alexander, D. Altes, C. Armstrong, E. Armstrong, Baine, Ballinger, Baltz,*
6 *Barnett, Bell, Biviano, Bragg, Branscum, Broadaway, J. Burris, Carnine, Carter, Catlett, Clemmer,*
7 *Collins, Copenhaver, Cozart, Dale, Davis, Deffenbaugh, J. Dickinson, Dotson, C. Douglas, D. Douglas,*
8 *J. Edwards, Eubanks, Farrer, Ferguson, Fielding, Fite, Gillam, Gossage, Hammer, Harris, Hawthorne,*
9 *Hickerson, Hillman, Hobbs, Hodges, Holcomb, Hopper, House, Hutchison, Jean, Jett, Julian, Kerr,*
10 *Kizzia, Lampkin, Lea, Leding, Lenderman, Linck, Love, Lowery, Magie, S. Malone, Mayberry, McCrary,*
11 *McElroy, McGill, McLean, D. Meeks, S. Meeks, Miller, Murdock, Neal, Nickels, B. Overbey, Payton,*
12 *Perry, Ratliff, Rice, Richey, Sabin, Scott, Shepherd, Slinkard, F. Smith, Steel, Talley, T. Thompson, Vines,*
13 *W. Wagner, Walker, Wardlaw, Westerman, D. Whitaker, B. Wilkins, H. Wilkins, Williams, Womack,*
14 *Word, Wren, Wright*

For An Act To Be Entitled

15
16 AN ACT TO MAKE AN APPROPRIATION FOR GRANTS TO FIRE
17 DEPARTMENTS FOR THE DEPARTMENT OF FINANCE AND
18 ADMINISTRATION - DISBURSING OFFICER FOR GENERAL
19 IMPROVEMENT PROJECTS; AND FOR OTHER PURPOSES.
20
21
22

Subtitle

23 AN ACT FOR THE DEPARTMENT OF FINANCE AND
24 ADMINISTRATION - DISBURSING OFFICER -
25 GRANTS TO FIRE DEPARTMENTS GENERAL
26 IMPROVEMENT APPROPRIATION.
27
28
29

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

31
32 SECTION 1. APPROPRIATION - GRANTS TO FIRE DEPARTMENTS. There is hereby
33 appropriated, to the Department of Finance and Administration - Disbursing
34 Officer, to be payable from the General Improvement Fund or its successor
35 fund or fund accounts, the following:

36 (A) for grants to fire departments, in a sum not to exceed



1\$30,000,000.

2

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

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

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

24

25 SECTION 3. DISBURSEMENT CONTROLS. (A) No contract may be awarded nor
26 obligations otherwise incurred in relation to the project or projects
27 described herein in excess of the State Treasury funds actually available
28 therefor as provided by law. Provided, however, that institutions and
29 agencies listed herein shall have the authority to accept and use grants and
30 donations including Federal funds, and to use its unobligated cash income or
31 funds, or both available to it, for the purpose of supplementing the State
32 Treasury funds for financing the entire costs of the project or projects
33 enumerated herein. Provided further, that the appropriations and funds
34 otherwise provided by the General Assembly for Maintenance and General
35 Operations of the agency or institutions receiving appropriation herein shall
36 not be used for any of the purposes as appropriated in this act.

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

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

17
18 *SECTION 5. EMERGENCY CLAUSE.* It is found and determined by the General
19 Assembly, that the Constitution of the State of Arkansas prohibits the
20 appropriation of funds for more than a one (1) year period; that the
21 effectiveness of this Act on July 1, 2013 is essential to the operation of
22 the agency for which the appropriations in this Act are provided, and that in
23 the event of an extension of the legislative session, the delay in the
24 effective date of this Act beyond July 1, 2013 could work irreparable harm
25 upon the proper administration and provision of essential governmental
26 programs. Therefore, an emergency is hereby declared to exist and this Act
27 being necessary for the immediate preservation of the public peace, health
28 and safety shall be in full force and effect from and after July 1, 2013.

29
30 /s/Baird
31
32
33
34
35
36