

Mines and Mining.  
November 17, 1933.

House File No. 92.

*✓ Coal Preference*  
*✓ General Assembly*  
By TETER, FALVEY, CRAVEN, AUGUSTINE,  
DONLON, DAVIS, DORAN, GALLAGHER,  
GOODE, MITCHEL, GITTINGER, MILL-  
HONEY, FABRITZ, OSTBY (VALENTINE,  
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BRENNER, REESE, STEVENS OF WAPELLO,  
STEVENS OF DECATUR, WILSON, NELSON,  
CALHOUN, DOZE, COYKENDALL.)

## A BILL FOR

An Act to amend section eleven hundred, seventy one-b1 (1171-b1) of the code, 1931, relating to preference for coal and other domestic products, materials, supplies, provisions and other articles, and providing for the purchase and use thereof by the state and certain municipal corporations or political subdivisions thereof, and providing penalties for failing to give such preference in the purchase and use of domestic coal for fuel; and to repeal section eleven hundred, seventy one-b2 (1171-b2) of the code, 1931, and to enact a substitute therefor, relating to advertising for bids and proposals for materials, coal and other domestic products, supplies, provisions, and other articles to be purchased at public expense, and relating to the rejection and acceptance of bids for domestic coal for fuel, and providing for contract and bond on acceptance of any such bids for coal for fuel.

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

1 Section 1. The law as it appears in section eleven  
2 hundred seventy-one-b1 (1171-b1) of the code, 1931, hereby  
3 is amended by inserting immediately after the period (.) in  
4 the last line thereof, the following:  
5 "And every such commission, board, committee, officer or  
6 other governing body of this state, or of any county, township,  
7 school district, city or town, and every person acting as the  
8 representative, contracting or purchasing agent of any such  
9 commission, board, committee, officer or other governing body  
10 who is authorized and required to purchase coal for fuel

11 purposes, shall purchase and use coal mined in this state,  
12 when such coal is found in marketable quantities in this state,  
13 and is of a quality reasonably suited for the purpose or purposes  
14 intended, and where the equipment is reasonably adaptable for  
15 its use, and if the per-ton cost of such coal on a commercial  
16 heating basis is not greater than the per-ton cost of coal  
17 mined in any other state or states, including the cost of  
18 transportation; and any such officer or person who is connected  
19 with, or is a member or agent or representative of any  
20 commission, board, committee, officer or other governing board  
21 of this state, or of any county, township, school district,  
22 city or town, who fails to so give preference to coal mined  
23 in this state, as herein required, shall be guilty of a  
24 misdemeanor, and, upon conviction, shall be fined not more  
25 than one hundred dollars, and shall be removed from office.

1 Section 2. The law as it appears in section eleven hundred,  
2 seventy one-b2 (1171-b2) of the code, 1931, hereby is repealed,  
3 and the following enacted in lieu thereof:

4 "1171-b2. All requests hereafter made for bids and proposals  
5 for materials, coal and other products, supplies, provisions and  
6 other needed articles to be purchased at public expense, shall  
7 be made in general terms and by general specifications and not by  
8 brand, trade name or other individual mark; and before any coal  
9 for fuel shall be purchased, as provided in the preceding section,  
10 at a total cost exceeding two hundred dollars, requests for bids  
11 shall be made by advertisement, published in the county where

12 consecutive weeks in some newspaper published in the county where  
13 such coal is to be used ; and such advertisement shall state, among  
14 other things, the time and place where such bids will be received,  
15 which time shall not be less than ten days after the last publication  
16 of such notice, and the contract shall be let to the lowest  
17 responsible bidder ; but any and all bids may be rejected, and  
18 advertisement for bids again so made. After any bid is accepted,  
19 a written contract shall be entered into and the contractor shall  
20 furnish a bond with sureties for the faithful performance of the  
21 contract. All such requests and bids provided for in this section  
22 shall contain therein a paragraph in easily legible print, reading  
23 as follows :

24 'By virtue of statutory authority, a preference will be  
25 given to materials, coal and other products, supplies, provisions  
26 and all other articles produced, manufactured, made or grown  
27 within the state of Iowa.' ”