

CHAPTER 121

GENERAL SERVICES DEPARTMENT

H. F. 307

AN ACT relating to duties and functions of the department of general services.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section two point fifty-one (2.51), Code 1973, is
2 amended to read as follows:

3 **2.51 General supervision over legislative facilities, equipment, and**
4 **arrangements.** The legislative council in co-operation with the officers
5 of the senate and house shall have the duty and responsibility for pre-
6 paring for each session of the general assembly. Pursuant to such
7 duty and responsibility, the legislative council may assign areas in the
8 state capitol or other state buildings, in consultation with the ~~executive~~
9 ~~council~~ *director of the department of general services* and the capitol
10 planning commission, for use of the general assembly or legislative
11 agencies. The legislative council may authorize the renovation, re-
12 modeling and preparation of the physical facilities used or to be used
13 by the general assembly and award contracts pursuant to such author-
14 ity to carry out such preparation. The legislative council may purchase
15 supplies and equipment deemed necessary for the proper functioning
16 of the legislative branch of government.

17 In carrying out its duties under this section, the legislative council
18 shall consult with the ~~executive council~~ *director of the department of*
19 *general services* and the capitol planning commission, but shall not be
20 bound by any decision of the ~~executive council~~ *director* in respect to the
21 responsibilities and duties provided for in this section. The legislative
22 council may ~~direct the superintendent of buildings and grounds~~ *direct*
23 *the director of the department of general services* or other state
24 employees to carry out its directives in regard to the physical facilities
25 of the general assembly, or may employ other personnel to carry out
26 such functions.

27 The costs of carrying out the provisions of this section shall be paid
28 pursuant to section 2.12.

1 SEC. 2. Section eight A point three (8A.3), Code 1973, is amended
2 to read as follows:

3 **8A.3 Administration—director of general services.** All councils,
4 boards, and commissions created by this chapter shall be placed, for
5 administrative purposes, in the office of the director.

6 Before any obligations for expenditures shall be incurred from ap-
7 propriations made under the provisions of this chapter the same shall
8 be approved by the ~~state comptroller~~ *director*.

1 SEC. 3. Section eight A point four (8A.4), Code 1973, is amended
2 to read as follows:

3 **8A.4 Rules.** The director shall promulgate rules relating to state
4 communications in accordance with the provisions of this chapter. The
5 director shall also adopt and provide for standard communications
6 procedures and policies to be used by all departments and agencies of
7 state government.

8 Communications activities of departments of state government

9 which affect the overall operation of state communications shall fall
10 within the administrative jurisdiction of the ~~division~~ *director* for
11 review and action upon request from any department of state govern-
12 ment.

13 Communications activities which are operational and the responsi-
14 bility of a particular department of state government shall continue
15 to fall within the administrative jurisdiction of that department of
16 state government and be financed through its appropriations.

17 The ~~communications division~~ *director* and the state educational radio
18 and television facility board shall co-ordinate their activities to achieve
19 the maximum possible co-operation and effective use of the available
20 facilities.

1 SEC. 4. Section fourteen point eight (14.8), Code 1973, is amended
2 to read as follows:

3 **14.8 Recommendations—printing and reference.** The recommen-
4 dations of the editor of the Code shall be printed in such numbers as
5 the ~~printing board~~ *director of the department of general services* deems
6 necessary for public use, and when laid before the presiding officers of
7 the respective houses shall be referred in each house to appropriate
8 committees.

1 SEC. 5. Section fifteen point eight (15.8), Code 1973, is amended
2 to read as follows:

3 **15.8 Printing for state institutions.** The power of the director to
4 let contracts shall not embrace printing for any state *penal, correc-*
5 *tional or board of regents* institution, or *area vocational schools, area*
6 *community colleges, or school corporations under the jurisdiction of the*
7 *state department of public instruction* when the institution is able and
8 desires to do its own printing.

1 SEC. 6. Section fifteen point thirty-six (15.36), Code 1973, is
2 amended to read as follows:

3 **15.36 Centralized printing department.** A centralized printing de-
4 partment is hereby established under the jurisdiction of the director.

5 There is hereby appropriated from the general fund of the state to
6 the general services department the sum of seventy-five thousand dol-
7 lars to establish a permanent revolving fund. This fund may be used
8 in supplying paper stock, offset printing, copy preparation, binding,
9 and original payment of printing and binding claims for any of the
10 state departments, bureaus, commissions or institutions. All salaries
11 and expenses properly chargeable thereto shall be paid from this fund.
12 The director may, ~~with the approval of the executive council,~~ also use
13 the fund for the purchase of replacement or additional equipment, if
14 a sufficient balance will remain in the fund to enable the continued
15 operation of the centralized printing department.

16 The director shall periodically render a statement to each state
17 department, bureau, commission or institution for the cost of paper
18 stock, offset printing, copy preparation or binding supplied thereto.
19 The expense shall be paid by the state departments, bureaus, commis-
20 sions or institutions in the same manner as other expenses of the
21 departments are paid, and the sum shall be credited to the centralized
22 printing revolving fund. If a surplus accrues to the fund for which

23 there is no anticipated need or use, the governor shall order the sur-
24 plus turned over to the general fund of the state.

1 SEC. 7. Section eighteen A point five (18A.5), Code 1973, is
2 amended to read as follows:

3 18A.5 Expenses. The members of the commission shall be paid
4 for their actual and necessary expenses while in attendance at any
5 meeting of the commission held at the seat of government and in going
6 to and from the seat of government to attend a meeting of such
7 commission and while attending the same. Service of the ~~superin-~~
8 ~~tendent of buildings and grounds~~ *director of the department of general*
9 *services* and the state architect upon this commission shall be an addi-
10 tional duty conferred by statute.

1 SEC. 8. Section nineteen B point three (19B.3), Code 1973, is
2 amended by striking subsection five (5).

1 SEC. 9. Section nineteen B point six (19B.6), subsection seven (7),
2 Code 1973, is amended by striking the subsection and inserting in lieu
3 thereof the following:

4 7. The director shall furnish a list of specifications, prices, and dis-
5 counts of contract items to any governmental subdivision which shall
6 be responsible for payment to the vendor under the terms and condi-
7 tions outlined in the state contract.

1 SEC. 10. Section nineteen B point eight (19B.8), Code 1973, is
2 amended by adding the following new paragraph:

3 NEW PARAGRAPH. The director shall appoint a superintendent of
4 buildings and grounds, who shall serve at the pleasure of the director
5 and shall not be governed by the provisions of chapter nineteen A
6 (19A) of the Code.

1 SEC. 11. Section nineteen B point eight (19B.8), unnumbered para-
2 graph five (5), Code 1973, is amended to read as follows:

3 The director shall assign office space in the capitol building, other
4 state buildings, except the buildings and grounds referred to in section
5 601B.6, subsection 9, and elsewhere in the city of Des Moines, for all
6 executive and judicial state agencies. Assignments may be changed
7 at any time. The various officers to whom rooms have been so assigned
8 may control the same while the assignment to them is in force. Official
9 apartments shall be used only for the purpose of conducting the busi-
10 ness of the state. The term "capitol" or "capitol building" as used in
11 the Code shall be descriptive of all buildings upon the capitol grounds.
12 The assignment and use of physical facilities for the general assembly
13 shall be pursuant to section ~~2.5~~ *two point fifty-one (2.51) of the Code.*

1 SEC. 12. Section nineteen B point twelve (19B.12), Code 1973, is
2 amended by adding the following new subsections:

3 NEW SUBSECTION. Contract, with the approval of the executive
4 council, for the repair, remodeling or, if the condition warrants, demo-
5 lition of all buildings and grounds of the state at the seat of govern-
6 ment for which no specific appropriation has been made, if the cost of
7 repair, remodeling or demolition will not exceed one hundred thousand
8 dollars when completed. The cost of repair projects for which no
9 specific appropriation has been made shall be paid from the fund
10 provided in section nineteen point twenty-nine (19.29) of the Code.

11 NEW SUBSECTION. Dispose of all personal property of the state
12 under his control when it becomes unnecessary or unfit for further use
13 by the state. Proceeds from the sale of personal property shall be
14 deposited in the state general fund.

15 NEW SUBSECTION. Lease all buildings and office space necessary to
16 carry out the provisions of this chapter or necessary for the proper
17 functioning of any state agency at the seat of government, with the
18 approval of the executive council if no specific appropriation has been
19 made and the annual cost of the lease will exceed one hundred thou-
20 sand dollars, inclusive of any necessary remodeling, renovation or
21 repair. The cost of any lease for which no specific appropriation has
22 been made shall be paid from the fund provided in section nineteen
23 point twenty-nine (19.29) of the Code.

1 SEC. 13. Chapter nineteen B (19B), Code 1973, is amended by
2 adding the following new section:

3 NEW SECTION. The governor may by executive order transfer the
4 control and management of any warehouse, except warehouses under
5 the control of the Iowa beer and liquor control department, under the
6 control of any state agency which is in all instances included within
7 centralized purchasing under section nineteen B point three (19B.3)
8 of the Code, to the director of the department of general services.

1 SEC. 14. Section forty-nine point fifty-six (49.56), Code 1973, is
2 amended to read as follows:

3 **49.56 Maximum cost of printing.** The cost of printing the official
4 election ballots and printed supplies for voting machines shall not
5 exceed an amount determined by the ~~state printing board~~ *director of*
6 *the department of general services.*

1 SEC. 15. Chapter one hundred twenty-seven (127), Code 1973, is
2 amended by adding the following new section:

3 NEW SECTION. **Other state departments.** Any department of the
4 state government needing a motor vehicle for official use may make
5 written application therefor to the director of the department of gen-
6 eral services. The director shall, if he determines that the department
7 should have a motor vehicle, by written application request the depart-
8 ment of justice to requisition a suitable motor vehicle for the applic-
9 department whenever one is available, in the manner provided in this
10 chapter. Whenever any department receives a motor vehicle under the
11 provisions of this section, the department shall cause the court costs
12 and all other costs incurred in connection with the confiscation and
13 forfeiture of the motor vehicle to be paid to the clerk of the court or
14 the sheriff of the proper county.

1 SEC. 16. Section two hundred eighty-three point two (283.2), Code
2 1973, is amended to read as follows:

3 **283.2 Services and commodities accepted.** The ~~state board of pub-~~
4 ~~lic instruction~~ *director of the department of general services* is also
5 authorized to accept services, commodities and surplus property and
6 make provision for warehousing and distribution to various depart-
7 ments and subdivisions of the state, and such other agencies, institu-
8 tions and authorized recipients within the state as may be from time to
9 time designated in federal statutes and rules.

1 SEC. 17. Section three hundred twenty-one point nineteen (321.19),
2 Code 1973, is amended to read as follows:

3 **321.19 General exemptions.** All vehicles owned by the government
4 and used in the transaction of official business by the representatives
5 of foreign powers or by officers, boards, or departments of the govern-
6 ment of the United States, and by the state of Iowa, counties, municipi-
7 palities and other subdivisions of government including vehicles used
8 by an urban transit company operated by a municipality as authorized
9 under chapter 386C, and such self-propelling vehicles as are used
10 neither for the conveyance of persons for hire, pleasure, or business
11 nor for the transportation of freight other than those used by an
12 urban transit company operated by a municipality, and all fire trucks,
13 providing they are not owned and operated for a pecuniary profit, are
14 hereby exempted from the payment of the fees in this chapter pre-
15 scribed, but shall not be exempt from the penalties herein provided.
16 The department shall furnish, on application, free of charge, distin-
17 guishing plates for vehicles thus exempted, which plates shall bear the
18 word "official", and the department shall keep a separate record thereof.
19 Provided that the ~~executive council~~ *director of general services or the*
20 *commissioner of public safety* may order the issuance of regular regis-
21 tration plates, for any such exempted vehicle, used by peace officers in
22 the enforcement of the law and persons enforcing the drug and nar-
23 cotic laws. For purposes of sale of vehicles exempted as herein indi-
24 cated, the exempted governmental body, upon the sale of the exempted
25 vehicle, may issue for in-transit purposes a pasteboard card bearing
26 the words "Vehicle in Transit", the name of the official body from
27 which the vehicle was purchased, together with the date of the pur-
28 chase plainly marked in minimal of one-inch letters, and other infor-
29 mation which may be required by the department of public safety.
30 The in-transit card shall be valid for use only within forty-eight hours
31 after the purchase date as indicated on the bill of sale which shall be
32 carried by the driver.

1 SEC. 18. Section nineteen point four (19.4), Code 1973, is re-
2 pealed.

1 SEC. 19. All acts and proceedings of the executive council to make
2 repairs or pay expenses under sections nineteen point eighteen (19.18)
3 and nineteen point nineteen (19.19), Code 1971, after the effective
4 date of chapter eighty-four (84), 1971 Session of the Sixty-fourth
5 General Assembly, are declared to be legal, validated, and confirmed.

1 SEC. 20. Section twenty-one point two (21.2), subsection four (4),
2 Code 1973, is amended to read as follows:

3 4. The state vehicle dispatcher shall purchase all new motor vehicles
4 for all branches of the state government, *except the state highway*
5 *commission, institutions under the control of the state board of regents,*
6 *the commission for the blind, and any other agencies exempted by law.*
7 Before purchasing any motor vehicle he shall make requests for public
8 bids by advertisement and he shall purchase the vehicles from the
9 lowest responsible bidder for the type and make of motor vehicle des-
10 ignated. No passenger motor vehicle except the motor vehicle provided
11 by the state for use of the governor, ambulances, buses, trucks, or
12 station wagons shall be purchased for an amount in excess of the sum

13 of three thousand three hundred dollars; provided that if the passenger
 14 motor vehicle is to be used by the highway patrol or the drug law
 15 enforcement division or the division of criminal investigation and
 16 bureau of identification for actual law enforcement, the maximum
 17 amount shall be ~~three thousand eight~~ *four thousand one* hundred dol-
 18 lars. Provided further, that for station wagons the maximum amount
 19 shall be ~~three thousand five~~ *four thousand one* hundred dollars.

1 SEC. 21. Section twenty-one point one (21.1), Code 1973, is
 2 amended to read as follows:

3 **21.1 Authority in department of general services.** The authority
 4 to assign all state-owned motor vehicles to state officers and employ-
 5 ees, or to state offices, departments, bureaus, and commissions, *except*
 6 *the state highway commission, institutions under the control of the*
 7 *state board of regents, the commission for the blind, and any other*
 8 *agencies exempted by law* shall be vested in the department of general
 9 services.

1 SEC. 22. Section nineteen B point thirteen (19B.13), Code 1973, is
 2 hereby amended by adding thereto the following paragraph:

3 **NEW PARAGRAPH. Denial of federal funds.** If it is determined by
 4 the attorney general that any provision of this Act would cause denial
 5 of funds or services from the United States government which would
 6 otherwise be available to an agency of this state, such provision shall
 7 be suspended as to such agency, but only to the extent necessary to
 8 prevent denial of such funds or services.

Approved July 20, 1973.

This Act was passed by the G. A. before July 1, 1973.

CHAPTER 122

OMNIBUS CORRECTIONS

H. F. 209

AN ACT correcting erroneous, inconsistent and obsolete sections of the Code of Iowa.

Be It Enacted by the General Assembly of the State of Iowa:

1 SECTION 1. Section four point one (4.1), subsection twenty-six
 2 (26), Code 1973, is amended to read as follows:

3 26. Population. The word "population", where used in this Code or
 4 any statute hereafter passed, shall be taken to be that as shown by the
 5 last preceding national census, unless otherwise specially provided.
 6 *However, the population figure disclosed for any city or town as the
 7 result of a special federal census as modified as the result of consolida-
 8 tion or annexation in the manner provided in sections 312.3 and ~~123.50~~
 9 *one hundred twenty-three point fifty-three (123.53) of the Code*, shall
 10 be considered for no other purposes than the application of sections
 11 ~~123.50 one hundred twenty-three point fifty-three (123.53) of the Code~~,
 12 312.3 and 405.1.

*See 64 G. A., ch. 1088, §200, effective July 1, 1974.