



STATE OF ARKANSAS
**Department of Finance
and Administration**

OFFICE OF THE DIRECTOR

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June 22, 2005

Benny Magness
Magness Oil Company
PO Box 323
Gassville, AR 72635-0323

Dear Mr. Magness:

This letter is in response to your request for an Advisory Opinion pursuant to Arkansas Code Annotated 19-11-715(b).

You have requested a determination concerning the propriety of Magness Oil Company, your company, continuing its fuel carrier relationship with Mansfield Oil Company when Mansfield Oil Company receives the Department of Corrections' fuel bid purchases. You indicate that you are on the Arkansas Board of Corrections, and your company, Magness Oil Company, does not do business with the Department of Corrections.

Based upon the facts cited in your letter of May 19, 2005, the continuation of your company's fuel carrier relationship with Mansfield Oil Company would not create a conflict of interest. It is my understanding that Magness Oil Company and Benny Magness have no interest in Mansfield Oil Company, and that any contract would be between the Department of Corrections and Mansfield Oil Company.

This advisory opinion is issued in accordance with Ark. Code Ann. 19-11-715(b) and compliance with the above course of conduct is deemed to constitute compliance with the ethical standards of the Act and EO 98-04.

Sincerely,

Richard Weiss
Director

CC:
Joe Giddis, Office of State Procurement