

Stricken language will be deleted and underlined language will be added.
Act 744 of the Regular Session

State of Arkansas
89th General Assembly
Regular Session, 2013

As Engrossed: H3/8/13
A Bill

HOUSE BILL 1610

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

For An Act To Be Entitled

AN ACT TO MAKE AN APPROPRIATION FOR GRANTS TO FIRE DEPARTMENTS FOR THE DEPARTMENT OF FINANCE AND ADMINISTRATION - DISBURSING OFFICER FOR GENERAL IMPROVEMENT PROJECTS; AND FOR OTHER PURPOSES.

Subtitle

AN ACT FOR THE DEPARTMENT OF FINANCE AND ADMINISTRATION - DISBURSING OFFICER - GRANTS TO FIRE DEPARTMENTS GENERAL IMPROVEMENT APPROPRIATION.

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

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

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



.....\$30,000,000.

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

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

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

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

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

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

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

/s/Baird

APPROVED: 04/04/2013