

1 **State of Arkansas**
2 **79th General Assembly**
3 **Regular Session, 1993**
4 **By: Senator Chaffin**

A Bill

SENATE BILL

For An Act To Be Entitled

8 "TO PROVIDE THAT ALL GOODS AND SERVICES PROVIDED BY THE
9 ARKANSAS DEPARTMENT OF CORRECTIONS_ PENAL INDUSTRIES TO
10 THE COUNTIES OF ARKANSAS WILL BE EXEMPTED FROM THE
11 COMPETITIVE BIDDING PROCESS; AND FOR OTHER PURPOSES."

Subtitle

14 "PURCHASE OF DEPARTMENT OF CORRECTION GOODS BY COUNTIES."

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

18 SECTION 1. Arkansas Code Annotated 14-22-106 is amended to read as
19 follows:

20 "14-22-106. Purchases exempted from soliciting bids.

21 The following listed commodities may be purchased without soliciting
22 bids:

23 (1) Perishable foodstuffs for immediate use;

24 (2) Unprocessed feed for livestock and poultry;

25 (3) Advanced emergency medical services provided by a nonprofit
26 corporation and proprietary medicines when specifically requested by a
27 professional employee;

28 (4) Books, manuals, periodicals, films, and copyrighted educational
29 aids for use in libraries and for other informational material for
30 institutional purposes;

31 (5) Scientific equipment and parts therefor;

32 (6) Replacement parts and labor for repairs of machinery and equipment;

33 (7) Commodities available only from the federal government;

34 (8) Any commodities needed in instances in which an unforeseen and
35 unavoidable emergency has arisen in which human life, health, or public

1 property is in jeopardy. However, no such emergency purchase shall be
2 approved unless a statement in writing shall be attached to the purchase order
3 describing the emergency necessitating the purchase of such commodity without
4 competitive bidding;

5 (9) Utility services, the rates for which are subject to regulation by
6 a state agency or a federal regulatory agency;

7 (10) Sand, gravel, soil, lumber, or used pipe;

8 (11) Used or secondhand motor vehicles, machinery, or equipment, except
9 used or secondhand motor vehicles which have been under lease to a county when
10 such vehicles had fewer than eighteen thousand (18,000) miles of use, may not
11 be purchased by the county when it has been used eighteen thousand (18,000)
12 miles or more except upon competitive bids as provided for in this chapter;

13 (12) Machinery, equipment, facilities, or other personal property
14 purchased or acquired for, or in connection with, the securing and developing
15 of industry under or pursuant to the provisions of Arkansas Constitution,
16 Amendment 49 [repealed], Arkansas Code 14-164-201 et seq., or any other
17 provision of law pertaining to the securing and developing of industry;

18 (13) Registered livestock to be used for breeding purposes;

19 (14) Motor fuels;

20 (15) Motor vehicles, equipment, machinery, material, or supplies
21 offered for sale at public auction or through a process requiring sealed
22 bids;and

23 (16) All goods and services which are regularly provided to state
24 agencies and county government by the Arkansas Department of Corrections_
25 various penal industries."

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27 SECTION 2. All provisions of this act of a general and permanent nature
28 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
29 Revision Commission shall incorporate the same in the Code.

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31 SECTION 3. If any provision of this act or the application thereof to
32 any person or circumstance is held invalid, such invalidity shall not affect
33 other provisions or applications of the act which can be given effect without
34 the invalid provision or application, and to this end the provisions of this
35 act are declared to be severable.

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SECTION 4. All laws and parts of laws in conflict with this act are hereby repealed.

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