

STATE OF OKLAHOMA

2nd Session of the 50th Legislature (2006)

HOUSE BILL 2143\_\_\_\_

By: Roan

AS INTRODUCED

An Act relating to the Oklahoma Department of Agriculture, Food, and Forestry; making an appropriation; stating purposes; amending 19 O.S. 2001, Sections 901.58, 901.59 and 901.60, which relate to the sale of firefighting equipment; updating and clarifying statutory language; changing the name of the Rural Fire Defense Equipment Revolving Fund; directing the Oklahoma Department of Agriculture, Food, and Forestry to enter into written agreements with rural fire departments on the sale of firefighting equipment; allowing for certain payments; specifying terms of the agreement; providing an effective date; and declaring an emergency.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. There is hereby appropriated to the Oklahoma Department of Agriculture, Food, and Forestry from any monies not otherwise appropriated from the Special Cash Fund of the State Treasury for the fiscal year ending June 30, 2007, the sum of Thirty Million Dollars (\$30,000,000.00) to be deposited into the George Barnes Rural Fire Defense Equipment Revolving Fund.

SECTION 2. AMENDATORY 19 O.S. 2001, Section 901.58, is amended to read as follows:

Section 901.58 There is hereby created in the State Treasury a revolving fund for the ~~State~~ Oklahoma Department of Agriculture, Food, and Forestry, to be designated the "George Barnes Rural Fire Defense Equipment Revolving Fund". The fund shall be a continuing fund, not subject to fiscal year limitations, and shall consist of all monies received by the ~~State~~ Department of ~~Agriculture~~ from any monies received from appropriations, deposits made pursuant to the

provisions of this act, proceeds resulting from the sale of equipment purchased out of monies in the fund, and such other monies specifically designated by law. All monies accruing to the credit of said fund are hereby appropriated and may be budgeted and expended by the ~~State Department of Agriculture~~ for the purpose of purchasing new firefighting equipment for purchase by rural fire departments and such other purposes specifically designated by law. Expenditures from said fund shall be made upon warrants issued by the State Treasurer against claims filed as prescribed by law with the Director of State Finance for approval and payment.

SECTION 3. AMENDATORY 19 O.S. 2001, Section 901.59, is amended to read as follows:

Section 901.59 A. The ~~State~~ Oklahoma Department of Agriculture, Food, and Forestry is hereby authorized to use the George Barnes Rural Fire Defense Equipment Revolving Fund to purchase new firefighting equipment for purchase by rural fire departments.

B. The ~~State Department of Agriculture~~ is hereby authorized to acquire space for storing firefighting equipment while not in possession of a fire department and to pay the necessary costs thereof from the George Barnes Rural Fire Defense Equipment Revolving Fund as funds become available.

SECTION 4. AMENDATORY 19 O.S. 2001, Section 901.60, is amended to read as follows:

Section 901.60 A. The ~~State~~ Oklahoma Department of Agriculture, Food, and Forestry is authorized to sell firefighting equipment to rural fire departments cooperating with the ~~State Department of Agriculture~~ in fire control ~~under the terms of written cooperative agreements~~.

B. The Department shall enter into written agreements with rural fire departments which purchase equipment as provided for in this section. The agreement may allow the rural fire departments to

make monthly or annual payments on the purchase. The Department shall establish the terms of the agreement including, but not limited to, the amount of payments, time of repayment, and penalties.

C. All proceeds derived from the sale of firefighting equipment by the ~~State Department of Agriculture~~ pursuant to the provisions of this act shall be deposited with the State Treasurer to be credited to the George Barnes Rural Fire Defense Equipment Revolving Fund.

~~C.~~ D. The ~~State Department of Agriculture~~ shall promulgate ~~such rules and regulations pursuant to the Administrative Procedures Act~~ and is authorized to require from the rural fire departments such information, forms and reports as are necessary for properly and efficiently administering this section and Section 4 901.56 of this ~~act~~ title.

SECTION 5. This act shall become effective July 1, 2006.

SECTION 6. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

50-2-8116

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