

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

Act 251 of the Regular Session

1 State of Arkansas  
2 87th General Assembly  
3 Regular Session, 2009  
4

# A Bill

SENATE BILL 71

5 By: Senator Madison  
6  
7

## For An Act To Be Entitled

9 AN ACT TO MAKE VARIOUS CORRECTIONS TO TITLE 19 OF  
10 THE ARKANSAS CODE OF 1987 ANNOTATED; AND FOR  
11 OTHER PURPOSES.  
12

## Subtitle

13 AN ACT TO MAKE VARIOUS CORRECTIONS TO  
14 TITLE 19 OF THE ARKANSAS CODE OF 1987  
15 ANNOTATED.  
16  
17  
18

19 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
20

21 SECTION 1. Arkansas Code § 19-1-205 is amended to read as follows to  
22 repeal obsolete language and to make stylistic changes:

23 19-1-205. Office.

24 The ~~officer or board having custody of the public buildings~~ Arkansas  
25 Building Authority shall assign to the Department of Finance and  
26 Administration, and divisions ~~thereof,~~ of the department suitable office  
27 space ~~in the State Capitol Building,~~ with the necessary conveniences for the  
28 transaction of ~~its~~ the department's business and the safe-keeping of ~~its~~ the  
29 department's records.  
30

31 SECTION 2. Arkansas Code § 19-1-504(c) is amended to read as follows  
32 to correct a reference to a federal law:

33 (c) A school district may invest moneys held for the repayment of a  
34 federally recognized Qualified Zone Academy Bond under 26 U.S.C. § ~~1379E~~  
35 1397E, as it existed on January 1, 2005, in a guaranteed investment contract



1 or forward delivery agreement in which the school district is guaranteed a  
 2 certain rate of interest on its investment if the guaranteed investment  
 3 contract or the forward delivery agreement is entered into between the school  
 4 district and the purchaser of the Qualified Zone Academy Bond.

5  
 6 SECTION 3. Arkansas Code § 19-1-701(b) is amended to read as follows  
 7 to repeal obsolete language:

8 (b) A fiscal impact statement shall be developed with the guidance of  
 9 the ~~Office of Economic and Tax Policy of the~~ Bureau of Legislative Research  
 10 and with the approval of the Department of Education.

11  
 12 SECTION 4. Arkansas Code § 19-2-508 is repealed because the section is  
 13 obsolete.

14 ~~19-2-508. Compliance.~~

15 ~~Any financial institution providing check images to counties under the~~  
 16 ~~provisions of § 14-21-108 [repealed] shall comply with the provisions of this~~  
 17 ~~subchapter within one hundred twenty (120) days from March 16, 1999.~~

18  
 19 SECTION 5. Arkansas Code § 19-3-510(c)(1) is amended to read as  
 20 follows to correct a reference:

21 (1) All federal funds, as ~~defined~~ described in § 19-7-101 et  
 22 seq.;

23  
 24 SECTION 6. Arkansas Code § 19-3-518(c)(1) is amended to read as  
 25 follows to correct a reference:

26 (c)(1) FEDERAL FUNDS. The board may invest federal funds, as ~~defined by~~  
 27 described in § 19-7-101 et seq., the same as state funds are authorized by  
 28 subsection (b) of this section.

29  
 30 SECTION 7. Arkansas Code § 19-3-521(a)(2) is amended to read as  
 31 follows to correct references and grammar:

32 (2) The balance in ~~that fund~~ the Securities Reserve Fund shall  
 33 always be available for such purposes. However, moneys in ~~this fund~~ the  
 34 Securities Reserve Fund in excess of one hundred thousand dollars (\$100,000)  
 35 shall, ~~at all times,~~ be available at all times to the Chief Fiscal Officer of  
 36 the State for transfer to the ~~State Budget Revolving~~ Budget Stabilization

1 Trust Fund, there to be used as provided by law.

2  
3 SECTION 8. Arkansas Code § 19-3-521(b) is amended to read as follows  
4 to correct a reference and to make stylistic changes:

5 (b)(1) ~~In the event any loss shall be~~ If any loss is sustained in  
6 relation to securities held at any time in the Securities Account or in the  
7 Treasurer of State's account in any bank depository, and the credit balance  
8 in the Securities Reserve Fund ~~shall be~~ is insufficient to absorb the loss,  
9 the Chief Fiscal Officer of the State shall ~~cause a transfer of moneys to be~~  
10 ~~made from the State Budget Revolving~~ Budget Stabilization Trust Fund to the  
11 Securities Reserve Fund of ~~such an amount as shall~~ that, when added to the  
12 credit balance in the Securities Reserve Fund, ~~equal~~ equals the amount of any  
13 loss.

14 (2) ~~it being~~ It is the explicit ~~intention~~ intent of the General  
15 Assembly ~~in the enactment of this provision~~ that no loss shall be sustained  
16 by any account, the funds of which were used in making such investments and  
17 deposits.

18  
19 SECTION 9. Arkansas Code § 19-4-406(b) is amended to read as follows  
20 to correct the wording of the subsection:

21 (b) If the Legislative Auditor ~~and or the~~ State Historian ~~request~~  
22 requests retention of an original warrant or the electronic copy of a warrant  
23 in excess of the time periods provided under subsection (a) of this section,  
24 the ~~warrants and vouchers~~ warrant shall be retained by the Auditor of State  
25 for such period of time as required by the Legislative Auditor ~~and or the~~  
26 State Historian.

27  
28 SECTION 10. Arkansas Code § 19-4-803(a) is amended to read as follows  
29 to subdivide the subsection for clarity and to make stylistic changes:

30 (a) The following are exempt from this subchapter:

31 (1) Funds required by the terms of a bond indenture to be held  
32 by paying agents for the payment of interest and principal on such bonds;

33 (2) ~~petty~~ Petty cash funds held by the various state agencies;

34 (3) ~~memorials~~ Memorials, endowments, bequests, gifts, and  
35 donations made to any state agency other than for normal operation of the  
36 agency;

1           (4) ~~eanteen~~ Canteen funds of state agencies other than  
 2 institutions of higher learning, wherein the profits earned are used for the  
 3 benefit of the people served by that agency through the purchase of services  
 4 or goods other than normal salary or maintenance expenses of the agency;

5           (5) ~~the~~ The Benefit Fund of the Arkansas Department of Workforce  
 6 Services;

7           (6) ~~the~~ The Bond Guaranty Reserve Account of the Arkansas  
 8 Economic Development Council;

9           (7) ~~the~~ The Illegal Drug Purchase Account and the Confidential  
 10 Accounts of the Department of Arkansas State Police;

11           (8) ~~patient~~ Patient funds, ~~where~~ when the institution is acting  
 12 in a trust capacity or when the funds are utilized for patient activities  
 13 other than normal agency-provided services;

14           (9) ~~the~~ The State Treasury Money ~~Management Trust~~ Trust  
 15 Management Fund; and

16           (10) ~~any~~ Any other funds determined by the Chief Fiscal Officer  
 17 of the State or the General Assembly, to be held in trust, and on deposit in  
 18 a financial institution other than the State Treasury ~~shall be exempt from~~  
 19 ~~the provisions of this subchapter.~~

20  
 21           SECTION 11. Arkansas Code § 19-4-1006 is amended to read as follows to  
 22 correct the wording of the section, to subdivide the section for clarity, and  
 23 to make stylistic changes:

24           19-4-1006. Rules ~~and regulations~~ – Records.

25           The Chief Fiscal Officer of the State shall:

26           (1) ~~promulgate~~ Promulgate rules ~~and regulations~~ with respect to  
 27 ~~the obtaining and utilization of~~ obtaining and utilizing credit cards in  
 28 payment of products and services;

29           (2) ~~and prescribe~~ Prescribe the procedures for reporting,  
 30 approving, and paying for products and services purchased with ~~state-owned~~  
 31 ~~oil company~~ credit cards; and

32           (3) ~~He shall also prescribe~~ Prescribe the necessary records to  
 33 be maintained and the supporting documentation to be provided with each  
 34 voucher presented for payment of ~~these~~ charges resulting from the use of  
 35 credit cards.

1 SECTION 12. Arkansas Code § 19-5-912 is amended to read as follows to  
2 correct the name of a fund and the name of a state entity and to make  
3 stylistic changes:

4 19-5-912. ~~Employment Security~~ Department of Workforce Services Trust  
5 Fund.

6 (a) There is established on the books of the Treasurer of State, the  
7 Auditor of State, and the Chief Fiscal Officer of the State a trust fund to  
8 be known as the "Arkansas Employment Security Department of Workforce  
9 Services Trust Fund".

10 (b) ~~This~~ The fund shall consist of such revenues as may be authorized  
11 by the federal government for support of various programs within the  
12 Department of Workforce Services, any interest accruing on these revenues,  
13 and any other funds made available by the General Assembly.

14 (c) ~~It~~ The fund shall be used for the payment of program expenses of  
15 the ~~Department of Workforce Services~~ department.

16  
17 SECTION 13. Arkansas Code § 19-5-953 is amended to add the following  
18 subsection so the language of the section is parallel with § 20-10-209:

19 (c) Funds from the Long-term Care Trust Fund may also be administered  
20 by the Director of the Department of Human Services for programs or uses  
21 that, in the determination of the Director of the Office of Long-Term Care,  
22 enhance the quality of life for long-term care facility residents through the  
23 adoption of principles and building designs established by the Eden  
24 Alternative or Green House programs or other means.

25  
26 SECTION 14. Arkansas Code § 19-5-977 is repealed because the program  
27 that was the purpose of the fund created by this section was repealed by Acts  
28 1993, No. 943, § 1:

29 ~~19-5-977. Home Delivered Meal Fund for the Elderly.~~

30 ~~(a) There is hereby established on the books of the Treasurer of~~  
31 ~~State, the Auditor of State, and the Chief Fiscal Officer of the State a new~~  
32 ~~fund to be known as the Home Delivered Meal Fund for the Elderly, and the~~  
33 ~~Treasurer of State shall credit to the fund the amount certified each quarter~~  
34 ~~in accordance with § 26-51-432(b) [repealed].~~

35 ~~(b) The fund shall be held as trust funds in interest-bearing accounts~~  
36 ~~only.~~

1           ~~(c) All interest earned on the accounts shall be credited to the fund~~  
 2 ~~to be used for the purpose provided in § 26-51-432 [repealed].~~

3           ~~(d) Moneys in the fund shall be distributed to the Department of Human~~  
 4 ~~Services, Division of Aging and Adult Services, from the Treasurer of State~~  
 5 ~~and distributed to the eight (8) area agencies on aging based on the Division~~  
 6 ~~of Aging and Adult Services funding formula.~~

7  
 8           SECTION 15. Arkansas Code § 19-5-1018(a) is amended to read as follows  
 9 to add a reference to a constitutional officer and to make stylistic changes:

10           (a) There is created on the books of the ~~Chief Fiscal Officer of the~~  
 11 ~~State and the~~ Treasurer of State, the Auditor of State, and the Chief Fiscal  
 12 Officer of the State a fund to be known as the "Higher Education Building  
 13 Maintenance Fund".  
 14

15           SECTION 16. Arkansas Code § 19-5-1024(a) is amended to read as follows  
 16 to add a reference to a constitutional officer and to make stylistic changes:

17           (a) There is created on the books of the ~~Chief Fiscal Officer of the~~  
 18 ~~State and those of the~~ Treasurer of State, the Auditor of State, and the  
 19 Chief Fiscal Officer of the State a trust fund to be known as the "Public  
 20 Service Commission Tax Division Fund".  
 21

22           SECTION 17. Arkansas Code § 19-5-1029(b) is amended to read as follows  
 23 to clarify references:

24           (b) This fund shall consist of application and permit fees for surface  
 25 coal mining, there to be used by the Arkansas Department of Environmental  
 26 Quality only for the administration and enforcement of the Arkansas Surface  
 27 Coal Mining and Reclamation Act of 1979, § 15-58-101 et seq., and as the  
 28 state's matching percentage share for any grants available to the state for  
 29 the administration and enforcement of the state program as defined in § 15-  
 30 58-104.  
 31

32           SECTION 18. Arkansas Code § 19-5-1048 is repealed because the state  
 33 agency that administered the fund created by this section was abolished by  
 34 Acts 2001, No. 783, § 1.

35           ~~19-5-1048. Quality Management State Agency Training Fund.~~

36           ~~(a) There is established on the books of the Treasurer of State, the~~

1 Auditor of State, and the Chief Fiscal Officer of the State a fund to be  
2 known as the Quality Management State Agency Training Fund.

3 (b) ~~Such fund shall consist of any state funds transferred from the~~  
4 ~~quality management line item of the various funds and fund accounts of the~~  
5 ~~state as a result of savings accrued by quality management projects completed~~  
6 ~~under the guidelines of the Quality Management Board.~~

7 (c) ~~According to such rules and regulations as may be established by~~  
8 ~~law or by the Chief Fiscal Officer of the State and upon completion of a~~  
9 ~~quality management project filed with the Quality Management Board, such~~  
10 ~~agency, board, or commission so affected may request a transfer of funds from~~  
11 ~~the appropriate fund or fund account and in such amounts as may be deemed~~  
12 ~~necessary to the quality management line item, there to be used for the~~  
13 ~~purposes as set out in the rules and regulations established by the board.~~

14 (d) ~~According to the rules and regulations established by the board,~~  
15 ~~such agency, board, or commission so affected may request a transfer of funds~~  
16 ~~from the quality management line item to the Quality Management State Agency~~  
17 ~~Training Fund.~~

18 (e) ~~Upon approval of the Chief Fiscal Officer of the State, with~~  
19 ~~review by the Legislative Council, such transfers shall be recorded on the~~  
20 ~~books of the Treasurer of State, Auditor of State, and the Chief Fiscal~~  
21 ~~Officer of the State.~~

22  
23 SECTION 19. Arkansas Code § 19-5-1072 is repealed because the program  
24 that was the purpose of the fund created by this section was repealed by Acts  
25 1997, No. 914, § 31.

26 ~~19-5-1072. Telecommunications and Information Technology Fund.~~

27 (a) ~~The Telecommunications and Information Technology Fund is created~~  
28 ~~and established on the books of the Treasurer of State, Auditor of State, and~~  
29 ~~Chief Fiscal Officer of the State, and shall consist of gifts, grants,~~  
30 ~~donations, and such other funds as may be made available by law.~~

31 (b) ~~The fund shall be used for the purpose of making grants or loans~~  
32 ~~pursuant to § 25-26-105 [repealed].~~

33  
34 SECTION 20. Arkansas Code § 19-5-1095 is amended to read as follows to  
35 clarify the wording of the section and to make stylistic changes:

36 19-5-1095. Military Support Revolving Fund.

1           ~~(a)(1) There is created within the State Military Department a~~  
 2 ~~revolving fund which shall be designated the Military Support Revolving Fund,~~  
 3 ~~into which shall be transferred or deposited the moneys to be provided by law~~  
 4 ~~for the fund.~~

5           ~~(2) The fund shall be used by the department to pay~~  
 6 ~~reimbursements for periodic, short term personnel augmentation for National~~  
 7 ~~Guard members on state active duty for costs incurred in training activities,~~  
 8 ~~which shall include, but not be limited to, goods, supplies, rations, fuel,~~  
 9 ~~operating expenses, and related costs and expenses.~~

10          ~~(b)(1) There is established on the books of the Treasurer of State,~~  
 11 ~~the Auditor of State, and the Chief Fiscal Officer of the State a fund to be~~  
 12 ~~known as the Military Support Revolving Fund.~~

13           ~~(2) The fund shall consist of:~~

14                   ~~(A) All funds provided for by law for the fund; and~~

15                   ~~(B) All moneys received by the department from the United~~  
 16 ~~States Army, the United States Air Force, the United States Navy, foreign~~  
 17 ~~allied governments, and reserve forces of the United States, allied nations,~~  
 18 ~~and other federal agencies.~~

19          ~~(3) Any and all reimbursements and payments to this fund from~~  
 20 ~~any source shall be considered a refund to expenditures.~~

21          (a) There is created on the books of the Treasurer of State, the  
 22 Auditor of State, and the Chief Fiscal Officer of the State a fund to be  
 23 known as the "Military Support Revolving Fund".

24          (b)(1) The fund shall consist of:

25                   (A) All funds provided by law for the fund; and

26                   (B) All moneys received by the State Military Department  
 27 from the United States Army, the United States Air Force, the United States  
 28 Navy, foreign allied governments, and reserve forces of the United States,  
 29 allied nations, and other federal agencies.

30          (2) All reimbursements and payments to the fund from any source  
 31 shall be considered a refund to expenditures.

32          (c) The fund shall be used by the department to pay reimbursements for  
 33 periodic, short-term personnel augmentation for National Guard members on  
 34 state active duty for costs incurred in training activities, which shall  
 35 include without limitation, goods, supplies, rations, fuel, operating  
 36 expenses, and related costs and expenses.



1  
 2 SECTION 21. Arkansas Code § 19-5-1206(b)(2) is amended to read as  
 3 follows to correct word usage and clarify the meaning:

4 (2) The fund shall be used to acquire ~~real properties~~, either by  
 5 deed or by lease, ~~in order~~ to own or operate, to maintain, to repair, to  
 6 renovate, to develop, or to construct them real properties, including any  
 7 necessary demolition and site improvements, for use by state agencies, as  
 8 defined ~~at~~ in § 22-2-102(5), for capital improvement needs under the  
 9 jurisdiction of the Arkansas Building Authority.

10  
 11 SECTION 22. Arkansas Code § 19-5-1214 is repealed because the fund  
 12 created by the section is also created by § 19-5-1095.

13 ~~19-5-1214. Military Support Revolving Fund.~~

14 ~~(a) There is established on the books of the Treasurer of State, the~~  
 15 ~~Auditor of State, and the Chief Fiscal Officer of the State a fund to be~~  
 16 ~~known as the "Military Support Revolving Fund".~~

17 ~~(b) The fund shall consist of:~~

18 ~~(1) All funds provided for by law for the fund;~~

19 ~~(2) All moneys received by the State Military Department from~~  
 20 ~~the United States Army, United States Air Force, United States Navy, foreign~~  
 21 ~~allied governments, reserve components of the United States armed forces,~~  
 22 ~~allied nations, and other federal agencies; and~~

23 ~~(3) Any and all reimbursements and payments to this fund from~~  
 24 ~~any source shall be considered a refund to expenditures.~~

25 ~~(c) The fund shall be used for those purposes as set out in Section 3~~  
 26 ~~of uncodified Acts 1999, No. 959.~~

27  
 28 SECTION 23. Arkansas Code § 19-6-426 is amended to read as follows to  
 29 correct the name of a fund and to correct references:

30 ~~19-6-426. Oil Arkansas Museum of Natural Resources Fund.~~

31 The ~~Oil~~ Arkansas Museum of Natural Resources Fund shall consist of  
 32 those special revenues as specified in § 19-6-301(61) and (101), there to be  
 33 used for the construction, maintenance, operation, and improvement of the  
 34 ~~Arkansas Oil and Brine Museum of Natural Resources~~ Arkansas of the State Parks,  
 35 ~~Recreation, and Travel Commission, Division of the Department of Parks and~~  
 36 Tourism in exercising the powers, functions, and duties as set out in § 13-5-

1 401 et seq., and for paying the expenses of administering such funds by the  
 2 ~~Department of Parks and Tourism~~ department as may be authorized by law.

3  
 4 SECTION 24. Arkansas Code § 19-6-458 is amended to read as follows to  
 5 insert a reference to a constitutional officer and to make stylistic changes:  
 6 19-6-458. Developmental Disabilities Services – Dog Track Special  
 7 Revenue Fund.

8 There is created on the books of the Treasurer of State, the Auditor of  
 9 State, and the Chief Fiscal Officer of the State a fund to be known as the  
 10 "Developmental Disabilities Services – Dog Track Special Revenue Fund" ~~which~~  
 11 that shall consist of those special revenues as specified in § 19-6-301(16),  
 12 there to be used for the sole benefit of community programs of the Division  
 13 of Developmental Disabilities Services of the Department of Human Services  
 14 licensed by the division.

15  
 16 SECTION 25. Arkansas Code § 19-6-499(b) is amended to read as follows  
 17 to update a reference:

18 (b)(1) All moneys collected under § ~~27-15-2702(a)(2) [repealed]~~ 27-24-  
 19 1303(c)(2)(C) shall be deposited into the State Treasury to the credit of the  
 20 fund as special revenues.

21 (2) The fund shall also consist of any other revenues as may be  
 22 authorized by law.

23  
 24 SECTION 26. Arkansas Code § 19-7-701(c) is amended to read as follows  
 25 to correct a reference, to subdivide the subsection, and to make stylistic  
 26 changes:

27 (c)(1) If the request is approved, the Chief Fiscal Officer of the  
 28 State ~~will~~ shall loan the necessary amount to the appropriate fund accounts  
 29 within the Department of Human Services from the Budget Stabilization Trust  
 30 Fund.

31 (2) However, The the balance of any ~~such~~ loans made under  
 32 subdivision (c)(1) of this section during the course of a fiscal year,  
 33 ~~however, will~~ shall be recovered by the department and repaid to the ~~State~~  
 34 ~~Budget Revolving Fund~~ fund by June 30 of that fiscal year.

35  
 36 SECTION 27. Arkansas Code § 19-11-105(a)(3) is amended to read as

1 follows to correct a defined term and to correct a federal law citation:

2 (3) "Illegal ~~immigrants~~ immigrant" means any person not a  
3 citizen of the United States who has:

4 (A) Entered the United States in violation of the federal  
5 Immigration and ~~Naturalization~~ Nationality Act of 1952, 8 U.S.C. 1101 et  
6 seq., or regulations issued under the act;

7 (B) Legally entered the United States but without the  
8 right to be employed in the United States; or

9 (C) Legally entered the United States subject to a time  
10 limit but has remained illegally after expiration of the time limit;

11  
12 SECTION 28. Arkansas Code § 19-11-203(14) is amended to read as  
13 follows to repeal an obsolete subdivision and to redesignate subsequent  
14 subdivisions:

15 (14) "Exempt commodities and services" means:

16 (A) Advertising in newspapers, periodicals, and related  
17 publications, and on television, radio, billboards, and electronic media;

18 (B) Animals procured for medical research;

19 (C)(i) Commodities and services for use in research,  
20 education, and treatment for the diagnosis, cure, and prevention of disease,  
21 which may be procured, with administrative approval, through a group  
22 purchasing entity serving other public health institutions when substantial  
23 savings are available.

24 (ii) A report shall be filed annually with the  
25 Division of Legislative Audit reflecting the justification of and the  
26 estimated savings accruing due to the use of this exemption;

27 (D)(i) Commodities procured for resale in cafeterias,  
28 commissaries, bookstores, gift shops, canteens, and other similar  
29 establishments.

30 (ii) However, these commodities procured shall not  
31 be sold or transferred to any agency with the intent of circumventing  
32 applicable procurement procedures;

33 ~~(E) Commodities procured from nonprofit workshops in~~  
34 ~~accordance with § 19-11-501 et seq. [repealed];~~

35 ~~(F)~~(E)(i) Contracts awarded by agencies for the  
36 construction of buildings and facilities and for major repairs.

1 (ii) These contract exemptions shall not extend to  
2 the procurement of any commodities not otherwise exempt, that are to be  
3 furnished by the agency under any such contract;

4 ~~(G)~~(F) Contracts awarded by the Arkansas State Highway and  
5 Transportation Department for the construction, reconstruction, and  
6 maintenance of roads and bridges in the state highway system and for the  
7 county, rural road aid, and city street aid programs;

8 ~~(H)~~(G)(i) Farm products procured or sold by a state agency  
9 having an agency procurement official.

10 (ii) The current trade customs with respect to the  
11 procurement or sale of cotton, cotton seed, rice, and other farm products  
12 shall be followed when it is necessary ~~to do so in order~~ to obtain the best  
13 price for the commodities procured or sold;

14 ~~(I)~~(H) Fees, including medical fees and physician fees;

15 ~~(J)~~(I) Foster care maintenance services provided by foster  
16 family homes approved by the Division of Children and Family Services of the  
17 Department of Human Services for children whose placement and care are the  
18 responsibility of the Division of Children and Family Services of the  
19 Department of Human Services;

20 ~~(K)~~(J) Freight and storage charges and demurrage;

21 ~~(L)~~(K) Licenses required prior to performance of services;

22 ~~(M)~~(L)(i) Livestock procured by an agency having an  
23 official experienced in selection and procurement of livestock.

24 (ii) Such procurement will be reported to the State  
25 Procurement Director, giving details of the purchase;

26 ~~(N)~~(M) Livestock procured for breeding, research, or  
27 experimental purposes;

28 ~~(O)~~(N) Maintenance on office machines and technical  
29 equipment;

30 ~~(P)~~(O) Medical items specifically requested by a physician  
31 for treatment or diagnosis of patients in his or her care, including  
32 prosthetic devices, surgical instruments, heart valves, pacemakers,  
33 radioisotopes, and catheters;

34 ~~(Q)~~(P) Membership in professional, trade, and other  
35 similar associations;

36 ~~(R)~~(Q) Perishable foodstuffs for immediate use or

1 processing;

2 ~~(S)~~(R) Postage;

3 ~~(T)~~(S) Published books, manuals, maps, periodicals, films,  
 4 technical pamphlets, and copyrighted educational aids for use in libraries  
 5 and for other informational or instructional purposes in instances in which  
 6 other applicable law does not provide a restrictive means for the acquisition  
 7 of ~~them~~ these materials;

8 ~~(U)~~(T) Services of visiting speakers, lecturers, and  
 9 performing artists;

10 ~~(V)~~(U) Taxes;

11 ~~(W)~~(V) Travel expense items such as room and board and  
 12 transportation charges;

13 ~~(X)~~(W) Utility services or equipment ~~which~~ that is  
 14 defined, recognized, and regulated by the Arkansas Public Service Commission  
 15 as a monopoly offering;

16 ~~(Y)~~(X) Works of art for museum and public display;

17 ~~(Z)~~(Y) Capital improvements valued at less than twenty  
 18 thousand dollars (\$20,000), subject to minimum standards and criteria of the  
 19 Arkansas Building Authority; and

20 ~~(AA)~~(Z) Services related to work force development,  
 21 incumbent work force training, or specialized business or industry training;

22  
 23 SECTION 29. The enactment and adoption of this act shall not repeal,  
 24 expressly or impliedly, the acts passed at the regular session of the 87th  
 25 General Assembly. All such acts shall have full effect and, so far as those  
 26 acts intentionally vary from or conflict with any provision contained in this  
 27 act, those acts shall have the effect of subsequent acts and as amending or  
 28 repealing the appropriate parts of the Arkansas Code of 1987.

29  
 30 **APPROVED: 2/26/2009**