

SECOND REGULAR SESSION

SENATE BILL NO. 599

95TH GENERAL ASSEMBLY

INTRODUCED BY SENATOR RIDGEWAY.

Pre-filed December 1, 2009, and ordered printed.

TERRY L. SPIELER, Secretary.

3230S.011

AN ACT

To repeal section 217.575, RSMo, and to enact in lieu thereof one new section relating to the vocational enterprises program.

Be it enacted by the General Assembly of the State of Missouri, as follows:

Section A. Section 217.575, RSMo, is repealed and one new section
2 enacted in lieu thereof, to be known as section 217.575, to read as follows:

217.575. 1. All goods manufactured, services provided or produce of the
2 vocational enterprises program of the state shall, upon the requisition of the
3 proper official, be furnished to the state, to any public institution owned,
4 managed or controlled by the state, or to any private entity that is leasing space
5 to any agency of the state government for use in space leased to the state agency,
6 at such prices as shall be determined as provided in subsection [4] 3 of this
7 section.

8 2. [No goods or services so manufactured, provided or produced shall be
9 purchased from any other source for the state or public institutions of the state
10 unless the department shall certify the goods or services included in the
11 requisition cannot be furnished or supplied by the vocational enterprises program
12 within ninety days, or, in the event the same goods or services cannot be procured
13 on the open market within ninety days, that the vocational enterprises program
14 cannot supply them within a reasonable time. No claims for the payment of such
15 goods or services shall be audited or paid without this certificate. One copy each
16 of the requisition or certificate shall be retained by the department.

17 3.] The division of purchasing and the division of design and construction
18 shall cooperate with the department in seeking to promote for use by state
19 agencies and in state-owned or -occupied facilities the products manufactured and

EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.

20 services provided by the vocational enterprises program.

21 **[4.] 3.** The vocational enterprises program shall fix and determine the
22 prices at which goods and produce so manufactured and produced and services
23 so provided shall be furnished, and the prices shall be uniform to all. The cost
24 shall not be fixed at more than the market price for like goods and services.

25 **[5.] 4.** Any differences between the vocational enterprises program and
26 the state, its departments, divisions, agencies, institutions, or the political
27 subdivisions of the state as to style, design, price or quality of goods shall be
28 submitted to arbitrators whose decision shall be final. One of the arbitrators
29 shall be named by the program, one by the office, department, political
30 subdivision or institution concerned, and one by agreement of the other two. The
31 arbitrators shall receive no compensation; however, their necessary expenses
32 shall be paid by the office, department, political subdivision or institution against
33 which the award is given, or, in the event of a compromise decision, by both
34 parties, the amount to be paid by each party in portions to be determined by the
35 arbitrators.

36 **[6.] 5.** The vocational enterprises program may sell office systems and
37 furniture to any department, agency, or institution of the state or any political
38 subdivision of the state either through outright purchase or through payment
39 plan agreement, including handling charges, over a specified number of months
40 contingent on the solvency of the working capital revolving fund. Prior approval
41 shall be required by the division of design and construction for state agencies in
42 situations where the office of administration controlled state-owned office space
43 is involved and space in which a lease contract executed by the office of
44 administration is in effect.

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