

Stricken language would be deleted from present law. Underlined language would be added to present law.

1 State of Arkansas
2 81st General Assembly
3 Regular Session, 1997

As Engrossed: H3/7/97 S3/28/97

A Bill

HOUSE BILL 1765

4

5 By: Representatives Simmons, Davis, Wilkinson, Milum, Simon, Fletcher, Goodwin, Broadway, Northcutt, Maddox, Pappas, Allison,
6 McKissack, Smith, T., Newman, Wilkins, Baker, Choate, and Cook

7 By: Senator Todd

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For An Act To Be Entitled

10 "AN ACT TO EXEMPT USED SCHOOL BUSES FROM COMPETITIVE
11 BIDDING AND THE JURISDICTION OF THE STATE PURCHASING
12 DIRECTOR; AND FOR OTHER PURPOSES."

13

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Subtitle

15 "TO EXEMPT USED SCHOOL BUSES FROM
16 COMPETITIVE BIDDING AND THE JURISDICTION
17 OF THE STATE PURCHASING DIRECTOR."

18

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

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21 SECTION 1. For the purposes of this act, a school bus becomes a used
22 school bus two years after the date of issuance of the manufacturer's
23 Certificate of Origin. If the body of the school bus is installed by an
24 entity other than the manufacturer of the chassis, the school bus becomes a
25 used school bus two years after the date of issuance of the manufacturer's
26 Certificate of Origin issued by the entity which installed the body on the
27 chassis.

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29 SECTION 2. Notwithstanding any other law to the contrary, used school
30 buses purchased by public school districts in this state shall not be subject
31 to the jurisdiction of the State Purchasing Director nor any competitive
32 bidding procedures prescribed by law.

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34 SECTION 3. (a) By no later than July 1, 1998, each public school
35 district shall report all new school bus purchases, whether the district
36 utilized the office of State Purchasing, and competitive bidding procedures

1 utilized in the purchase of buses to the Coordinator for School
2 Transportation/Driver Education, Arkansas Department of Education.

3 (b) The department shall compile the reports from the public school
4 districts and report its findings and any recommendations for legislative
5 change to the Legislative Council and Joint Budget Committee on or before
6 October 30, 1998.

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8 SECTION 4. All provisions of this act of a general and permanent nature
9 are amendatory to the Arkansas Code of 1987 Annotated and the Arkansas Code
10 Revision Commission shall incorporate the same in the Code.

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12 SECTION 5. If any provision of this act or the application thereof to
13 any person or circumstance is held invalid, such invalidity shall not affect
14 other provisions or applications of the act which can be given effect without
15 the invalid provision or application, and to this end the provisions of this
16 act are declared to be severable.

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18 SECTION 6. All laws and parts of laws in conflict with this act are
19 hereby repealed.

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21 SECTION 7. EMERGENCY. It is found and determined by the General
22 Assembly of the State of Arkansas that the present law regarding the purchase
23 of used school buses is too time consuming and costly for our public school
24 districts; that this act will provide our public school districts with an
25 efficient and timely method for purchasing used school buses; and that this
26 act should go into effect immediately to give our school districts the maximum
27 flexibility in the acquisition of new school buses. Therefore an emergency is
28 declared to exist and this act being immediately necessary for the
29 preservation of the public peace, health and safety shall become effective on
30 the date of its approval by the Governor. If the bill is neither approved nor
31 vetoed by the Governor, it shall become effective on the expiration of the
32 period of time during which the Governor may veto the bill. If the bill is
33 vetoed by the Governor and the veto is overridden, it shall become effective
34 on the date the last house overrides the veto.

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/s/Rep. Simmons, et al