

REPRINTED

SENATE FILE 518

BY COMMITTEE ON STATE GOVERNMENT

(SUCCESSOR TO SSB 216)

Passed Senate, Date 4-1-97 ^(P.892)

Passed House, Date 3/25/98 ^(P.919)

Vote: Ayes 47 Nays 0

Vote: Ayes 99 Nays 0

Approved May 6, 1998

A BILL FOR

1 An Act relating to the administration of state government, by
2 providing for the practices of the department of general
3 services, state procurement, motor vehicles, and state
4 printing.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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S.F. 518

1 administrator. Upon request, state agencies shall provide all
2 loss and exposure information to the department.

3 NEW SUBSECTION. 12. Organizing the department by
4 divisions or other subunits to promote the effective and
5 efficient administration of the department.

6 Sec. 4. Section 18.6, subsections 2, 3, 4, and 9, Code
7 1997, are amended to read as follows:

8 2. The director may also exempt the purchase of an item or
9 service from a competitive bidding procedure when the director
10 determines that the best interests of the state will be served
11 due-to-an by the exemption which shall be based on one of the
12 following:

13 a. An immediate or emergency need existing for the item or
14 service.

15 b. A need to protect the health, safety, or welfare of
16 persons occupying or visiting a public improvement or property
17 located adjacent to the public improvement.

18 c. An opportunity to procure an item or service in another
19 reasonable manner.

20 3. The director shall have the power to contract for the
21 purchase of items or services by the department. Contracts
22 for the purchase of items shall be awarded on the basis of the
23 lowest competent bid. Contracts not based on competitive
24 bidding shall be awarded on the basis of bidder competence and
25 reasonable price.

26 The director may enter into an agreement with the
27 government of another state or with the federal government to
28 provide for the cooperative purchase of an item or service of
29 general use in this state.

30 4. The director may refuse all bids on any item or service
31 and institute a new bidding procedure.

32 9. a. When the estimated total cost of construction,
33 erection, demolition, alteration, or repair of a public
34 improvement exceeds twenty-five thousand dollars, the
35 department shall advertise for bids on the proposed

1 The director shall provide necessary ~~voice-or-data~~
2 ~~communications,-including-telephone-and-telegraph~~
3 telecommunications cabling, lighting, fuel, and water services
4 for the state buildings and grounds located at the seat of
5 government, except the buildings and grounds referred to in
6 section 216B.3, subsection 6.

7 Sec. 7. Section 18.12, subsection 8, Code 1997, is amended
8 by adding the following new paragraph:

9 NEW PARAGRAPH. c. The director may dispose of presses,
10 printing equipment, printing supplies, and other machinery or
11 equipment used in the printing operation, as provided in
12 section 18.59.

13 Sec. 8. Section 18.12, subsection 9, Code 1997, is amended
14 to read as follows:

15 9. a. Lease all buildings and office space necessary to
16 carry out the provisions of this chapter or necessary for the
17 proper functioning of any state agency at the seat of
18 government, with the approval of the executive council if no
19 specific appropriation has been made. The cost of any lease
20 for which no specific appropriation has been made shall be
21 paid from the fund provided in section 7D.29.

22 b. When the general assembly is not in session, the
23 director ~~of-general-services~~ may request ~~funds~~ moneys from the
24 executive council for moving state agencies located at the
25 seat of government from one location to another. The request
26 may include moving costs, ~~telephone~~ telecommunications costs,
27 repair costs, or any other costs relating to the move. The
28 executive council may approve and shall pay the costs from
29 funds provided in section 7D.29 if it determines the agency or
30 department has no available funds for these expenses.

31 c. Coordinate the leasing of buildings and office space by
32 state agencies throughout the state and develop cooperative
33 relationships with the state board of regents in order to
34 promote the colocation of state agencies.

35 Sec. 9. Section 18.12, subsection 12, Code 1997, is

1 5. Information on recycled content shall be requested on
2 all bids for paper products issued by the state and on other
3 bids for products which could have recycled content such as
4 oil, plastic products, including but not limited to starch-
5 based-plastic-products, compost materials, aggregate,
6 solvents, soybean-based inks, and rubber products.

7 Sec. 13. Section 18.18, subsection 8, Code 1997, is
8 amended by striking the subsection.

9 Sec. 14. NEW SECTION. 18.19 RECYCLING REVOLVING FUND.

10 A recycling revolving fund is created within the state
11 treasury under the control of the department. The fund shall
12 consist of any moneys appropriated by the general assembly and
13 any other moneys available to and obtained or accepted by the
14 department from the federal government or private sources for
15 placement in the fund. The assets of the fund shall be used
16 by the department only for supporting recycling operations.
17 Moneys in the fund, which may be subject to warrants written
18 by the director of revenue and finance, shall be drawn upon
19 the written requisition of the director or an authorized
20 representative of the director. The fund is subject to an
21 annual audit by the auditor of state. Section 8.33 does not
22 apply to any moneys in the fund. Notwithstanding section
23 12C.7, subsection 2, interest or earnings on moneys deposited
24 in the fund shall be credited to the fund.

25 Sec. 15. Section 18.20, unnumbered paragraph 1, Code 1997,
26 is amended to read as follows:

27 The department in accordance with recommendations made by
28 the department of natural resources shall require all state
29 agencies to establish an agency wastepaper recycling program
30 ~~by-January-17-1990.~~ The director shall adopt rules which
31 require a state agency to develop a program to ensure the
32 recycling of the wastepaper generated by the agency. Each
33 ~~agency-shall-submit-a-report-to-the-general-assembly-meeting~~
34 ~~in-January-1990, which includes a description of the program~~
35 ~~plan-and-the-agency's-efforts-to-use-recycled-products.~~ All

1 Sec. 20. Section 18.37, Code 1997, is amended to read as
2 follows:

3 18.37 DEPOSIT WITH BID OR YEARLY BOND.

4 ~~A bidder shall deposit with the director at the time the~~
5 When a bidder files submits a bid to the department, the
6 director may require the bidder to file a bid, bond or a
7 certified check or credit union certified share draft payable
8 to the state treasurer for in an amount to be fixed in the bid
9 specifications, either covering all classes or items or
10 services, or separate certified checks or drafts for each bid
11 in case the bidder makes more than one bid. In lieu of checks
12 or share drafts a certified check, the bidder may furnish a
13 yearly bond in an amount to be established by the director.
14 ~~Checks or share drafts~~ Certified checks deposited by
15 unsuccessful bidders, and by successful bidders when they have
16 entered into the contract, shall be returned to them.

17 Sec. 21. Section 18.38, Code 1997, is amended to read as
18 follows:

19 18.38 OPENING AND ACCESSING OF BIDS -- AWARD.

20 All bids shall be publicly opened or accessed and read and
21 the contracts ~~let at the time and place fixed therefor, or on~~
22 ~~the adjourned day or days named by the director, of which~~
23 ~~adjournment all parties shall take notice~~ awarded in the
24 manner designated in the bid specifications. In the award of
25 contracts a contract, due consideration shall be given not
26 only to the price bid, ~~but to the~~ mechanical and other
27 equipment proposed to be used by the bidder, and the financial
28 responsibility of the bidder, and the bidder's ability and
29 experience in the performance of ~~like or~~ similar contracts,
30 and any other factors that the department determines are
31 relevant and that are included in the bid specifications.

32 Sec. 22. Section 18.43, Code 1997, is amended to read as
33 follows:

34 18.43 DUTY TO ENTER INTO CONTRACT -- FORFEITURE.

35 A If the department requires a bid bond or certified check

1 printing:

2 Sec. 26. Section 18.48, Code 1997, is amended to read as
3 follows:

4 18.48 ACCEPTANCE OF PRINTING -- PENALTY.

5 ~~No printing shall be accepted as in compliance with the~~
6 ~~contract when not of the grade of skill which is usually~~
7 ~~employed by first class printers on printing of this class,~~
8 ~~nor when the printing is not of the full quality contracted~~
9 ~~for.~~ The director may reject or refuse delivery on printing
10 which is not of the quality for which the contract was
11 awarded. If immediate necessity and or lack of time to
12 procure printing elsewhere ~~compel~~ compels the use of defective
13 printing furnished by a contractor, ~~it~~ the defective printing
14 shall be accepted without approval, and one-half of the
15 contract price thereon shall be deducted as liquidated damages
16 for breach of contract. The amount of the liquidated damages
17 may be deducted from any payment to the contractor under any
18 state contract.

19 Sec. 27. Section 18.49, Code 1997, is amended to read as
20 follows:

21 18.49 CONTRACTS BY INSTITUTIONAL HEADS.

22 The director may authorize the managing board, or head, or
23 chief executive officer of any institution or department of
24 the state located outside ~~the city of Des Moines~~ Polk county
25 to secure, under the specifications of the director,
26 competitive bids for printing needed by the institution or
27 department, and submit the bids to the director. If the
28 director approves any of the bids, the authorized board, head,
29 or officer may contract for the printing, but the contract
30 shall not be valid until ~~a duplicate copy is filed with and~~
31 ~~approved by~~ the director approves the contract. The director
32 shall prescribe the manner by which the director is notified
33 of and approves the contract.

34 Sec. 28. Section 18.50, Code 1997, is amended to read as
35 follows:

1 longer necessary or is unfit for use. Receipts from the sale
2 of presses, printing equipment, printing supplies, and other
3 machinery or equipment used in the printing operation shall be
4 deposited in the centralized printing revolving fund
5 established in section 18.57.

6 Sec. 31. Section 18.60, Code 1997, is amended to read as
7 follows:

8 18.60 COST SYSTEMS MAINTAINED BY DEPARTMENTS.

9 Each official, board, department, commission, or agency
10 located outside ~~the-city-of-Des-Moines~~ Polk county, who
11 maintains printing equipment, or does any printing for the
12 state or its departments shall likewise keep an accurate cost
13 system and ~~make~~ report each June 30 to the director of the
14 amounts, ~~and these.~~ These reports shall be included in the
15 annual, fiscal, or calendar report of the director.

16 Sec. 32. Section 18.63, unnumbered paragraph 1, Code 1997,
17 is amended to read as follows:

18 No A department or commission of state located in ~~the-city~~
19 ~~of-Des-Moines~~ Polk county shall not expend any-funds moneys
20 for the publication or distribution of books, or pamphlets, or
21 reports unless the publication ~~thereof-be~~ is expressly
22 required by law or approved by the director. ~~A-violation-of~~
23 ~~this-section-shall-constitute-misfeasance-in-office.~~ The
24 state printing administrator may exempt minimal single
25 printing projects from the requirements of this section in
26 order to permit a state agency to timely procure printing, if
27 a state contract is not currently available. The department
28 shall adopt rules establishing criteria for exemption of
29 minimal printing projects under this section.

30 Sec. 33. Section 18.82, Code 1997, is amended to read as
31 follows:

32 18.82 CUSTODY OF DOCUMENTS AND STORAGE ROOMS.

33 The superintendent state printing administrator shall
34 receive and have the custody of ~~the-Iowa-documents,~~ reports,
35 and all other printed matter and, including all documents and

1 have been improperly made on the motor vehicle or that the
2 operator is not giving it the proper care, the dispatcher
3 state fleet administrator shall report this fact to the head
4 of the department state agency to which the motor vehicle has
5 been assigned, together with recommendation for improvement.

6 3. The state vehicle-dispatcher fleet administrator shall
7 install a record system for the keeping of records of the
8 total number of miles state-owned motor vehicles are driven
9 and the per-mile cost of operation of each motor vehicle.

10 Every state officer or employee shall keep a record book to be
11 furnished by the state vehicle-dispatcher fleet administrator
12 in which the officer or employee shall enter all purchases of
13 gasoline, lubricating oil, grease, and other incidental
14 expense in the operation of the motor vehicle assigned to the
15 officer or employee, giving the quantity and price of each
16 purchase, including the cost and nature of all repairs on the
17 motor vehicle. Each operator of a state-owned motor vehicle
18 shall promptly prepare a report at the end of each month on
19 forms furnished by the state vehicle-dispatcher fleet
20 administrator and ~~forward-the-same~~ forwarded to the dispatcher
21 ~~at-the-statehouse~~ state fleet administrator, giving the
22 information the state vehicle-dispatcher fleet administrator
23 may request in the report. ~~The~~ Each month the state vehicle
24 dispatcher fleet administrator shall ~~each-month~~ compile the
25 costs and mileage of state-owned motor vehicles from the
26 reports and keep a cost history card-on for each motor vehicle
27 and the costs shall be reduced to a cost-per-mile basis for
28 each motor vehicle. ~~It-shall-be-the-duty-of-the~~ The state
29 ~~vehicle-dispatcher-to~~ fleet administrator shall call to the
30 attention of an elected official or the head of any department
31 state agency to which a motor vehicle has been assigned any
32 evidence of the mishandling or misuse of any a state-owned
33 motor vehicle which is called to the dispatcher's state fleet
34 administrator's attention.

35 PARAGRAPH DIVIDED. A motor vehicle operated under this

1 vehicles and light trucks such so that the average fuel
2 efficiency for the fleet of new passenger vehicles and light
3 trucks purchased in that year ~~by the state vehicle dispatcher~~
4 ~~or other state agency or local governmental political~~
5 ~~subdivision~~ equals or exceeds the average fuel economy
6 standard for the vehicles' model year as established by the
7 United States secretary of transportation under 15 U.S.C. §
8 2002. This paragraph does not apply to vehicles purchased for
9 ~~any of the following:~~ law enforcement purposes, school buses,
10 or used for off-road maintenance work, or work vehicles used
11 to pull loaded trailers. ~~The group of comparable vehicles~~
12 ~~within the total fleet purchased by the state vehicle~~
13 ~~dispatcher, or any other state agency or local governmental~~
14 ~~political subdivision purchasing motor vehicles for other than~~
15 ~~law enforcement purposes, shall have an average fuel~~
16 ~~efficiency rating equal to or exceeding the average fuel~~
17 ~~economy rating for that model year for that class of~~
18 ~~comparable vehicles as defined in 40 C.F.R. § 315-82. As used~~
19 ~~in this paragraph, "fuel economy" means the average number of~~
20 ~~miles traveled by an automobile per gallon of gasoline~~
21 ~~consumed as determined by the United States environmental~~
22 ~~protection agency administrator in accordance with 26 U.S.C. §~~
23 ~~4064(c). For purposes of this paragraph, "state agency"~~
24 ~~includes, but is not limited to, a community college or an~~
25 ~~institution under the control of the state board of regents.~~

26 The Not later than February 15 of each year, the state
27 vehicle dispatcher fleet administrator shall annually report
28 compliance with the corporate average combined fuel economy
29 standards published by the United States secretary of
30 transportation for all new motor vehicles purchased by
31 classification, other than motor vehicles purchased by the
32 state department of transportation, institutions under the
33 control of the state board of regents, the department for the
34 blind, and any other state agency exempted from the
35 requirements of this subsection. The report of compliance

1 (4) The department for the blind.

2 (5) Any other state agency exempted from obtaining
3 vehicles for use through the state vehicle-dispatcher fleet
4 administrator.

5 b. As used in paragraph "a", "fuel economy" means the
6 average number of miles traveled by an automobile per gallon
7 of gasoline consumed as determined by the United States
8 environmental protection agency administrator in accordance
9 with 26 U.S.C. § 4064(c).

10 5. Of all new passenger vehicles and light pickup trucks
11 purchased by the state vehicle-dispatcher fleet administrator,
12 a minimum of ten percent of all such vehicles and trucks
13 purchased shall be equipped with engines which utilize
14 alternative methods of propulsion including but not limited to
15 any of the following:

16 a. A flexible fuel, which is any of the following:

17 (1) A fuel blended with not more than fifteen percent
18 gasoline and at least eighty-five percent ethanol.

19 (2) A fuel which is a mixture of diesel fuel and processed
20 soybean oil. At least twenty percent of the mixed fuel by
21 volume must be processed soybean oil.

22 (3) A renewable fuel approved by the office of renewable
23 fuels and coproducts pursuant to section 159A.2.

24 b. Compressed or liquefied natural gas.

25 c. Propane gas.

26 d. Solar energy.

27 e. Electricity.

28 The provisions of this subsection do not apply to vehicles
29 and trucks purchased and directly used for law enforcement or
30 purchased and used for off-road maintenance work or to pull
31 loaded trailers.

32 ~~It is the intent of the general assembly that the members~~
33 ~~of the midwest energy compact promote the development and~~
34 ~~purchase of motor vehicles equipped with engines which utilize~~
35 ~~alternative methods of propulsion.~~

1 ~~cause-to-be-marked~~ require that a sign be placed on every each
2 state-owned motor vehicle ~~a-sign~~ in a conspicuous place which
3 indicates its ownership by the state ~~except-cars~~. This
4 requirement shall not apply to motor vehicles requested to be
5 exempt by the commissioner of public safety or the director of
6 the department of general services. All state-owned motor
7 vehicles shall display registration plates bearing the word
8 "official" except ~~cars~~ motor vehicles requested to be
9 furnished with ordinary plates by the commissioner of public
10 safety or the director of the department of general services
11 pursuant to section 321.19. The state ~~vehicle-dispatcher~~
12 fleet administrator shall keep an accurate record of the
13 registration plates used on all ~~state-cars~~ state-owned motor
14 vehicles.

15 9. The state ~~vehicle-dispatcher-shall-have-the-authority~~
16 ~~to-make-such~~ fleet administrator may adopt other rules
17 regarding the operation of state-owned motor vehicles, with
18 the approval of the director of the department of general
19 services, as may be necessary to carry out the purpose of this
20 chapter. All rules adopted by the vehicle dispatcher shall be
21 approved by the director before becoming effective.

22 10. All gasoline fuel used in state-owned automobiles
23 shall be purchased at cost from the various installations or
24 garages of the state department of transportation, state board
25 of regents, department of human services, or state car motor
26 pools throughout the state, unless ~~such-purchases-are-exempted~~
27 ~~by-the-vehicle-dispatcher~~.--~~The-vehicle-dispatcher-shall-study~~
28 ~~and-determine-the-reasonable-accessibility-of-these-state-~~
29 ~~owned-sources-for-the-purchase-of-gasoline~~.--If these the
30 state-owned sources for the purchase of gasoline fuel are not
31 reasonably accessible⁷. If the vehicle-dispatcher state fleet
32 administrator determines that state-owned sources for the
33 purchase of fuel are not reasonably accessible, the state
34 fleet administrator shall authorize the purchase of gasoline
35 fuel from other sources. The ~~vehicle-dispatcher~~ state fleet

1 ~~and-in~~ fleet administrator. In that case the state officer or
2 employee shall receive an amount to be determined by the state
3 ~~which-may-be~~ director in consultation with the director of the
4 department of personnel and the director of revenue and
5 finance. The amount shall not exceed the maximum allowable
6 under the federal internal revenue service rules per mile,
7 notwithstanding established mileage requirements or
8 depreciation allowances. However, the director may authorize
9 ~~per-mile-reimbursement~~ private motor vehicle rates in excess
10 of the rate allowed under the federal internal revenue service
11 rules for state business use of substantially modified or
12 specially equipped privately owned vehicles required by
13 persons with disabilities. A statutory provision ~~stipulating~~
14 establishing reimbursement for necessary mileage, travel, or
15 actual expenses ~~reimbursement~~ to a state officer falls under
16 the ~~mileage-reimbursement~~ private motor vehicle mileage rate
17 limitation provided in this section unless specifically
18 provided otherwise. Any peace officer employed by the state
19 as defined in section 801.4 who is required to use a private
20 motor vehicle in the performance of official duties shall
21 receive ~~reimbursement-for-mileage-expense~~ the private vehicle
22 mileage rate at the rate ~~specified~~ provided in this section.
23 However, the state ~~vehicle-dispatcher~~ fleet administrator may
24 delegate authority to officials of the state, and department
25 heads, for the use of private vehicles on state business up to
26 a yearly mileage figure established by the director ~~of-general~~
27 services. If a state motor vehicle has been assigned to a
28 state officer or employee, the officer or employee shall not
29 collect mileage for the use of a privately owned motor vehicle
30 unless the state motor vehicle assigned is not usable.

31 2. This-section Subsection 1 does not apply to officials
32 any of the following:

33 a. Officials and employees of the state whose mileage is
34 paid by other than by a state agencies-and-this-section-does
35 not-apply-to-elected agency.

1 2. The Iowa Code editor shall change references to "state
2 vehicle dispatcher" to "state fleet administrator" wherever
3 the references appear in the Code.

4 Sec. 38. Sections 18.41, 18.52, 18.55, 18.56, 18.76,
5 18.77, 18.78, 18.79, and 18.118, Code 1997, are repealed.

6 EXPLANATION

7 This bill amends a number of provisions relating to the
8 administration of state government, by providing for the
9 administration of the department of general services and
10 particularly provisions affecting procurement, state-owned
11 motor vehicles, and state printing. The bill amends the
12 following sections:

13 Code section 2B.1 is amended to eliminate a reference to
14 Code section 18.76 which is repealed later in the bill.

15 Code section 18.1 is amended to provide that the definition
16 of "competitive bidding procedure" includes transactions
17 accomplished in an electronic format.

18 Code section 18.3 is amended to require that the department
19 develop and implement procedures to conduct transactions,
20 including purchasing, in an electronic format. The section is
21 amended to require that the department insure motor vehicles
22 owned by the state through a self-insurance program or through
23 a private insurer. A similar provision is eliminated from
24 Code section 18.115. The section is also amended to allow the
25 department to organize by divisions or other subunits to
26 promote the effective and efficient administration of the
27 department.

28 Code section 18.6 is amended to provide that the director
29 may contract for the purchase of services as well as items.
30 It provides that the department may exempt from ordinary
31 competitive bidding procedures, the purchase of an item or
32 service based on a determination that it is necessary to
33 protect the health, safety, or welfare of persons occupying or
34 visiting a public improvement or property located adjacent to
35 the public improvement; or that an item or service may be

1 be included on bids. The bill also eliminates a requirement
2 providing for agreements with the states of Minnesota and
3 Wisconsin for the purchase of general use items by January 1,
4 1993. The bill otherwise authorizes the department to enter
5 into such agreements with any state and the federal
6 government.

7 Code section 18.19 is a new section which establishes a
8 recycling revolving fund under the control of the department.
9 The bill provides that the assets of the fund must be used by
10 the department for supporting recycling operations.

11 Code section 18.20 is amended to eliminate a January 1,
12 1990, deadline for state agencies to establish wastepaper
13 recycling programs. It also eliminates a provision requiring
14 agencies to submit reports to the general assembly by January
15 1990.

16 Code section 18.28 is amended by eliminating a provision
17 which prohibits the reproduction of 10 or more copies from an
18 original on an office copier located in the city of Des
19 Moines, unless the department approves the copying.

20 Code section 18.32 relates to the advertisement of bids.
21 The section is amended to enhance readability.

22 Code section 18.33 is amended to provide that
23 advertisements for bid specifications shall provide how bids
24 will be accessed as well as opened.

25 Code section 18.36 is amended to provide requirements for
26 bids. The bill allows bids to be in a format prescribed by
27 the department. The bill provides that the bid may be
28 submitted in an electronic format which reasonably assures the
29 authenticity of the bid and the bidder's identity.

30 Code section 18.37 amends a provision requiring a bidder to
31 post evidence of financial security with the department. The
32 bill eliminates a reference to a credit union share draft, and
33 allows a bidder to provide evidence of financial security by
34 providing a certified check or posting a bid bond.

35 Code section 18.38 is amended to provide that bids may be

1 be included on bids. The bill also eliminates a requirement
2 providing for agreements with the states of Minnesota and
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31 post evidence of financial security with the department. The
32 bill eliminates a reference to a credit union share draft, and
33 allows a bidder to provide evidence of financial security by
34 providing a certified check or posting a bid bond.

35 Code section 18.38 is amended to provide that bids may be

1 work, material, or printing supplies which are not included in
2 a current printing contract. Currently, the department may
3 enter into a special contract for work or materials, if the
4 amount of the contract is \$5,000 or less. The bill removes
5 this limitation.

6 Code section 18.51 eliminates a requirement that all paper
7 purchased for use by the state must have a distinguishing
8 mark. The bill also provides accounting requirements
9 involving persons doing printing for the state. The language
10 of the provision is currently included in Code section 18.52
11 which the bill repeals.

12 Code section 18.59 is amended to provide that the
13 department is no longer required to obtain the consent of the
14 executive council prior to disposing of printing machinery or
15 equipment. The bill provides that receipts from the sale of
16 presses, printing equipment, printing supplies, and other
17 machinery or equipment used in the printing operation shall be
18 deposited in the department's printing revolving fund.

19 Code section 18.60 provides for accounts by state agencies
20 located outside of the city of Des Moines which maintain
21 printing equipment. The bill provides that the provisions
22 apply to agencies located outside Polk county.

23 Code section 18.63 provides that state agencies located in
24 the city of Des Moines may not expend moneys for the
25 publication or distribution of materials unless required by
26 law or approved by the director. The bill provides that this
27 requirement applies to state agencies located in Polk county.
28 It removes a provision which provides that a violation of the
29 requirement constitutes misfeasance in office. The bill
30 provides that the department may exempt minimal single
31 printing projects from these requirements in order to permit a
32 state agency to timely procure printing, if a state contract
33 is not currently available.

34 Code section 18.82 is amended to change the name of the
35 state printing superintendent to the state printing

1 the department study the accessibility of state-owned sources.
2 The bill provides that the department may provide for the
3 purchase of motor vehicle repair and maintenance in accordance
4 with competitive bidding procedures. The bill eliminates a
5 provision requiring the department to obtain insurance
6 coverage for motor vehicles. Similar language is included
7 elsewhere in the bill.

8 Code section 18.117 provides for reimbursing state officers
9 and employees who use a privately owned motor vehicle for
10 state business. The bill changes the name of the state
11 vehicle dispatcher to the state fleet administrator. The bill
12 provides that the amount of reimbursement shall be based on an
13 amount determined by the department in consultation with the
14 department of personnel and the department of revenue and
15 finance. The bill provides that the section is not applicable
16 to members and employees of the general assembly who are to be
17 governed by policies established by the general assembly.

18 Code section 421.40 provides procedures for the payment of
19 claims by departments, the general assembly, and the courts.
20 The bill provides that departments may enter into contracts
21 for goods or services on payment terms of less than 60 days if
22 the state obtains a financial benefit or incentive which would
23 not otherwise be available from the vendor.

24 The bill directs the Iowa Code editor to change references
25 to "superintendent of printing" to "state printing
26 administrator" and references to "state vehicle dispatcher" to
27 "state fleet administrator" wherever the references appear in
28 the Code.

29 The bill repeals a number of sections, including Code
30 sections 18.41, 18.52, 18.55, 18.56, 18.76, 18.77, 18.78,
31 18.79, and 18.118. Code section 18.41 refers to the
32 acceptance of bids; Code section 18.52 provides accounting
33 requirements for private printers; Code section 18.55 requires
34 the director to provide accounting requirements when several
35 state agencies are involved in a printing project; Code

1 section 18.56 provides for vouchers and audit requirements;
2 Code section 18.76 provides for editing manuscripts; Code
3 section 18.77 provides for cooperation among agencies in their
4 operations; Code section 18.78 provides for appeals; Code
5 section 18.79 provides recordkeeping requirements; and Code
6 section 18.118 provides penalties for violating rules adopted
7 by the state vehicle dispatcher.

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SENATE FILE 518

S-3302

1 Amend Senate File 518 as follows:

2 1. Page 1, by inserting after line 17 the
3 following:

4 "Sec. ____ . Section 18.1, Code 1997, is amended by
5 adding the following new subsection:

6 NEW SUBSECTION. 7. "State buildings and grounds"
7 excludes any building under the custody and control of
8 the Iowa public employees' retirement system.

9 Sec. ____ . Section 18.3, subsections 4 and 7, Code
10 1997, are amended to read as follows:

11 4. Providing for the proper maintenance of the
12 state capitol, grounds, and equipment and all other
13 state buildings, and grounds, and equipment at the
14 seat of government, except those referred to in
15 section 216B.3, subsection 6.

16 7. Providing architectural services, contracting
17 for construction and construction oversight for state
18 agencies except for the board of regents, department
19 of transportation, national guard, and natural
20 resource commission, and the Iowa public employees'
21 retirement system. Capital funding appropriated to
22 state agencies, except the board of regents,
23 department of transportation, national guard, and
24 natural resource commission, and the Iowa public
25 employees' retirement system for property management
26 shall be transferred for administration and control to
27 the director of the department of general services."

28 2. Page 4, by inserting after line 6 the
29 following:

30 "Sec. ____ . Section 18.8, unnumbered paragraph 5,
31 Code 1997, is amended to read as follows:

32 Except for buildings and grounds described in
33 section 216B.3, subsection 6, and; section 2.43,
34 unnumbered paragraph 1; and any buildings under the
35 custody and control of the Iowa public employees'
36 retirement system, the director shall assign office
37 space at the capitol, other state buildings and
38 elsewhere in the city of Des Moines, for all executive
39 and judicial state agencies. Assignments may be
40 changed at any time. The various officers to whom
41 rooms have been so assigned may control the same while
42 the assignment to them is in force. Official
43 apartments shall be used only for the purpose of
44 conducting the business of the state. The term
45 "capitol" or "capitol building" as used in the Code
46 shall be descriptive of all buildings upon the capitol
47 grounds. The capitol building itself is reserved for
48 the operations of the general assembly, the governor
49 and the courts and the assignment and use of physical
50 facilities for the general assembly shall be pursuant

S-3302

-1-

S-3302

Page 2

1 to section 2.43."

By MARY LUNDBY

S-3302 FILED APRIL 1, 1997

ADOPTED 4-1-97

SENATE FILE 518

S-3301

1 Amend Senate File 518 as follows:

2 1. Page 2, line 21, by inserting after the word
3 "department." the following: "In determining the
4 competence of a bidder, the department may consider
5 such factors as the quality of the item or service,
6 the bidder's management abilities, the bidder's
7 proposed plan for providing the items or services
8 requested, the financial stability of the bidder, the
9 bidder's ability to timely perform, the bidder's
10 ability to provide ongoing services such as
11 maintenance, training, and support, the bidder's past
12 and current performance on other similar contracts,
13 and the bidder's specialized or technical expertise."

14 2. Page 2, line 22, by inserting after the word
15 "items" the following: "or services".

16 3. Page 2, line 23, by inserting after the word
17 "bid." the following: "The lowest competent bid or
18 bids may be determined after best and final offer
19 negotiations with qualified bidders as disclosed in
20 the bid specifications. Notwithstanding section 72.3,
21 in any procurement made under this chapter, the
22 director, following submittal and evaluation of bids,
23 may enter into best and final offer negotiations with
24 qualified bidders in order to obtain the lowest price
25 possible on an item or service. The director shall
26 adopt rules pursuant to chapter 17A providing for the
27 circumstances under which best and final offer
28 negotiations may be conducted and procedures for
29 conducting negotiations with qualified bidders."

By MARY LUNDBY

S-3301 FILED APRIL 1, 1997

WITHDRAWN

4/1/97
(p.892)

H. 4/2/97 State Gov.
H. 4/11/98 Do Pass

SENATE FILE 518

BY COMMITTEE ON STATE GOVERNMENT

(SUCCESSOR TO SSB 216)

(AS AMENDED AND PASSED BY THE SENATE APRIL 1, 1997)

~~_____~~ - New Language by the Senate

Passed Senate, Date ^(P. 1188) 4-13-98

Passed House, Date 3/25/98 (P. 919)

Vote: Ayes 46 Nays 0

Vote: Ayes 99 Nays 0

Approved May 6, 1998

A BILL FOR

1 An Act relating to the administration of state government, by
2 providing for the practices of the department of general
3 services, state procurement, motor vehicles, and state
4 printing.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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S.F. 518

1 Section 1. Section 2B.1, subsection 3, Code 1997, is
2 amended to read as follows:

3 3. The Iowa Code and administrative code divisions are
4 responsible for the editing, compiling, and proofreading of
5 the publications they prepare, as provided in this chapter and
6 ~~notwithstanding-section-18-76~~. The Iowa Code division is
7 entitled to the temporary possession of the original enrolled
8 Acts and resolutions as necessary to prepare them for
9 publication.

10 Sec. 2. Section 18.1, subsection 2, Code 1997, is amended
11 to read as follows:

12 2. "Competitive bidding procedures procedure" means the
13 advertisement for, solicitation of, or the procurement of
14 bids; the manner and condition in which bids are received; and
15 the procedure by which bids are opened, accessed, accepted, or
16 rejected, or awarded. A "competitive bidding procedure" may
17 include a transaction accomplished in an electronic format.

18 Sec. 3. Section 18.1, Code 1997, is amended by adding the
19 following new subsection:

20 NEW SUBSECTION. 7. "State buildings and grounds" excludes
21 any building under the custody and control of the Iowa public
22 employees' retirement system.

23 Sec. 4. Section 18.3, subsections 4 and 7, Code 1997, are
24 amended to read as follows:

25 4. Providing for the proper maintenance of the state
26 capitol, grounds, and equipment and all other state buildings,
27 and grounds, and equipment at the seat of government, except
28 those referred to in section 216B.3, subsection 6.

29 7. Providing architectural services, contracting for
30 construction and construction oversight for state agencies
31 except for the board of regents, department of transportation,
32 national guard, and natural resource commission, and the Iowa
33 public employees' retirement system. Capital funding
34 appropriated to state agencies, except the board of regents,
35 department of transportation, national guard, and natural

1 resource commission, and the Iowa public employees' retirement
2 system for property management shall be transferred for
3 administration and control to the director of the department
4 of general services.

5 Sec. 5. Section 18.3, Code 1997, is amended by adding the
6 following new subsections:

7 NEW SUBSECTION. 10. Developing and implementing
8 procedures to conduct transactions, including purchasing,
9 authorized by this chapter in an electronic format to the
10 extent determined appropriate by the department. The
11 department shall adopt rules establishing criteria for
12 competitive bidding procedures involving transactions in an
13 electronic format, including criteria for accepting or
14 rejecting bids which are electronically transmitted to the
15 department, and for establishing with reasonable assurance the
16 authenticity of the bid and the bidder's identity.

17 NEW SUBSECTION. 11. Insuring motor vehicles owned by the
18 state. Insurance coverage may be provided through a self-
19 insurance program administered by the department or purchased
20 from an insurer. If the department utilizes a self-insurance
21 program, the department shall maintain loss and exposure data
22 for vehicles under the jurisdiction of the state fleet
23 administrator. Upon request, state agencies shall provide all
24 loss and exposure information to the department.

25 NEW SUBSECTION. 12. Organizing the department by
26 divisions or other subunits to promote the effective and
27 efficient administration of the department.

28 Sec. 6. Section 18.6, subsections 2, 3, 4, and 9, Code
29 1997, are amended to read as follows:

30 2. The director may also exempt the purchase of an item or
31 service from a competitive bidding procedure when the director
32 determines that the best interests of the state will be served
33 due-to-an by the exemption which shall be based on one of the
34 following:

35 a. An immediate or emergency need existing for the item or

1 service.

2 b. A need to protect the health, safety, or welfare of
3 persons occupying or visiting a public improvement or property
4 located adjacent to the public improvement.

5 c. An opportunity to procure an item or service in another
6 reasonable manner.

7 3. The director shall have the power to contract for the
8 purchase of items or services by the department. Contracts
9 for the purchase of items shall be awarded on the basis of the
10 lowest competent bid. Contracts not based on competitive
11 bidding shall be awarded on the basis of bidder competence and
12 reasonable price.

13 The director may enter into an agreement with the
14 government of another state or with the federal government to
15 provide for the cooperative purchase of an item or service of
16 general use in this state.

17 4. The director may refuse all bids on any item or service
18 and institute a new bidding procedure.

19 9. a. When the estimated total cost of construction,
20 erection, demolition, alteration, or repair of a public
21 improvement exceeds twenty-five thousand dollars, the
22 department shall advertise for bids on the proposed
23 improvement by publishing the advertisement either in an
24 electronic or print format. If the advertisement is published
25 in an electronic format, it shall be accessible at least
26 fifteen days prior to the date set for receiving bids. If the
27 advertisement is published in a print format, it shall be in
28 two publications in a newspaper published in the county in
29 which the work is to be done. The first advertisement for
30 bids appearing in a newspaper shall be not less than fifteen
31 days prior to the date set for receiving bids. The

32 b. In awarding a contract, the department shall let the
33 work to the lowest responsible bidder submitting a sealed
34 proposal. However, if the department considers the bids
35 received not to be acceptable, all bids may be rejected and

1 new bids requested. A bid shall be accompanied, ~~in a separate~~
2 envelope, by a ~~deposit of money or a~~ certified check or credit
3 ~~union-certified share-draft~~ bid bond in an amount ~~to be named~~
4 designated in the advertisement for bids as security that the
5 bidder will enter into a contract for the doing of the work
6 requested. The department shall ~~fix~~ establish the bid
7 security in an amount equal to at least five percent, but not
8 more than ten percent of the estimated total cost of the work.
9 The certified checks, share-drafts or deposits of money bid
10 bonds of the unsuccessful bidders shall be returned as soon as
11 the successful bidder is determined, ~~and the~~. The certified
12 check, share-draft or deposit of money bid bond of the
13 successful bidder shall be returned upon execution of the
14 contract documents. This section does not apply to the
15 construction, erection, demolition, alteration, or repair of a
16 public improvement when the contracting procedure for the
17 ~~doing of~~ the work requested is otherwise provided for in
18 another provision of law.

19 Sec. 7. Section 18.6, subsection 12, Code 1997, is amended
20 by striking the subsection.

21 Sec. 8. Section 18.8, unnumbered paragraph 1, Code 1997,
22 is amended to read as follows:

23 The director shall provide necessary ~~voice or data~~
24 ~~communications, including telephone and telegraph~~
25 telecommunications cabling, lighting, fuel, and water services
26 for the state buildings and grounds located at the seat of
27 government, except the buildings and grounds referred to in
28 section 216B.3, subsection 6.

29 Sec. 9. Section 18.8, unnumbered paragraph 5, Code 1997,
30 is amended to read as follows:

31 Except for buildings and grounds described in section
32 216B.3, subsection 6 and; section 2.43, unnumbered paragraph
33 1; and any buildings under the custody and control of the Iowa
34 public employees' retirement system, the director shall assign
35 office space at the capitol, other state buildings and

1 elsewhere in the city of Des Moines, for all executive and
2 judicial state agencies. Assignments may be changed at any
3 time. The various officers to whom rooms have been so
4 assigned may control the same while the assignment to them is
5 in force. Official apartments shall be used only for the
6 purpose of conducting the business of the state. The term
7 "capitol" or "capitol building" as used in the Code shall be
8 descriptive of all buildings upon the capitol grounds. The
9 capitol building itself is reserved for the operations of the
10 general assembly, the governor and the courts and the
11 assignment and use of physical facilities for the general
12 assembly shall be pursuant to section 2.43.

13 Sec. 10. Section 18.12, subsection 8, Code 1997, is
14 amended by adding the following new paragraph:

15 NEW PARAGRAPH. c. The director may dispose of presses,
16 printing equipment, printing supplies, and other machinery or
17 equipment used in the printing operation, as provided in
18 section 18.59.

19 Sec. 11. Section 18.12, subsection 9, Code 1997, is
20 amended to read as follows:

21 9. a. Lease all buildings and office space necessary to
22 carry out the provisions of this chapter or necessary for the
23 proper functioning of any state agency at the seat of
24 government, with the approval of the executive council if no
25 specific appropriation has been made. The cost of any lease
26 for which no specific appropriation has been made shall be
27 paid from the fund provided in section 7D.29.

28 b. When the general assembly is not in session, the
29 director ~~of general services~~ may request ~~funds~~ moneys from the
30 executive council for moving state agencies located at the
31 seat of government from one location to another. The request
32 may include moving costs, ~~telephone~~ telecommunications costs,
33 repair costs, or any other costs relating to the move. The
34 executive council may approve and shall pay the costs from
35 funds provided in section 7D.29 if it determines the agency or

1 department has no available funds for these expenses.

2 c. Coordinate the leasing of buildings and office space by
3 state agencies throughout the state and develop cooperative
4 relationships with the state board of regents in order to
5 promote the colocation of state agencies.

6 Sec. 12. Section 18.12, subsection 12, Code 1997, is
7 amended by striking the subsection.

8 Sec. 13. Section 18.16, subsection 2, Code 1997, is
9 amended to read as follows:

10 2. The director shall pay the lease or rental fees to the
11 renter or lessor and submit a monthly statement to each state
12 agency for which building and office space is rented or
13 leased. ~~The~~ If the director pays the lease or rental fees on
14 behalf of a state agency, the state agency's payment to the
15 department shall be credited to the rent revolving fund
16 established by this section. With the approval of the
17 director, a state agency may pay the lease or rental cost
18 ~~shall be paid by the state agency to the department of general~~
19 ~~services in the same manner as other expenses of the state~~
20 ~~agency are paid and the payment shall be credited to the rent~~
21 ~~revolving fund~~ directly to the person who is due the payment
22 under the lease or rental agreement.

23 Sec. 14. Section 18.18, subsection 1, paragraphs a through
24 c, Code 1997, are amended to read as follows:

25 a. ~~By July 17, 1991, one~~ One hundred percent of the
26 purchases of inks which are used for newsprint printing
27 services performed internally or contracted for by the
28 department shall be soybean-based.

29 b. ~~By July 17, 1993, one~~ One hundred percent of the
30 purchases of inks, other than inks which are used for
31 newsprint printing services, and which are used internally or
32 contracted for by the department, shall be soybean-based to
33 the extent formulations for such inks are available.

34 c. ~~By July 17, 1995, a~~ A minimum of ten percent of the
35 purchases of garbage can liners made by the department shall

1 be plastic garbage can liners with recycled content. The
2 percentage shall increase by ten percent annually until fifty
3 percent of the purchases of garbage can liners are plastic
4 garbage can liners with recycled content.

5 Sec. 15. Section 18.18, subsection 5, Code 1997, is
6 amended to read as follows:

7 5. Information on recycled content shall be requested on
8 all bids for paper products issued by the state and on other
9 bids for products which could have recycled content such as
10 oil, plastic products, including but not limited to starch-
11 ~~based-plastic-products~~, compost materials, aggregate,
12 solvents, soybean-based inks, and rubber products.

13 Sec. 16. Section 18.18, subsection 8, Code 1997, is
14 amended by striking the subsection.

15 Sec. 17. NEW SECTION. 18.19 RECYCLING REVOLVING FUND.

16 A recycling revolving fund is created within the state
17 treasury under the control of the department. The fund shall
18 consist of any moneys appropriated by the general assembly and
19 any other moneys available to and obtained or accepted by the
20 department from the federal government or private sources for
21 placement in the fund. The assets of the fund shall be used
22 by the department only for supporting recycling operations.
23 Moneys in the fund, which may be subject to warrants written
24 by the director of revenue and finance, shall be drawn upon
25 the written requisition of the director or an authorized
26 representative of the director. The fund is subject to an
27 annual audit by the auditor of state. Section 8.33 does not
28 apply to any moneys in the fund. Notwithstanding section
29 12C.7, subsection 2, interest or earnings on moneys deposited
30 in the fund shall be credited to the fund.

31 Sec. 18. Section 18.20, unnumbered paragraph 1, Code 1997,
32 is amended to read as follows:

33 The department in accordance with recommendations made by
34 the department of natural resources shall require all state
35 agencies to establish an agency wastepaper recycling program

1 by January 1, 1990. The director shall adopt rules which
2 require a state agency to develop a program to ensure the
3 recycling of the wastepaper generated by the agency. Each
4 ~~agency shall submit a report to the general assembly meeting~~
5 ~~in January 1990, which includes a description of the program~~
6 ~~plan and the agency's efforts to use recycled products.~~ All
7 state employees shall practice conservation of paper
8 materials.

9 Sec. 19. Section 18.28, unnumbered paragraph 2, Code 1997,
10 is amended by striking the unnumbered paragraph.

11 Sec. 20. Section 18.32, Code 1997, is amended to read as
12 follows:

13 18.32 ADVERTISEMENTS FOR BIDS.

14 The director shall advertise for bids for ~~the doing of the~~
15 public printing.

16 Sec. 21. Section 18.33, Code 1997, is amended to read as
17 follows:

18 18.33 REQUIREMENTS.

19 Advertisements shall state where and how specifications and
20 other necessary information may be obtained, the time during
21 which the director will receive bids, and the day, hour, and
22 place when bids will be publicly opened or accessed and the
23 manner by which the contracts will be awarded.

24 Sec. 22. Section 18.36, Code 1997, is amended to read as
25 follows:

26 18.36 FORM OF BIDS.

27 Bids must be:

28 1. Secured in writing, by telephone, or by facsimile, or
29 in a format prescribed by the director as indicated in the bid
30 ~~specifications, and only on the blanks furnished with the~~
31 ~~specifications.~~

32 2. Signed by the bidder, or if a telephone or electronic
33 bid, confirmed in writing by the bidder in a manner prescribed
34 by the director.

35 3. ~~If submitted~~ Submitted in writing, ~~submitted in a~~

1 ~~sealed-envelope-which-shall-be-properly-endorsed~~ a format
2 prescribed by the director which reasonably assures the
3 authenticity of the bid and the bidder's identity.

4 4. ~~In-the-hands-of-the-director~~ Submitted to the
5 department as specified by the date and time fixed established
6 in the advertisements for bids.

7 Sec. 23. Section 18.37, Code 1997, is amended to read as
8 follows:

9 18.37 DEPOSIT WITH BID OR YEARLY BOND.

10 ~~A-bidder-shall-deposit-with-the-director-at-the-time-the~~
11 When a bidder files submits a bid to the department, the
12 director may require the bidder to file a bid, bond or a
13 certified check or-credit-union-certified-share-draft payable
14 to the state treasurer for in an amount to be fixed in the bid
15 specifications, either covering all classes or items or
16 services, or separate certified checks or-drafts for each bid
17 in case the bidder makes more than one bid. In lieu of ~~checks~~
18 ~~or-share-drafts~~ a certified check, the bidder may furnish a
19 yearly bond in an amount to be established by the director.
20 ~~Checks-or-share-drafts~~ Certified checks deposited by
21 unsuccessful bidders, and by successful bidders when they have
22 entered into the contract, shall be returned to them.

23 Sec. 24. Section 18.38, Code 1997, is amended to read as
24 follows:

25 18.38 OPENING AND ACCESSING OF BIDS -- AWARD.

26 All bids shall be publicly opened or accessed and read and
27 the contracts ~~let-at-the-time-and-place-fixed-therefor,-or-on~~
28 ~~the-adjourned-day-or-days-named-by-the-director,-of-which~~
29 ~~adjournment-all-parties-shall-take-notice~~ awarded in the
30 manner designated in the bid specifications. In the award of
31 contracts a contract, due consideration shall be given not
32 only to the price bid, ~~but-to-the~~ mechanical and other
33 equipment proposed to be used by the bidder, and the financial
34 responsibility of the bidder, and the bidder's ability and
35 experience in the performance of ~~like-or~~ similar contracts,

1 and any other factors that the department determines are
2 relevant and that are included in the bid specifications.

3 Sec. 25. Section 18.43, Code 1997, is amended to read as
4 follows:

5 18.43 DUTY TO ENTER INTO CONTRACT -- FORFEITURE.

6 A If the department requires a bid bond or certified check
7 as provided in section 18.37, a successful bidder shall,
8 within ten days after the award, enter into a contract in
9 accordance with the bid. Unless this is done, or the delay is
10 for reasons satisfactory to the director, the bid bond or
11 certified check or-credit-union-certified-share-draft
12 submitted with the bid shall be forfeited to the state. The
13 bid specifications on which the bid is made constitute a part
14 of the contract.

15 Sec. 26. Section 18.44, unnumbered paragraph 1, Code 1997,
16 is amended to read as follows:

17 The department shall enter into contracts which the
18 department determines are reasonable. The department may
19 ensure that the contracts shall, among other provisions,
20 provide that for the following:

21 Sec. 27. Section 18.45, Code 1997, is amended to read as
22 follows:

23 18.45 BOND.

24 A The department may require that a bidder provide a bond
25 for the faithful performance of the a contract shall-be
26 required-in-connection-with-each-contract, in-an. The amount
27 to of the bond shall be fixed established by the director.
28 The bond shall be filed with the department as specified and
29 approved by the director.

30 Sec. 28. Section 18.46, Code 1997, is amended to read as
31 follows:

32 18.46 WRITTEN AUTHORIZATION OF ORDERS.

33 No-printing Printing shall not be performed under any
34 contract except on-written-orders-therefor, on-detailed-forms
35 prescribed as authorized by the director, and-signed-by-the

1 ~~director-or-by-some-person-authorized-by-the-director.~~ Every
2 Each order shall designate the contract under which the order
3 is given, and the class, quantity, and kind of the required
4 ~~printing,-the-definite-quantity-and-kind-thereof,-and-be~~
5 ~~issued-in-duplicate-with-a-stub-copy-preserved. A-separate~~
6 ~~series-of-stubs-and-duplicates-shall-be-used-for-each-class-of~~
7 ~~printing.~~

8 Sec. 29. Section 18.48, Code 1997, is amended to read as
9 follows:

10 18.48 ACCEPTANCE OF PRINTING -- PENALTY.

11 ~~No-printing-shall-be-accepted-as-in-compliance-with-the~~
12 ~~contract-when-not-of-the-grade-of-skill-which-is-usually~~
13 ~~employed-by-first-class-printers-on-printing-of-this-class,~~
14 ~~nor-when-the-printing-is-not-of-the-full-quality-contracted~~
15 ~~for.~~ The director may reject or refuse delivery on printing
16 which is not of the quality for which the contract was
17 awarded. If immediate necessity and or lack of time to
18 procure printing elsewhere ~~compel~~ compels the use of defective
19 printing furnished by a contractor, it the defective printing
20 shall be accepted without approval, and one-half of the
21 contract price ~~thereon~~ shall be deducted as liquidated damages
22 for breach of contract. The amount of the liquidated damages
23 may be deducted from any payment to the contractor under any
24 state contract.

25 Sec. 30. Section 18.49, Code 1997, is amended to read as
26 follows:

27 18.49 CONTRACTS BY INSTITUTIONAL HEADS.

28 The director may authorize the managing board, or head, or
29 chief executive officer of any institution or department of
30 the state located outside ~~the-city-of-Des-Moines~~ Polk county
31 to secure, under the specifications of the director,
32 competitive bids for printing needed by the institution or
33 department, and submit the bids to the director. If the
34 director approves any of the bids, the authorized board, head,
35 or officer may contract for the printing, but the contract

1 shall not be valid until ~~a duplicate copy is filed with and~~
2 ~~approved by~~ the director approves the contract. The director
3 shall prescribe the manner by which the director is notified
4 of and approves the contract.

5 Sec. 31. Section 18.50, Code 1997, is amended to read as
6 follows:

7 18.50 EMERGENCY CONTRACTS.

8 The director may at any time award a ~~special~~ separate
9 printing contract or may authorize ~~assistants~~ an assistant to
10 award a ~~special~~ separate printing contract for any work or
11 ~~material coming~~ and materials or printing supplies within the
12 provisions of chapter 7A and sections 18.26 to 18.103 but
13 which are not included in current printing contracts already
14 ~~in existence,~~ or which cannot properly be made the subject of
15 a general contract, ~~if the amount of each contract shall not~~
16 ~~exceed the amount of five thousand dollars, and if special~~
17 bids. A separate printing contract must have been duly
18 solicited by the director from ~~persons or firms~~ vendors
19 engaged in the kind of work under consideration who have
20 indicated a desire to bid on the class of work to be ~~done~~
21 performed.

22 Sec. 32. Section 18.51, Code 1997, is amended to read as
23 follows:

24 18.51 PAPER, PRINTING SUPPLIES, AND ACCOUNTING.

25 1. The director may contract for paper and other printing
26 supplies as part of the a printing or contract. The director
27 may purchase paper and other printing supplies and furnish the
28 same them to the a contractor. ~~All paper purchased for use of~~
29 ~~the state shall, when practicable, have a distinguishing mark~~
30 ~~or water line by which it can be identified.~~

31 2. The director shall keep an accurate account with any
32 person doing printing for the state. The director shall
33 charge the person the value of all paper drawn, credit the
34 person with all paper used on behalf of the state, and compel
35 an accounting for all paper which is not used.

1 Sec. 33. Section 18.59, subsection 1, Code 1997, is
2 amended to read as follows:

3 1. ~~To hold-possession-of~~ possess all presses and other
4 printing equipment, inventory all of the described equipment,
5 ~~and with-the-approval-of-the-executive-council-sell-the-above-~~
6 described dispose of the machinery and equipment that is no
7 longer necessary or is unfit for use. Receipts from the sale
8 of presses, printing equipment, printing supplies, and other
9 machinery or equipment used in the printing operation shall be
10 deposited in the centralized printing revolving fund
11 established in section 18.57.

12 Sec. 34. Section 18.60, Code 1997, is amended to read as
13 follows:

14 18.60 COST SYSTEMS MAINTAINED BY DEPARTMENTS.

15 Each official, board, department, commission, or agency
16 located outside ~~the-city-of-Des-Moines~~ Polk county, who
17 maintains printing equipment, or does any printing for the
18 state or its departments shall likewise keep an accurate cost
19 system and ~~make~~ report each June 30 to the director of the
20 ~~amounts,-and-these.~~ These reports shall be included in the
21 annual, fiscal, or calendar report of the director.

22 Sec. 35. Section 18.63, unnumbered paragraph 1, Code 1997,
23 is amended to read as follows:

24 No A department or commission of state located in ~~the-city~~
25 ~~of-Des-Moines~~ Polk county shall not expend ~~any-funds~~ moneys
26 for the publication or distribution of books, or pamphlets, or
27 reports unless the publication ~~thereof-be~~ is expressly
28 required by law or approved by the director. ~~A-violation-of~~
29 ~~this-section-shall-constitute-misfeasance-in-office.~~ The
30 state printing administrator may exempt minimal single
31 printing projects from the requirements of this section in
32 order to permit a state agency to timely procure printing, if
33 a state contract is not currently available. The department
34 shall adopt rules establishing criteria for exemption of
35 minimal printing projects under this section.

1 Sec. 36. Section 18.82, Code 1997, is amended to read as
2 follows:

3 18.82 CUSTODY OF DOCUMENTS AND STORAGE ROOMS.

4 The superintendent state printing administrator shall
5 receive and have the custody of ~~the few documents, reports,~~
6 and all other printed matter and, including all documents and
7 reports, for which the state printing administrator is
8 responsible under this chapter. The state printing
9 administrator shall make and supervise the distribution of the
10 same printed matter in such manner as will be most economical
11 and useful to the public. The superintendent state printing
12 administrator shall have charge of the state storage building
13 or rooms, in which the superintendent state printing
14 administrator shall keep the ~~reports and documents~~ printed
15 matter.

16 Sec. 37. Section 18.115, Code 1997, is amended to read as
17 follows:

18 18.115 ~~VEHICLE-DISPATCHER~~ STATE FLEET ADMINISTRATOR --
19 EMPLOYEES -- POWERS AND DUTIES -- FUEL ECONOMY REQUIREMENTS.

20 The director of the department of general services shall
21 appoint a state ~~vehicle-dispatcher~~ fleet administrator and
22 other employees as necessary to administer this division. The
23 state ~~vehicle-dispatcher~~ fleet administrator shall serve at
24 the pleasure of the director and is not governed by the merit
25 system provisions of chapter 19A. Subject to the approval of
26 the director, the state ~~vehicle-dispatcher~~ fleet administrator
27 has the following duties:

- 28 1. The dispatcher state fleet administrator shall assign
29 to a state officer or employee or to a state ~~office,~~
30 ~~department, bureau, or commission~~ agency, one or more motor
31 vehicles which may be required by the state officer or
32 employee or department state agency, after the state officer
33 or employee or department state agency has shown the necessity
34 for such transportation. The state ~~vehicle-dispatcher shall~~
35 ~~have the power to~~ fleet administrator may assign a motor

1 vehicle either for part time or full time. The dispatcher
2 ~~shall have the right to~~ state fleet administrator may revoke
3 the assignment at any time.

4 2. The state ~~vehicle-dispatcher~~ fleet administrator may
5 cause all state-owned motor vehicles to be inspected
6 periodically. Whenever the inspection reveals that repairs
7 have been improperly made on the motor vehicle or that the
8 operator is not giving it the proper care, the dispatcher
9 state fleet administrator shall report this fact to the head
10 of the department state agency to which the motor vehicle has
11 been assigned, together with recommendation for improvement.

12 3. The state ~~vehicle-dispatcher~~ fleet administrator shall
13 install a record system for the keeping of records of the
14 total number of miles state-owned motor vehicles are driven
15 and the per-mile cost of operation of each motor vehicle.
16 Every state officer or employee shall keep a record book to be
17 furnished by the state ~~vehicle-dispatcher~~ fleet administrator
18 in which the officer or employee shall enter all purchases of
19 gasoline, lubricating oil, grease, and other incidental
20 expense in the operation of the motor vehicle assigned to the
21 officer or employee, giving the quantity and price of each
22 purchase, including the cost and nature of all repairs on the
23 motor vehicle. Each operator of a state-owned motor vehicle
24 shall promptly prepare a report at the end of each month on
25 forms furnished by the state ~~vehicle-dispatcher~~ fleet
26 administrator and ~~forward-the-same~~ forwarded to the dispatcher
27 ~~at-the-statehouse~~ state fleet administrator, giving the
28 information the state ~~vehicle-dispatcher~~ fleet administrator
29 may request in the report. The Each month the state ~~vehicle~~
30 dispatcher fleet administrator shall each-month compile the
31 costs and mileage of state-owned motor vehicles from the
32 reports and keep a cost history card-on for each motor vehicle
33 and the costs shall be reduced to a cost-per-mile basis for
34 each motor vehicle. ~~It shall be the duty of the~~ The state
35 ~~vehicle-dispatcher-to~~ fleet administrator shall call to the

1 attention of an elected official or the head of any department
 2 state agency to which a motor vehicle has been assigned any
 3 evidence of the mishandling or misuse of any a state-owned
 4 motor vehicle which is called to the dispatcher's state fleet
 5 administrator's attention.

6 PARAGRAPH DIVIDED. A motor vehicle operated under this
 7 subsection shall not operate on gasoline other than gasoline
 8 blended with at least ten percent ethanol, unless under
 9 emergency circumstances. A state-issued credit card used to
 10 purchase gasoline shall not be valid to purchase gasoline
 11 other than gasoline blended with at least ten percent ethanol,
 12 if commercially available. The motor vehicle shall also be
 13 affixed with a brightly visible sticker which notifies the
 14 traveling public that the motor vehicle is being operated on
 15 gasoline blended with ethanol. However, the sticker is not
 16 required to be affixed to an unmarked vehicle used for
 17 purposes of providing law enforcement or security.

18 4. The state vehicle-dispatcher fleet administrator shall
 19 purchase all motor vehicles for all branches of the state
 20 government, except the state department of transportation,
 21 institutions under the control of the state board of regents,
 22 the department for the blind, and any other agencies state
 23 agency exempted by law. ~~Before-purchasing-any-new-motor~~
 24 ~~vehicle-the-dispatcher-shall-make-requests-for-public-bids-by~~
 25 ~~advertisement-and-shall-purchase-the-vehicles-from-the-lowest~~
 26 ~~responsible-bidder-for-the-type-and-make-of-motor-vehicle~~
 27 ~~designated.~~ The state fleet administrator shall purchase new
 28 vehicles in accordance with competitive bidding procedures for
 29 items or services as provided in this chapter. The vehicle
 30 dispatcher state fleet administrator may purchase used or
 31 preowned vehicles at governmental or dealer auctions if the
 32 purchase is determined to be in the best interests of the
 33 state.

34 ~~In-conjunction-with-the-requirements-of-section-18-37~~
 35 ~~subsection-1,-effective-January-1,-1991,-the~~ The state vehicle

1 dispatcher fleet administrator, and any other state agency,
2 which for purposes of this paragraph includes but is not
3 limited to community colleges and institutions under the
4 control of the state board of regents, or local governmental
5 political subdivision purchasing new motor vehicles ~~for other~~
6 ~~than law enforcement purposes~~, shall purchase new passenger
7 vehicles and light trucks such so that the average fuel
8 efficiency for the fleet of new passenger vehicles and light
9 trucks purchased in that year ~~by the state vehicle dispatcher~~
10 ~~or other state agency or local governmental political~~
11 ~~subdivision~~ equals or exceeds the average fuel economy
12 standard for the vehicles' model year as established by the
13 United States secretary of transportation under 15 U.S.C. §
14 2002. This paragraph does not apply to vehicles purchased for
15 ~~any of the following~~: law enforcement purposes, ~~school buses~~,
16 or used for off-road maintenance work, or work vehicles used
17 to pull loaded trailers. ~~The group of comparable vehicles~~
18 ~~within the total fleet purchased by the state vehicle~~
19 ~~dispatcher, or any other state agency or local governmental~~
20 ~~political subdivision purchasing motor vehicles for other than~~
21 ~~law enforcement purposes, shall have an average fuel~~
22 ~~efficiency rating equal to or exceeding the average fuel~~
23 ~~economy rating for that model year for that class of~~
24 ~~comparable vehicles as defined in 40 C.F.R. § 315.82. As used~~
25 ~~in this paragraph, "fuel economy" means the average number of~~
26 ~~miles traveled by an automobile per gallon of gasoline~~
27 ~~consumed as determined by the United States environmental~~
28 ~~protection agency administrator in accordance with 26 U.S.C. §~~
29 ~~4064(c). For purposes of this paragraph, "state agency"~~
30 ~~includes, but is not limited to, a community college or an~~
31 ~~institution under the control of the state board of regents.~~
32 The Not later than February 15 of each year, the state
33 vehicle dispatcher fleet administrator shall annually report
34 compliance with the corporate average combined fuel economy
35 standards published by the United States secretary of

1 transportation for all new motor vehicles purchased by
2 classification, other than motor vehicles purchased by the
3 state department of transportation, institutions under the
4 control of the state board of regents, the department for the
5 blind, and any other state agency exempted from the
6 requirements of this subsection. The report of compliance
7 shall classify the vehicles purchased for the current vehicle
8 model year using the following categories: (passenger
9 automobiles, enforcement automobiles, vans, and light trucks)
10 no-later-than-January-31-of-each-year-to-the-department-of
11 management-and-the-energy-and-geological-resources-division
12 of. The state fleet administrator shall deliver a copy of the
13 report to the department of natural resources. As used in
14 this paragraph, "combined corporate average fuel economy"
15 means the combined corporate average fuel economy as defined
16 in 40 49 C.F.R. § 600-002 533.5.

17 a. ~~Effective-January-17-1993,-the~~ The state vehicle
18 ~~dispatcher,-after-consultation-with-the-department-of~~
19 ~~management-and-the-various-state-agencies-exempted-from~~
20 ~~obtaining-vehicles-for-use-through-the-state-vehicle~~
21 ~~dispatcher,-shall-adopt-by-rule-pursuant-to-chapter-17A,-a~~
22 ~~system-of-uniform-standards-for-assigning~~ fleet administrator
23 shall assign motor vehicles available for use to maximize the
24 average passenger miles per gallon of motor vehicle fuel
25 consumed. ~~The-standards-should~~ In assigning motor vehicles,
26 the state fleet administrator shall consider standards
27 established by the state fleet administrator, which may
28 include but are not limited to the number of passengers
29 traveling to a destination, the fuel economy of and passenger
30 capacity of vehicles available for assignment, and any other
31 relevant information, to assure assignment of the most energy
32 efficient vehicle or combination of vehicles for a trip from
33 those vehicles available for assignment. The standards
34 ~~adopted-by-the-state-vehicle-dispatcher~~ shall not apply to
35 special work vehicles, and law enforcement vehicles. The

1 ~~rules-when-adopted~~ standards shall apply to the following
2 agencies:

3 (1) State ~~vehicle-dispatcher~~ fleet administrator.

4 (2) State department of transportation.

5 (3) Institutions under the control of the state board of
6 regents.

7 (4) The department for the blind.

8 (5) Any other state agency exempted from obtaining
9 vehicles for use through the state ~~vehicle-dispatcher~~ fleet
10 administrator.

11 b. As used in paragraph "a", "fuel economy" means the
12 average number of miles traveled by an automobile per gallon
13 of gasoline consumed as determined by the United States
14 environmental protection agency administrator in accordance
15 with 26 U.S.C. § 4064(c).

16 5. Of all new passenger vehicles and light pickup trucks
17 purchased by the state ~~vehicle-dispatcher~~ fleet administrator,
18 a minimum of ten percent of all such vehicles and trucks
19 purchased shall be equipped with engines which utilize
20 alternative methods of propulsion including but not limited to
21 any of the following:

22 a. A flexible fuel, which is any of the following:

23 (1) A fuel blended with not more than fifteen percent
24 gasoline and at least eighty-five percent ethanol.

25 (2) A fuel which is a mixture of diesel fuel and processed
26 soybean oil. At least twenty percent of the mixed fuel by
27 volume must be processed soybean oil.

28 (3) A renewable fuel approved by the office of renewable
29 fuels and coproducts pursuant to section 159A.2.

30 b. Compressed or liquefied natural gas.

31 c. Propane gas.

32 d. Solar energy.

33 e. Electricity.

34 The provisions of this subsection do not apply to vehicles
35 and trucks purchased and directly used for law enforcement or

1 purchased and used for off-road maintenance work or to pull
2 loaded trailers.

3 ~~It is the intent of the general assembly that the members~~
4 ~~of the midwest energy compact promote the development and~~
5 ~~purchase of motor vehicles equipped with engines which utilize~~
6 ~~alternative methods of propulsion.~~

7 6. All used motor vehicles turned in to the state ~~vehicle~~
8 ~~dispatcher~~ fleet administrator shall be disposed of by public
9 auction, and the sales shall be advertised in a newspaper of
10 general circulation one week in advance of sale, and the
11 receipts from the sale shall be deposited in the depreciation
12 fund to the credit of that ~~department or~~ state agency turning
13 in the vehicle; except that, in the case of a used motor
14 vehicle of special design, the state ~~vehicle-dispatcher~~ fleet
15 administrator may, with the approval of the director, instead
16 of selling it at public auction, authorize the motor vehicle
17 to be traded for another vehicle of similar design. If a
18 vehicle sustains damage and the cost to repair exceeds the
19 wholesale value of the vehicle, the state ~~vehicle-dispatcher~~
20 fleet administrator may dispose of the motor vehicle by
21 obtaining two or more written salvage bids and the vehicle
22 shall be sold to the highest responsible bidder.

23 7. The state ~~vehicle-dispatcher~~ fleet administrator may
24 authorize the establishment of motor pools consisting of a
25 number of state-owned motor vehicles under the ~~dispatcher's~~
26 state fleet administrator's supervision ~~and which the~~
27 dispatcher. ~~The state fleet administrator may cause to be~~
28 ~~stored~~ store the motor vehicles in a public or private garage.
29 If the state fleet administrator establishes a motor pool ~~is~~
30 ~~established by the state vehicle-dispatcher~~, any state officer
31 or employee desiring the use of a state-owned motor vehicle on
32 state business shall notify the state ~~vehicle-dispatcher~~ fleet
33 administrator of the need for a vehicle within a reasonable
34 time prior to actual use of the motor vehicle. The state
35 ~~vehicle-dispatcher~~ fleet administrator may assign a motor

1 vehicle from the motor pool to the state officer or employee.
2 If two or more state officers or employees desire the use of a
3 state-owned motor vehicle for a trip to the same destination
4 for the same length of time, the state ~~vehicle-dispatcher~~
5 fleet administrator may assign one vehicle to make the trip.

6 8. The state ~~vehicle-dispatcher~~ fleet administrator shall
7 ~~cause-to-be-marked~~ require that a sign be placed on every each
8 state-owned motor vehicle ~~a-sign~~ in a conspicuous place which
9 indicates its ownership by the state ~~except-cars~~. This
10 requirement shall not apply to motor vehicles requested to be
11 exempt by the commissioner of public safety or the director of
12 the department of general services. All state-owned motor
13 vehicles shall display registration plates bearing the word
14 "official" ~~except cars~~ motor vehicles requested to be
15 furnished with ordinary plates by the commissioner of public
16 safety or the director of the department of general services
17 pursuant to section 321.19. The state ~~vehicle-dispatcher~~
18 fleet administrator shall keep an accurate record of the
19 registration plates used on all ~~state-cars~~ state-owned motor
20 vehicles.

21 9. The state ~~vehicle-dispatcher-shall-have-the-authority~~
22 ~~to-make-such~~ fleet administrator may adopt other rules
23 regarding the operation of state-owned motor vehicles, with
24 the approval of the director of the department of general
25 services, as may be necessary to carry out the purpose of this
26 chapter. All rules adopted by the vehicle dispatcher shall be
27 approved by the director before becoming effective.

28 10. All gasoline fuel used in state-owned automobiles
29 shall be purchased at cost from the various installations or
30 garages of the state department of transportation, state board
31 of regents, department of human services, or state car motor
32 pools throughout the state, unless ~~such-purchases-are-exempted~~
33 ~~by-the-vehicle-dispatcher--The-vehicle-dispatcher-shall-study~~
34 ~~and-determine-the-reasonable-accessibility-of-these-state-~~
35 ~~owned-sources-for-the-purchase-of-gasoline--if-these~~ the

1 state-owned sources for the purchase of gasoline fuel are not
 2 reasonably accessible. If the vehicle-dispatcher state fleet
 3 administrator determines that state-owned sources for the
 4 purchase of fuel are not reasonably accessible, the state
 5 fleet administrator shall authorize the purchase of gasoline
 6 fuel from other sources. The vehicle-dispatcher state fleet
 7 administrator may prescribe a manner, other than the use of
 8 the revolving fund, in which the purchase of gasoline fuel
 9 from state-owned sources shall be is charged to the department
 10 or state agency responsible for the use of the automobile
 11 motor vehicle. The vehicle-dispatcher state fleet
 12 administrator shall prescribe the manner in which oil and
 13 other normal automobile motor vehicle maintenance for state-
 14 owned automobiles motor vehicles may be purchased from private
 15 sources, if they cannot be reasonably obtained from a state
 16 car motor pool. The state vehicle-dispatcher fleet
 17 administrator may advertise for bids and award contracts in
 18 accordance with competitive bidding procedures for items and
 19 services as provided in this chapter for the furnishing of
 20 gasoline fuel, oil, grease, and vehicle replacement parts for
 21 all state-owned motor vehicles. The state vehicle-dispatcher
 22 fleet administrator and other state agencies, when advertising
 23 for bids for gasoline, shall also seek bids for ethanol-
 24 blended gasoline.

25 ~~It--The-state-vehicle-dispatcher-is-responsible-for~~
 26 ~~insuring-motor-vehicles-owned-by-the-state--Insurance~~
 27 ~~coverage-may-be-through-a-self-insurance-program-administered~~
 28 ~~by-the-department-or-purchased-from-an-insurer--If-the~~
 29 ~~determination-is-made-to-utilize-a-self-insurance-program-the~~
 30 ~~vehicle-dispatcher-shall-maintain-loss-and-exposure-data-for~~
 31 ~~the-vehicles-under-the-dispatcher's-jurisdiction--Each-agency~~
 32 ~~shall-provide-to-the-department-all-requested-motor-vehicle~~
 33 ~~loss-and-loss-exposure-information.~~

34 Sec. 38. Section 18.117, Code 1997, is amended to read as
 35 follows:

1 18.117 PRIVATE USE PROHIBITED -- RATE FOR STATE BUSINESS.
2 1. A state officer or employee shall not use a state-owned
3 motor vehicle for personal private use~~7-nor-shall-the.~~ A
4 state officer or employee shall not be compensated for driving
5 a privately owned motor vehicle unless it is done on state
6 business with the approval of the state ~~vehicle-dispatcher7~~
7 ~~and-in~~ fleet administrator. In that case the state officer or
8 employee shall receive an amount to be determined by the state
9 ~~which-may-be~~ director in consultation with the director of the
10 department of personnel and the director of revenue and
11 finance. The amount shall not exceed the maximum allowable
12 under the federal internal revenue service rules per mile,
13 notwithstanding established mileage requirements or
14 depreciation allowances. However, the director may authorize
15 ~~per-mile-reimbursement~~ private motor vehicle rates in excess
16 of the rate allowed under the federal internal revenue service
17 rules for state business use of substantially modified or
18 specially equipped privately owned vehicles required by
19 persons with disabilities. A statutory provision ~~stipulating~~
20 establishing reimbursement for necessary mileage, travel, or
21 actual expenses reimbursement to a state officer falls under
22 the ~~mileage-reimbursement~~ private motor vehicle mileage rate
23 limitation provided in this section unless specifically
24 provided otherwise. Any peace officer employed by the state
25 as defined in section 801.4 who is required to use a private
26 motor vehicle in the performance of official duties shall
27 receive ~~reimbursement-for-mileage-expense~~ the private vehicle
28 mileage rate at the rate ~~specified~~ provided in this section.
29 However, the state ~~vehicle-dispatcher~~ fleet administrator may
30 delegate authority to officials of the state, and department
31 heads, for the use of private vehicles on state business up to
32 a yearly mileage figure established by the director ~~of-general~~
33 services. If a state motor vehicle has been assigned to a
34 state officer or employee, the officer or employee shall not
35 collect mileage for the use of a privately owned motor vehicle

1 unless the state motor vehicle assigned is not usable.

2 2. This-section Subsection 1 does not apply to officers
3 any of the following:

4 a. Officials and employees of the state whose mileage is
5 paid by other than by a state agencies-and-this-section-does
6 not-apply-to-elected agency.

7 b. Elected officers of the state, judicial.

8 c. Judicial officers, or court employees.

9 d. Members and employees of the general assembly who shall
10 be governed by policies relating to motor vehicle travel,
11 including but not limited to reimbursement for expenses, as
12 established by the general assembly.

13 Sec. 39. Section 421.40, unnumbered paragraph 3, Code
14 1997, is amended to read as follows:

15 The departments, the general assembly, and the courts shall
16 pay their claims in a timely manner. If a claim for services,
17 supplies, materials, or a contract which is payable from the
18 state treasury remains unpaid after sixty days following the
19 receipt of the claim or the satisfactory delivery, furnishing,
20 or performance of the services, supplies, materials, or
21 contract, whichever date is later, the state shall pay
22 interest at the rate of one percent per month on the unpaid
23 amount of the claim. This paragraph does not apply to claims
24 against the state under chapters 25 and 669 or to claims paid
25 by federal funds. The interest shall be charged to the
26 appropriation or fund to which the claim is certified.

27 Departments may enter into contracts for goods or services on
28 payment terms of less than sixty days if the state may obtain
29 a financial benefit or incentive which would not otherwise be
30 available from the vendor. The department of revenue and
31 finance, in consultation with the department of general
32 services and other affected agencies, shall develop policies
33 to promote consistency and fiscal responsibility relating to
34 payment terms authorized under this paragraph. The director
35 of the department of revenue and finance shall adopt rules

1 under chapter 17A relating to the administration of this
2 paragraph.

3 Sec. 40. NAME CHANGES -- DIRECTIONS TO CODE EDITOR.

4 1. The Iowa Code editor shall change references to
5 "superintendent of printing" to "state printing administrator"
6 wherever the references appear in the Code.

7 2. The Iowa Code editor shall change references to "state
8 vehicle dispatcher" to "state fleet administrator" wherever
9 the references appear in the Code.

10 Sec. 41. Sections 18.41, 18.52, 18.55, 18.56, 18.76,
11 18.77, 18.78, 18.79, and 18.118, Code 1997, are repealed.

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HOUSE AMENDMENT TO
SENATE FILE 518

S-5379

Amend Senate File 518, as amended, passed, and reprinted by the Senate, as follows:

1. Page 3, by striking lines 5 and 6.
2. Page 3, line 22, by striking the words "advertise for" and inserting the following:
"advertise-for solicit".
3. Page 3, by striking lines 23 through 27 and inserting the following: "improvement by publishing an advertisement in a print format. The advertisement shall appear in".
4. Page 3, line 31, by striking the word "The" and inserting the following: "The department may publish an advertisement in an electronic format as an additional method of soliciting bids under this paragraph."
5. Page 4, line 29, by inserting after the word "Code" the following: "Supplement".

RECEIVED FROM THE HOUSE

S-5379 FILED MARCH 25, 1998

Senate Concurred
4-13-98
(P.1187)

SENATE FILE 518

H-8496

Amend Senate File 518, as amended, passed, and reprinted by the Senate, as follows:

1. Page 3, by striking lines 5 and 6.
2. Page 3, line 22, by striking the words "advertise for" and inserting the following:
"advertise-for solicit".
3. Page 3, by striking lines 23 through 27 and inserting the following: "improvement by publishing an advertisement in a print format. The advertisement shall appear in".
4. Page 3, line 31, by striking the word "The" and inserting the following: "The department may publish an advertisement in an electronic format as an additional method of soliciting bids under this paragraph."
5. Page 4, line 29, by inserting after the word "Code" the following: "Supplement".

By BRADLEY of Clinton

H-8496 FILED MARCH 18, 1998

Adopted
3/25/98
(P.919)

Lind, Chair
Lundby
Halvorson

SSB 216
State Government
Succeeded By
SF/HF 518

SENATE/HOUSE FILE _____
BY (PROPOSED DEPARTMENT OF
GENERAL SERVICES BILL)

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the administration of state government, by
2 providing for the practices of the department of general
3 services, state procurement, motor vehicles, and state
4 printing.

5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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1 Section 1. Section 2B.1, subsection 3, Code 1997, is
2 amended to read as follows:

3 3. The Iowa Code and administrative code divisions are
4 responsible for the editing, compiling, and proofreading of
5 the publications they prepare, as provided in this chapter and
6 notwithstanding-section-18-76. The Iowa Code division is
7 entitled to the temporary possession of the original enrolled
8 Acts and resolutions as necessary to prepare them for
9 publication.

10 Sec. 2. Section 18.1, subsection 2, Code 1997, is amended
11 to read as follows:

12 2. "Competitive bidding procedures procedure" means the
13 advertisement for, solicitation of, or the procurement of
14 bids; the manner and condition in which bids are received; and
15 the procedure by which bids are opened, accessed, accepted, or
16 rejected, or awarded. A "competitive bidding procedure" may
17 include a transaction accomplished in an electronic format.

18 Sec. 3. Section 18.3, Code 1997, is amended by adding the
19 following new subsections:

20 NEW SUBSECTION. 10. Developing and implementing
21 procedures to conduct transactions, including purchasing,
22 authorized by this chapter in an electronic format to the
23 extent determined appropriate by the department. The
24 department shall adopt rules establishing criteria for
25 competitive bidding procedures involving transactions in an
26 electronic format, including criteria for accepting or
27 rejecting bids which are electronically transmitted to the
28 department, and for establishing with reasonable assurance the
29 authenticity of the bid and the bidder's identity.

30 NEW SUBSECTION. 11. Insuring motor vehicles owned by the
31 state. Insurance coverage may be provided through a self-
32 insurance program administered by the department or purchased
33 from an insurer. If the department utilizes a self-insurance
34 program, the department shall maintain loss and exposure data
35 for vehicles under the jurisdiction of the state fleet

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1 administrator. Upon request, state agencies shall provide all
2 loss and exposure information to the department.

3 NEW SUBSECTION. 12. Organizing the department by
4 divisions or other subunits to promote the effective and
5 efficient administration of the department.

6 Sec. 4. Section 18.6, subsections 2, 3, 4, and 9, Code
7 1997, are amended to read as follows:

8 2. The director may also exempt the purchase of an item or
9 service from a competitive bidding procedure when the director
10 determines that the best interests of the state will be served
11 due-to-an by the exemption which shall be based on one of the
12 following:

13 a. An immediate or emergency need existing for the item or
14 service.

15 b. A need to protect the health, safety, or welfare of
16 persons occupying or visiting a public improvement or property
17 located adjacent to the public improvement.

18 c. An opportunity to procure an item or service in another
19 reasonable manner.

20 3. The director shall have the power to contract for the
21 purchase of items or services by the department. ~~Contracts~~
22 ~~for-the-purchase-of-items-shall-be-awarded-on-the-basis-of-the~~
23 ~~lowest-competent-bid---Contracts~~ In awarding a contract, the
24 director may consider the price of the item or service, the
25 bidder's competence, the bidder's specialized expertise, the
26 quality of the item or service, and any other factors that the
27 director determines are relevant and that are included in the
28 bid specifications. Notwithstanding section 72.3, in any
29 procurement made under this chapter, the director, following
30 the submittal and evaluation of bids, may enter into best and
31 final offer negotiations with qualified bidders as provided in
32 the bid specifications in order to obtain the lowest price
33 possible for the item or service. A contract which is not
34 based on a competitive bidding procedure shall be awarded on
35 the basis of bidder a bidder's competence and-reasonable, the

1 reasonableness of the price, and any other factors that the
2 director determines are relevant.

3 The director may enter into an agreement with the
4 government of another state or with the federal government to
5 provide for the cooperative purchase of an item or service of
6 general use in this state.

7 4. The director may refuse all bids on any item or service
8 and institute a new bidding procedure.

9 9. a. When the estimated total cost of construction,
10 erection, demolition, alteration, or repair of a public
11 improvement exceeds twenty-five thousand dollars, the
12 department shall advertise for bids on the proposed
13 improvement by publishing the advertisement either in an
14 electronic or print format. If the advertisement is published
15 in an electronic format, it shall be accessible at least
16 fifteen days prior to the date set for receiving bids. If the
17 advertisement is published in a print format, it shall be in
18 two publications in a newspaper published in the county in
19 which the work is to be done. The first advertisement for
20 bids appearing in a newspaper shall be not less than fifteen
21 days prior to the date set for receiving bids. The

22 b. In awarding a contract, the department shall-let-the
23 work-to-the-lowest-responsible-bidder-submitting-a-sealed
24 proposal may consider the price bid, the bidder's competence,
25 the bidder's specialized expertise, the quality of the item or
26 service to be provided, and any other factors that the
27 director determines are relevant and that are included in the
28 bid specifications. However, if the department considers the
29 bids received not to be acceptable, all bids may be rejected
30 and new bids requested. A bid shall be accompanied, in a
31 separate envelope, by a deposit-of-money-or-a certified check
32 or credit-union-certified-share-draft bid bond in an amount to
33 be named designated in the advertisement for bids as security
34 that the bidder will enter into a contract for the doing of
35 the work requested. The department shall fix establish the

1 bid security in an amount equal to at least five percent, but
 2 not more than ten percent of the estimated total cost of the
 3 work. The certified checks, share-drafts or deposits-of-money
 4 bid bonds of the unsuccessful bidders shall be returned as
 5 soon as the successful bidder is determined, ~~and the.~~ The
 6 certified check, share-draft or deposit-of-money bid bond of
 7 the successful bidder shall be returned upon execution of the
 8 contract documents. This section does not apply to the
 9 construction, erection, demolition, alteration, or repair of a
 10 public improvement when the contracting procedure for the
 11 ~~doing-of~~ the work requested is otherwise provided for in
 12 ~~another-provision-of~~ law.

13 Sec. 5. Section 18.6, subsection 12, Code 1997, is amended
 14 by striking the subsection.

15 Sec. 6. Section 18.8, unnumbered paragraph 1, Code 1997,
 16 is amended to read as follows:

17 The director shall provide necessary ~~voice-or-data~~
 18 ~~communications, including telephone and telegraph~~
 19 telecommunications cabling, lighting, fuel, and water services
 20 for the state buildings and grounds located at the seat of
 21 government, except the buildings and grounds referred to in
 22 section 216B.3, subsection 6.

23 Sec. 7. Section 18.12, subsection 8, Code 1997, is amended
 24 by adding the following new paragraph:

25 NEW PARAGRAPH. c. The director may dispose of presses,
 26 printing equipment, printing supplies, and other machinery or
 27 equipment used in the printing operation, as provided in
 28 section 18.59.

29 Sec. 8. Section 18.12, subsection 9, Code 1997, is amended
 30 to read as follows:

31 9. a. Lease all buildings and office space necessary to
 32 carry out the provisions of this chapter or necessary for the
 33 proper functioning of any state agency at the seat of
 34 government, with the approval of the executive council if no
 35 specific appropriation has been made. The cost of any lease

1 for which no specific appropriation has been made shall be
2 paid from the fund provided in section 7D.29.

3 b. When the general assembly is not in session, the
4 director ~~of general services~~ may request funds moneys from the
5 executive council for moving state agencies located at the
6 seat of government from one location to another. The request
7 may include moving costs, ~~telephone~~ telecommunications costs,
8 repair costs, or any other costs relating to the move. The
9 executive council may approve and shall pay the costs from
10 funds provided in section 7D.29 if it determines the agency or
11 department has no available funds for these expenses.

12 c. Coordinate the leasing of buildings and office space by
13 state agencies throughout the state and develop cooperative
14 relationships with the state board of regents in order to
15 promote the colocation of state agencies.

16 Sec. 9. Section 18.12, subsection 12, Code 1997, is
17 amended by striking the subsection.

18 Sec. 10. Section 18.16, subsection 2, Code 1997, is
19 amended to read as follows:

20 2. The director shall pay the lease or rental fees to the
21 renter or lessor and submit a monthly statement to each state
22 agency for which building and office space is rented or
23 leased. ~~The~~ If the director pays the lease or rental fees on
24 behalf of a state agency, the state agency's payment to the
25 department shall be credited to the rent revolving fund
26 established by this section. With the approval of the
27 director, a state agency may pay the lease or rental cost
28 ~~shall be paid by the state agency to the department of general~~
29 ~~services in the same manner as other expenses of the state~~
30 ~~agency are paid and the payment shall be credited to the rent~~
31 ~~revolving fund~~ directly to the person who is due the payment
32 under the lease or rental agreement.

33 Sec. 11. Section 18.18, subsection 1, paragraphs a through
34 c, Code 1997, are amended to read as follows:

35 a. ~~By July 17, 1991, one~~ One hundred percent of the

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1 purchases of inks which are used for newsprint printing
2 services performed internally or contracted for by the
3 department shall be soybean-based.

4 b. ~~By July 17, 1993,~~ One hundred percent of the
5 purchases of inks, other than inks which are used for
6 newsprint printing services, and which are used internally or
7 contracted for by the department, shall be soybean-based to
8 the extent formulations for such inks are available.

9 c. ~~By July 17, 1995,~~ A minimum of ten percent of the
10 purchases of garbage can liners made by the department shall
11 be plastic garbage can liners with recycled content. The
12 percentage shall increase by ten percent annually until fifty
13 percent of the purchases of garbage can liners are plastic
14 garbage can liners with recycled content.

15 Sec. 12. Section 18.18, subsection 5, Code 1997, is
16 amended to read as follows:

17 5. Information on recycled content shall be requested on
18 all bids for paper products issued by the state and on other
19 bids for products which could have recycled content such as
20 oil, plastic products, including but not limited to starch-
21 ~~based-plastic-products,~~ compost materials, aggregate,
22 solvents, soybean-based inks, and rubber products.

23 Sec. 13. Section 18.18, subsection 8, Code 1997, is
24 amended by striking the subsection.

25 Sec. 14. NEW SECTION. 18.19 RECYCLING REVOLVING FUND.

26 A recycling revolving fund is created within the state
27 treasury under the control of the department. The fund shall
28 consist of any moneys appropriated by the general assembly and
29 any other moneys available to and obtained or accepted by the
30 department from the federal government or private sources for
31 placement in the fund. The assets of the fund shall be used
32 by the department only for supporting recycling operations.
33 Moneys in the fund, which may be subject to warrants written
34 by the director of revenue and finance, shall be drawn upon
35 the written requisition of the director or an authorized

1 representative of the director. The fund is subject to an
2 annual audit by the auditor of state. Section 8.33 does not
3 apply to any moneys in the fund. Notwithstanding section
4 12C.7, subsection 2, interest or earnings on moneys deposited
5 in the fund shall be credited to the fund.

6 Sec. 15. Section 18.20, unnumbered paragraph 1, Code 1997,
7 is amended to read as follows:

8 The department in accordance with recommendations made by
9 the department of natural resources shall require all state
10 agencies to establish an agency wastepaper recycling program
11 ~~by January 17, 1990.~~ The director shall adopt rules which
12 require a state agency to develop a program to ensure the
13 recycling of the wastepaper generated by the agency. Each
14 ~~agency shall submit a report to the general assembly meeting~~
15 ~~in January 1990, which includes a description of the program~~
16 ~~plan and the agency's efforts to use recycled products.~~ All
17 state employees shall practice conservation of paper
18 materials.

19 Sec. 16. Section 18.28, unnumbered paragraph 2, Code 1997,
20 is amended by striking the unnumbered paragraph.

21 Sec. 17. Section 18.32, Code 1997, is amended to read as
22 follows:

23 18.32 ADVERTISEMENTS FOR BIDS.

24 The director shall advertise for bids for ~~the doing of the~~
25 public printing.

26 Sec. 18. Section 18.33, Code 1997, is amended to read as
27 follows:

28 18.33 REQUIREMENTS.

29 Advertisements shall state where and how specifications and
30 other necessary information may be obtained, the time during
31 which the director will receive bids, and the day, hour, and
32 place when bids will be publicly opened or accessed and the
33 manner by which the contracts will be awarded.

34 Sec. 19. Section 18.36, Code 1997, is amended to read as
35 follows:

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1 18.36 FORM OF BIDS.

2 Bids must be:

3 1. Secured in writing, by telephone, or by facsimile, or
4 in a format prescribed by the director as indicated in the bid
5 ~~specifications, and only on the blanks furnished with the~~
6 specifications.

7 2. Signed by the bidder, or if a telephone or electronic
8 bid, confirmed ~~in writing~~ by the bidder in a manner prescribed
9 by the director.

10 3. ~~If submitted~~ Submitted in writing, submitted in a
11 ~~sealed envelope which shall be properly endorsed a format~~
12 prescribed by the director which reasonably assures the
13 authenticity of the bid and the bidder's identity.

14 4. ~~In the hands of the director~~ Submitted to the
15 department as specified by the date and time fixed established
16 in the advertisements for bids.

17 Sec. 20. Section 18.37, Code 1997, is amended to read as
18 follows:

19 18.37 DEPOSIT WITH BID OR YEARLY BOND.

20 ~~A bidder shall deposit with the director at the time the~~
21 When a bidder files submits a bid to the department, the
22 director may require the bidder to file a bid, bond or a
23 certified check or credit union certified share draft payable
24 to the state treasurer for in an amount to be fixed in the bid
25 specifications, either covering all classes or items or
26 services, or separate certified checks or drafts for each bid
27 in case the bidder makes more than one bid. In lieu of checks
28 or share drafts a certified check, the bidder may furnish a
29 yearly bond in an amount to be established by the director.
30 ~~Checks or share drafts~~ Certified checks deposited by
31 unsuccessful bidders, and by successful bidders when they have
32 entered into the contract, shall be returned to them.

33 Sec. 21. Section 18.38, Code 1997, is amended to read as
34 follows:

35 18.38 OPENING AND ACCESSING OF BIDS -- AWARD.

1 All bids shall be publicly opened or accessed and read and
2 the contracts ~~let-at-the-time-and-place-fixed-therefor,-or-on~~
3 ~~the-adjourned-day-or-days-named-by-the-director,-of-which~~
4 ~~adjournment-all-parties-shall-take-notice~~ awarded in the
5 manner designated in the bid specifications. In the award of
6 ~~contracts~~ a contract, due consideration shall be given ~~not~~
7 ~~only~~ to the price bid, ~~but-to-the~~ mechanical and other
8 equipment proposed to be used by the bidder, and the financial
9 responsibility of the bidder, and the bidder's ability and
10 experience in the performance of ~~like-or~~ similar contracts,
11 and any other factors that the department determines are
12 relevant and that are included in the bid specifications.

13 Sec. 22. Section 18.43, Code 1997, is amended to read as
14 follows:

15 18.43 DUTY TO ENTER INTO CONTRACT -- FORFEITURE.

16 A If the department requires a bid bond or certified check
17 as provided in section 18.37, a successful bidder shall,
18 within ten days after the award, enter into a contract in
19 accordance with the bid. Unless this is done, or the delay is
20 for reasons satisfactory to the director, the bid bond or
21 certified check or-credit-union-certified-share-draft
22 submitted with the bid shall be forfeited to the state. The
23 bid specifications on which the bid is made constitute a part
24 of the contract.

25 Sec. 23. Section 18.44, unnumbered paragraph 1, Code 1997,
26 is amended to read as follows:

27 The department shall enter into contracts which the
28 department determines are reasonable. The department may
29 ensure that the contracts shall,-among-other-provisions,
30 provide that for the following:

31 Sec. 24. Section 18.45, Code 1997, is amended to read as
32 follows:

33 18.45 BOND.

34 A The department may require that a bidder provide a bond
35 for the faithful performance of the a contract shall-be

1 ~~required-in-connection-with-each-contract,-in-an.~~ The amount
2 ~~to~~ of the bond shall be fixed established by the director.
3 The bond shall be filed with the department as specified and
4 approved by the director.

5 Sec. 25. Section 18.46, Code 1997, is amended to read as
6 follows:

7 18.46 WRITTEN AUTHORIZATION OF ORDERS.

8 ~~No-printing~~ Printing shall not be performed under any
9 contract ~~except on-written-orders-therefor,-on-detailed-forms~~
10 ~~prescribed as authorized~~ by the director, ~~and-signed-by-the~~
11 ~~director-or-by-some-person-authorized-by-the-director.~~ Every
12 Each order shall designate the contract under which the order
13 is given, and the class, quantity, and kind of the required
14 ~~printing,-the-definite-quantity-and-kind-thereof,-and-be~~
15 ~~issued-in-duplicate-with-a-stub-copy-preserved. A-separate~~
16 ~~series-of-stubs-and-duplicates-shall-be-used-for-each-class-of~~
17 ~~printing-~~

18 Sec. 26. Section 18.48, Code 1997, is amended to read as
19 follows:

20 18.48 ACCEPTANCE OF PRINTING -- PENALTY.

21 ~~No-printing-shall-be-accepted-as-in-compliance-with-the~~
22 ~~contract-when-not-of-the-grade-of-skill-which-is-usually~~
23 ~~employed-by-first-class-printers-on-printing-of-this-class,~~
24 ~~nor-when-the-printing-is-not-of-the-full-quality-contracted~~
25 ~~for-~~ The director may reject or refuse delivery on printing
26 which is not of the quality for which the contract was
27 awarded. If immediate necessity and or lack of time to
28 procure printing elsewhere ~~compel~~ compels the use of defective
29 printing furnished by a contractor, it the defective printing
30 shall be accepted without approval, and one-half of the
31 contract price ~~thereon~~ shall be deducted as liquidated damages
32 for breach of contract. The amount of the liquidated damages
33 may be deducted from any payment to the contractor under any
34 state contract.

35 Sec. 27. Section 18.49, Code 1997, is amended to read as

1 follows:

2 18.49 CONTRACTS BY INSTITUTIONAL HEADS.

3 The director may authorize the managing board, or head, or
4 chief executive officer of any institution or department of
5 the state located outside ~~the-city-of-Des-Moines~~ Polk county
6 to secure, under the specifications of the director,
7 competitive bids for printing needed by the institution or
8 department, and submit the bids to the director. If the
9 director approves any of the bids, the authorized board, head,
10 or officer may contract for the printing, but the contract
11 shall not be valid until ~~a-duplicate-copy-is-filed-with-and~~
12 approved-by the director approves the contract. The director
13 shall prescribe the manner by which the director is notified
14 of and approves the contract.

15 Sec. 28. Section 18.50, Code 1997, is amended to read as
16 follows:

17 18.50 EMERGENCY CONTRACTS.

18 The director may at any time award a ~~special~~ separate
19 printing contract or may authorize ~~assistants~~ an assistant to
20 award a ~~special~~ separate printing contract for any work or
21 ~~material-coming~~ and materials or printing supplies within the
22 provisions of chapter 7A and sections 18.26 to 18.103 but
23 which are not included in current printing contracts already
24 in-existence, or which cannot properly be made the subject of
25 a general contract, ~~if-the-amount-of-each-contract-shall-not~~
26 ~~exceed-the-amount-of-five-thousand-dollars,-and-if-special~~
27 bids. A separate printing contract must have been duly
28 solicited by the director from ~~persons-or-firms~~ vendors
29 engaged in the kind of work under consideration who have
30 indicated a desire to bid on the class of work to be done
31 performed.

32 Sec. 29. Section 18.51, Code 1997, is amended to read as
33 follows:

34 18.51 PAPER, PRINTING SUPPLIES, AND ACCOUNTING.

35 1. The director may contract for paper and other printing

1 supplies as part of the a printing or contract. The director
2 may purchase paper and other printing supplies and furnish the
3 same them to the a contractor. ~~All-paper-purchased-for-use-of~~
4 ~~the-state-shall,-when-practicable,-have-a-distinguishing-mark~~
5 ~~or-water-line-by-which-it-can-be-identified-~~

6 2. The director shall keep an accurate account with any
7 person doing printing for the state. The director shall
8 charge the person the value of all paper drawn, credit the
9 person with all paper used on behalf of the state, and compel
10 an accounting for all paper which is not used.

11 Sec. 30. Section 18.59, subsection 1, Code 1997, is
12 amended to read as follows:

13 1. ~~To hold-possession-of~~ possess all presses and other
14 printing equipment, inventory all of the described equipment,
15 ~~and with-the-approval-of-the-executive-council-sell~~ the above-
16 described dispose of the machinery and equipment that is no
17 longer necessary or is unfit for use. Receipts from the sale
18 of presses, printing equipment, printing supplies, and other
19 machinery or equipment used in the printing operation shall be
20 deposited in the centralized printing revolving fund
21 established in section 18.57.

22 Sec. 31. Section 18.60, Code 1997, is amended to read as
23 follows:

24 18.60 COST SYSTEMS MAINTAINED BY DEPARTMENTS.
25 Each official, board, department, commission, or agency
26 located outside ~~the-city-of-Des-Moines~~ Polk county, who
27 maintains printing equipment, or does any printing for the
28 state or its departments shall likewise keep an accurate cost
29 system and ~~make~~ report each June 30 to the director of the
30 amounts, ~~and these.~~ These reports shall be included in the
31 annual, fiscal, or calendar report of the director.

32 Sec. 32. Section 18.63, unnumbered paragraph 1, Code 1997,
33 is amended to read as follows:

34 No A department or commission of state located in ~~the-city~~
35 ~~of-Des-Moines~~ Polk county shall not expend any-funds moneys

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1 for the publication or distribution of books, or pamphlets, or
2 reports unless the publication thereof be is expressly
3 required by law or approved by the director. ~~A violation of~~
4 ~~this section shall constitute misfeasance in office.~~ The
5 state printing administrator may exempt minimal single
6 printing projects from the requirements of this section in
7 order to permit a state agency to timely procure printing, if
8 a state contract is not currently available. The department
9 shall adopt rules establishing criteria for exemption of
10 minimal printing projects under this section.

11 Sec. 33. Section 18.82, Code 1997, is amended to read as
12 follows:

13 18.82 CUSTODY OF DOCUMENTS AND STORAGE ROOMS.

14 The superintendent state printing administrator shall
15 receive and have the custody of ~~the Iowa documents, reports,~~
16 and all other printed matter and, including all documents and
17 reports, for which the state printing administrator is
18 responsible under this chapter. The state printing
19 administrator shall make and supervise the distribution of the
20 same printed matter in such manner as will be most economical
21 and useful to the public. The superintendent state printing
22 administrator shall have charge of the state storage building
23 or rooms, in which the superintendent state printing
24 administrator shall keep the reports and documents printed
25 matter.

26 Sec. 34. Section 18.115, Code 1997, is amended to read as
27 follows:

28 18.115 ~~VEHICLE DISPATCHER~~ STATE FLEET ADMINISTRATOR --
29 EMPLOYEES -- POWERS AND DUTIES -- FUEL ECONOMY REQUIREMENTS.

30 The director of the department of general services shall
31 appoint a state vehicle-dispatcher fleet administrator and
32 other employees as necessary to administer this division. The
33 state vehicle-dispatcher fleet administrator shall serve at
34 the pleasure of the director and is not governed by the merit
35 system provisions of chapter 19A. Subject to the approval of

1 the director, the state vehicle-dispatcher fleet administrator
2 has the following duties:

3 1. The dispatcher state fleet administrator shall assign
4 to a state officer or employee or to a state officer,
5 department, bureau, or commission agency, one or more motor
6 vehicles which may be required by the state officer or
7 employee or department state agency, after the state officer
8 or employee or department state agency has shown the necessity
9 for such transportation. The state vehicle-dispatcher shall
10 have the power to fleet administrator may assign a motor
11 vehicle either for part time or full time. The dispatcher
12 shall have the right to state fleet administrator may revoke
13 the assignment at any time.

14 2. The state vehicle-dispatcher fleet administrator may
15 cause all state-owned motor vehicles to be inspected
16 periodically. Whenever the inspection reveals that repairs
17 have been improperly made on the motor vehicle or that the
18 operator is not giving it the proper care, the dispatcher
19 state fleet administrator shall report this fact to the head
20 of the department state agency to which the motor vehicle has
21 been assigned, together with recommendation for improvement.

22 3. The state vehicle-dispatcher fleet administrator shall
23 install a record system for the keeping of records of the
24 total number of miles state-owned motor vehicles are driven
25 and the per-mile cost of operation of each motor vehicle.
26 Every state officer or employee shall keep a record book to be
27 furnished by the state vehicle-dispatcher fleet administrator
28 in which the officer or employee shall enter all purchases of
29 gasoline, lubricating oil, grease, and other incidental
30 expense in the operation of the motor vehicle assigned to the
31 officer or employee, giving the quantity and price of each
32 purchase, including the cost and nature of all repairs on the
33 motor vehicle. Each operator of a state-owned motor vehicle
34 shall promptly prepare a report at the end of each month on
35 forms furnished by the state vehicle-dispatcher fleet

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1 ~~administrator~~ and ~~forward-the-same~~ forwarded to the dispatcher
2 ~~at-the-statehouse~~ state fleet administrator, giving the
3 information the state ~~vehicle-dispatcher~~ fleet administrator
4 may request in the report. The Each month the state ~~vehicle~~
5 ~~dispatcher~~ fleet administrator shall ~~each-month~~ compile the
6 costs and mileage of state-owned motor vehicles from the
7 reports and keep a cost history ~~card-on~~ for each motor vehicle
8 and the costs shall be reduced to a cost-per-mile basis for
9 each motor vehicle. ~~It-shall-be-the-duty-of-the~~ The state
10 ~~vehicle-dispatcher-to~~ fleet administrator shall call to the
11 attention of an elected official or the head of any department
12 state agency to which a motor vehicle has been assigned any
13 evidence of the mishandling or misuse of any a state-owned
14 motor vehicle which is called to the ~~dispatcher's~~ state fleet
15 administrator's attention.

16 PARAGRAPH DIVIDED. A motor vehicle operated under this
17 subsection shall not operate on gasoline other than gasoline
18 blended with at least ten percent ethanol, unless under
19 emergency circumstances. A state-issued credit card used to
20 purchase gasoline shall not be valid to purchase gasoline
21 other than gasoline blended with at least ten percent ethanol,
22 if commercially available. The motor vehicle shall also be
23 affixed with a brightly visible sticker which notifies the
24 traveling public that the motor vehicle is being operated on
25 gasoline blended with ethanol. However, the sticker is not
26 required to be affixed to an unmarked vehicle used for
27 purposes of providing law enforcement or security.

28 4. The state ~~vehicle-dispatcher~~ fleet administrator shall
29 purchase all motor vehicles for all branches of the state
30 government, except the state department of transportation,
31 institutions under the control of the state board of regents,
32 the department for the blind, and any other agencies state
33 agency exempted by law. ~~Before-purchasing-any-new-motor~~
34 ~~vehicle-the-dispatcher-shall-make-requests-for-public-bids-by~~
35 ~~advertisement-and-shall-purchase-the-vehicles-from-the-lowest~~

1 responsible-bidder-for-the-type-and-make-of-motor-vehicle
 2 designated. The state fleet administrator shall purchase new
 3 vehicles in accordance with competitive bidding procedures for
 4 items or services as provided in this chapter. The vehicle
 5 dispatcher state fleet administrator may purchase used or
 6 preowned vehicles at governmental or dealer auctions if the
 7 purchase is determined to be in the best interests of the
 8 state.

9 ~~in-conjunction-with-the-requirements-of-section-18-3,~~
 10 ~~subsection-1,-effective-January-1,-1991,-the~~ The state vehicle
 11 ~~dispatcher~~ fleet administrator, and any other state agency,
 12 which for purposes of this paragraph includes but is not
 13 limited to community colleges and institutions under the
 14 control of the state board of regents, or local governmental
 15 political subdivision purchasing new motor vehicles ~~for-other~~
 16 ~~than-law-enforcement-purposes,~~ shall purchase new passenger
 17 vehicles and light trucks such so that the average fuel
 18 efficiency for the fleet of new passenger vehicles and light
 19 trucks purchased in that year ~~by-the-state-vehicle-dispatcher~~
 20 ~~or-other-state-agency-or-local-governmental-political~~
 21 ~~subdivision~~ equals or exceeds the average fuel economy
 22 standard for the vehicles' model year as established by the
 23 United States secretary of transportation under 15 U.S.C. §
 24 2002. This paragraph does not apply to vehicles purchased for
 25 ~~any-of-the-following:~~ law enforcement purposes, ~~school-buses,~~
 26 or primarily used for off-road maintenance work, ~~or-work~~
 27 ~~vehicles-used-to-pull-loaded-trailers.~~ The group of
 28 ~~comparable-vehicles-within-the-total-fleet-purchased-by-the~~
 29 ~~state-vehicle-dispatcher,-or-any-other-state-agency-or-local~~
 30 ~~governmental-political-subdivision-purchasing-motor-vehicles~~
 31 ~~for-other-than-law-enforcement-purposes,-shall-have-an-average~~
 32 ~~fuel-efficiency-rating-equal-to-or-exceeding-the-average-fuel~~
 33 ~~economy-rating-for-that-model-year-for-that-class-of~~
 34 ~~comparable-vehicles-as-defined-in-40-C.F.R.-§-315-82.--As-used~~
 35 ~~in-this-paragraph,-"fuel-economy"-means-the-average-number-of~~

1 miles-traveled-by-an-automobile-per-gallon-of-gasoline
2 consumed-as-determined-by-the-United-States-environmental
3 protection-agency-administrator-in-accordance-with-26-U.S.C.-§
4 4064(c)--Per-purposes-of-this-paragraph,"state-agency"
5 includes,-but-is-not-limited-to,-a-community-college-or-an
6 institution-under-the-control-of-the-state-board-of-regents.

7 The Not later than February 15 of each year, the state
8 vehicle-dispatcher fleet administrator shall annually report
9 compliance with the corporate average combined fuel economy
10 standards published by the United States secretary of
11 transportation for all new motor vehicles purchased by
12 classification, other than motor vehicles purchased by the
13 state department of transportation, institutions under the
14 control of the state board of regents, the department for the
15 blind, and any other state agency exempted from the
16 requirements of this subsection. The report of compliance
17 shall classify the vehicles purchased for the current vehicle
18 model year using the following categories: {passenger
19 automobiles, enforcement automobiles, vans, and light trucks}
20 no-later-than-January-31-of-each-year-to-the-department-of
21 management-and-the-energy-and-geological-resources-division
22 of. The state fleet administrator shall deliver a copy of the
23 report to the department of natural resources. As used in
24 this paragraph, "combined corporate average fuel economy"
25 means the combined corporate average fuel economy as defined
26 in 40 49 C.F.R. § 600-002 533.5.

27 a. Effective-January-17-1993,-the The state vehicle
28 dispatcher,-after-consultation-with-the-department-of
29 management-and-the-various-state-agencies-exempted-from
30 obtaining-vehicles-for-use-through-the-state-vehicle
31 dispatcher,-shall-adopt-by-rule-pursuant-to-chapter-17A,-a
32 system-of-uniform-standards-for-assigning fleet administrator
33 shall assign motor vehicles available for use to maximize the
34 average passenger miles per gallon of motor vehicle fuel
35 consumed. The-standards-should In assigning motor vehicles,

1 the state fleet administrator shall consider standards
 2 established by the state fleet administrator, which may
 3 include but are not limited to the number of passengers
 4 traveling to a destination, the fuel economy of and passenger
 5 capacity of vehicles available for assignment, and any other
 6 relevant information, to assure assignment of the most energy
 7 efficient vehicle or combination of vehicles for a trip from
 8 those vehicles available for assignment. The standards
 9 ~~adopted by the state vehicle dispatcher~~ shall not apply to
 10 special work vehicles, and law enforcement vehicles. The
 11 ~~rules when adopted~~ standards shall apply to the following
 12 agencies:

- 13 (1) State ~~vehicle dispatcher~~ fleet administrator.
- 14 (2) State department of transportation.
- 15 (3) Institutions under the control of the state board of
16 regents.
- 17 (4) The department for the blind.
- 18 (5) Any other state agency exempted from obtaining
19 vehicles for use through the state ~~vehicle dispatcher~~ fleet
20 administrator.

21 b. As used in paragraph "a", "fuel economy" means the
 22 average number of miles traveled by an automobile per gallon
 23 of gasoline consumed as determined by the United States
 24 environmental protection agency administrator in accordance
 25 with 26 U.S.C. § 4064(c).

26 5. Of all new passenger vehicles and light pickup trucks
 27 purchased by the state ~~vehicle dispatcher~~ fleet administrator,
 28 a minimum of ten percent of all such vehicles and trucks
 29 purchased shall be equipped with engines which utilize
 30 alternative methods of propulsion including but not limited to
 31 any of the following:

- 32 a. A flexible fuel, which is any of the following:
 - 33 (1) A fuel blended with not more than fifteen percent
34 gasoline and at least eighty-five percent ethanol.
 - 35 (2) A fuel which is a mixture of diesel fuel and processed

1 soybean oil. At least twenty percent of the mixed fuel by
2 volume must be processed soybean oil.

3 (3) A renewable fuel approved by the office of renewable
4 fuels and coproducts pursuant to section 159A.2.

5 b. Compressed or liquefied natural gas.

6 c. Propane gas.

7 d. Solar energy.

8 e. Electricity.

9 The provisions of this subsection do not apply to vehicles
10 and trucks purchased and directly used for law enforcement or
11 purchased and used exclusively for off-road maintenance work.

12 ~~It is the intent of the general assembly that the members~~
13 ~~of the midwest energy compact promote the development and~~
14 ~~purchase of motor vehicles equipped with engines which utilize~~
15 ~~alternative methods of propulsion.~~

16 6. All used motor vehicles turned in to the state vehicle
17 dispatcher fleet administrator shall be disposed of by public
18 auction, and the sales shall be advertised in a newspaper of
19 general circulation one week in advance of sale, and the
20 receipts from the sale shall be deposited in the depreciation
21 fund to the credit of that ~~department or~~ state agency turning
22 in the vehicle; except that, in the case of a used motor
23 vehicle of special design, the state ~~vehicle dispatcher~~ fleet
24 administrator may, with the approval of the director, instead
25 of selling it at public auction, authorize the motor vehicle
26 to be traded for another vehicle of similar design. If a
27 vehicle sustains damage and the cost to repair exceeds the
28 wholesale value of the vehicle, the state ~~vehicle dispatcher~~
29 fleet administrator may dispose of the motor vehicle by
30 obtaining two or more written salvage bids and the vehicle
31 shall be sold to the highest responsible bidder.

32 7. The state ~~vehicle dispatcher~~ fleet administrator may
33 authorize the establishment of motor pools consisting of a
34 number of state-owned motor vehicles under the ~~dispatcher's~~
35 state fleet administrator's supervision ~~and which the~~

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1 dispatcher. The state fleet administrator may ~~cause-to-be~~
 2 ~~stored~~ store the motor vehicles in a public or private garage.
 3 If the state fleet administrator establishes a motor pool is
 4 ~~established-by-the-state-vehicle-dispatcher,~~ any state officer
 5 or employee desiring the use of a state-owned motor vehicle on
 6 state business shall notify the state ~~vehicle-dispatcher~~ fleet
 7 administrator of the need for a vehicle within a reasonable
 8 time prior to actual use of the motor vehicle. The state
 9 ~~vehicle-dispatcher~~ fleet administrator may assign a motor
 10 vehicle from the motor pool to the state officer or employee.
 11 If two or more state officers or employees desire the use of a
 12 state-owned motor vehicle for a trip to the same destination
 13 for the same length of time, the state ~~vehicle-dispatcher~~
 14 fleet administrator may assign one vehicle to make the trip.

15 8. The state ~~vehicle-dispatcher~~ fleet administrator shall
 16 ~~cause-to-be-marked~~ require that a sign be placed on every each
 17 state-owned motor vehicle ~~a-sign~~ in a conspicuous place which
 18 indicates its ownership by the state ~~except-cars.~~ This
 19 requirement shall not apply to motor vehicles requested to be
 20 exempt by the commissioner of public safety or the director of
 21 the department of general services. All state-owned motor
 22 vehicles shall display registration plates bearing the word
 23 "official" ~~except cars~~ motor vehicles requested to be
 24 furnished with ordinary plates by the commissioner of public
 25 safety or the director of the department of general services
 26 pursuant to section 321.19. The state ~~vehicle-dispatcher~~
 27 fleet administrator shall keep an accurate record of the
 28 registration plates used on all ~~state-cars~~ state-owned motor
 29 vehicles.

30 9. The state ~~vehicle-dispatcher-shall-have-the-authority~~
 31 ~~to-make-such~~ fleet administrator may adopt other rules
 32 regarding the operation of state-owned motor vehicles, with
 33 the approval of the director of the department of general
 34 services, as may be necessary to carry out the purpose of this
 35 chapter. All rules adopted by the vehicle dispatcher shall be

1 approved by the director before becoming effective.

2 10. All gasoline fuel used in state-owned automobiles
3 shall be purchased at cost from the various installations or
4 garages of the state department of transportation, state board
5 of regents, department of human services, or state car motor
6 pools throughout the state, unless ~~such-purchases-are-exempted~~
7 ~~by-the-vehicle-dispatcher.--The-vehicle-dispatcher-shall-study~~
8 ~~and-determine-the-reasonable-accessibility-of-these-state-~~
9 ~~owned-sources-for-the-purchase-of-gasoline.--If-these~~ the
10 state-owned sources for the purchase of gasoline fuel are not
11 reasonably accessible⁷. If the vehicle-dispatcher state fleet
12 administrator determines that state-owned sources for the
13 purchase of fuel are not reasonably accessible, the state
14 fleet administrator shall authorize the purchase of gasoline
15 fuel from other sources. The vehicle-dispatcher state fleet
16 administrator may prescribe a manner, other than the use of
17 the revolving fund, in which the purchase of gasoline fuel
18 from state-owned sources shall-be is charged to the department
19 or state agency responsible for the use of the automobile
20 motor vehicle. The vehicle-dispatcher state fleet
21 administrator shall prescribe the manner in which oil and
22 other normal automobile motor vehicle maintenance for state-
23 owned automobiles motor vehicles may be purchased from private
24 sources, if they cannot be reasonably obtained from a state
25 car motor pool. The state vehicle-dispatcher fleet
26 administrator may advertise for bids and award contracts in
27 accordance with competitive bidding procedures for items and
28 services as provided in this chapter for the furnishing of
29 gasoline fuel, oil, grease, and vehicle replacement parts for
30 all state-owned motor vehicles. The state vehicle-dispatcher
31 fleet administrator and other state agencies, when advertising
32 for bids for gasoline, shall also seek bids for ethanol-
33 blended gasoline.

34 ~~It--The-state-vehicle-dispatcher-is-responsible-for~~
35 ~~insuring-motor-vehicles-owned-by-the-state.--insurance~~

1 coverage may be through a self insurance program administered
 2 by the department or purchased from an insurer. -- If the
 3 determination is made to utilize a self insurance program the
 4 vehicle dispatcher shall maintain loss and exposure data for
 5 the vehicles under the dispatcher's jurisdiction. -- Each agency
 6 shall provide to the department all requested motor vehicle
 7 loss and loss exposure information.

8 Sec. 35. Section 18.117, Code 1997, is amended to read as
 9 follows:

10 18.117 PRIVATE USE PROHIBITED -- RATE FOR STATE BUSINESS.

11 1. A state officer or employee shall not use a state-owned
 12 motor vehicle for personal private use, nor shall the. A
 13 state officer or employee shall not be compensated for driving
 14 a privately owned motor vehicle unless it is done on state
 15 business with the approval of the state vehicle dispatcher,
 16 and in fleet administrator. In that case the state officer or
 17 employee shall receive an amount to be determined by the state
 18 which may be director in consultation with the director of the
 19 department of personnel and the director of revenue and
 20 finance. The amount shall not exceed the maximum allowable
 21 under the federal internal revenue service rules per mile,
 22 notwithstanding established mileage requirements or
 23 depreciation allowances. However, the director may authorize
 24 per-mile-reimbursement private motor vehicle rates in excess
 25 of the rate allowed under the federal internal revenue service
 26 rules for state business use of substantially modified or
 27 specially equipped privately owned vehicles required by
 28 persons with disabilities. A statutory provision stipulating
 29 establishing reimbursement for necessary mileage, travel, or
 30 actual expenses reimbursement to a state officer falls under
 31 the mileage-reimbursement private motor vehicle mileage rate
 32 limitation provided in this section unless specifically
 33 provided otherwise. Any peace officer employed by the state
 34 as defined in section 801.4 who is required to use a private
 35 motor vehicle in the performance of official duties shall

1 receive reimbursement-for-mileage-expense the private vehicle
2 mileage rate at the rate specified provided in this section.
3 However, the state vehicle-dispatcher fleet administrator may
4 delegate authority to officials of the state, and department
5 heads, for the use of private vehicles on state business up to
6 a yearly mileage figure established by the director of-general
7 services. If a state motor vehicle has been assigned to a
8 state officer or employee, the officer or employee shall not
9 collect mileage for the use of a privately owned motor vehicle
10 unless the state motor vehicle assigned is not usable.

11 2. This-section Subsection 1 does not apply to officials
12 any of the following:

13 a. Officials and employees of the state whose mileage is
14 paid by other than by a state agencies-and-this-section-does
15 not-apply-to-elected agency.

16 b. Elected officers of the state, judicial.

17 c. Judicial officers, or court employees.

18 d. Members and employees of the general assembly who shall
19 be governed by policies relating to motor vehicle travel,
20 including but not limited to reimbursement for expenses, as
21 established by the general assembly.

22 Sec. 36. Section 421.40, unnumbered paragraph 3, Code
23 1997, is amended to read as follows:

24 The departments, the general assembly, and the courts shall
25 pay their claims in a timely manner. If a claim for services,
26 supplies, materials, or a contract which is payable from the
27 state treasury remains unpaid after sixty days following the
28 receipt of the claim or the satisfactory delivery, furnishing,
29 or performance of the services, supplies, materials, or
30 contract, whichever date is later, the state shall pay
31 interest at the rate of one percent per month on the unpaid
32 amount of the claim. This paragraph does not apply to claims
33 against the state under chapters 25 and 669 or to claims paid
34 by federal funds. The interest shall be charged to the
35 appropriation or fund to which the claim is certified.

1 Departments may enter into contracts for goods or services on
 2 payment terms of less than sixty days if the state may obtain
 3 a financial benefit or incentive which would not otherwise be
 4 available from the vendor. The department of revenue and
 5 finance, in consultation with the department of general
 6 services and other affected agencies, shall develop policies
 7 to promote consistency and fiscal responsibility relating to
 8 payment terms authorized under this paragraph. The director
 9 of the department of revenue and finance shall adopt rules
 10 under chapter 17A relating to the administration of this
 11 paragraph.

12 Sec. 37. NAME CHANGES -- DIRECTIONS TO CODE EDITOR.

13 1. The Iowa Code editor shall change references to
 14 "superintendent of printing" to "state printing administrator"
 15 wherever the references appear in the Code.

16 2. The Iowa Code editor shall change references to "state
 17 vehicle dispatcher" to "state fleet administrator" wherever
 18 the references appear in the Code.

19 Sec. 38. REPEALS. Sections 18.41, 18.52, 18.55, 18.56,
 20 18.76, 18.77, 18.78, 18.79, and 18.118, Code 1997, are
 21 repealed.

22 EXPLANATION

23 This bill amends a number of provisions relating to the
 24 administration of state government, by providing for the
 25 administration of the department of general services and
 26 particularly provisions affecting procurement, state-owned
 27 motor vehicles, and state printing. The bill amends the
 28 following sections:

29 Code section 2B.1 is amended to eliminate a reference to
 30 Code section 18.76 which is repealed later in the bill.

31 Code section 18.1 is amended to provide that the definition
 32 of "competitive bidding procedure" includes transactions
 33 accomplished in an electronic format.

34 Code section 18.3 is amended to require that the department
 35 develop and implement procedures to conduct transactions,

1 including purchasing, in an electronic format. The section is
2 amended to require that the department insure motor vehicles
3 owned by state through a self-insurance program or through a
4 private insurer. A similar provision is eliminated from Code
5 section 18.115. The section is also amended to allow the
6 department to organize by divisions or other subunits to
7 promote the effective and efficient administration of the
8 department.

9 Code section 18.6 is amended to provide that the director
10 may contract for the purchase of services as well as items.
11 It provides that the department may exempt from ordinary
12 competitive bidding procedures, the purchase of an item or
13 service based on a determination that it is necessary to
14 protect the health, safety, or welfare of persons occupying or
15 visiting a public improvement or property located adjacent to
16 the public improvement; or that an item or service may be
17 procured in another reasonable manner. The bill provides that
18 the department is not obligated to award a contract based on
19 the lowest competent bid. The bill lists a number of factors
20 that the director may consider, including price, bidder
21 competence, and the item's or service's quality. The bill
22 allows the director to enter into best and final offer
23 negotiations with qualified bidders in order to obtain the
24 lowest price possible for the item or service. The bill
25 provides that the director may enter into an agreement with
26 the government of another state or the federal-government to
27 provide for the cooperative purchase of an item or service of
28 general use in the state. The bill provides that the
29 department may advertise for bids in an electronic format.
30 The bill eliminates provisions regarding share drafts and
31 deposits of moneys which are used by bidders to provide
32 evidence of financial security. The bill provides that the
33 evidence of financial security is limited to a certified check
34 and a bid bond. The bill eliminates a requirement that a
35 person submitting the proposed contract for the purchase of

1 items must receive information regarding the availability of a
2 waste management review.

3 Code section 18.8 is amended to provide that the director
4 may provide telecommunications cabling to state agencies and
5 eliminates a reference to voice and data communications.

6 Code section 18.12 is amended to provide that the
7 department may dispose of presses, printing equipment,
8 printing supplies, and other machinery or equipment used in
9 the department's printing operation. The bill moves a
10 provision within chapter 18 requiring that the department
11 coordinate the leasing of buildings and office space by state
12 agencies throughout the state and develop cooperative
13 relationships with state agencies and the state board of
14 regents.

15 Code section 18.16 is amended to provide that a state
16 agency may directly pay the price of a lease or rental costs
17 incurred by the state agency in lieu of the department paying
18 the price of the lease or rental costs on behalf of the state
19 agency.

20 Code section 18.18 is amended to remove dates for
21 compliance of recycling mandates which have expired. The bill
22 provides that information regarding recycled content for
23 products that could be starch-based is no longer required to
24 be included on bids. The bill also eliminates a requirement
25 providing for agreements with the states of Minnesota and
26 Wisconsin for the purchase of general use items by January 1,
27 1993. The bill otherwise authorizes the department to enter
28 into such agreements with any state and the federal
29 government.

30 Code section 18.19 is a new section which establishes a
31 recycling revolving fund under the control of the department.
32 The bill provides that the assets of the fund must be used by
33 the department for supporting recycling operations.

34 Code section 18.20 is amended to eliminate a January 1,
35 1990, deadline for state agencies to establish wastepaper

1 recycling programs. It also eliminates a provision requiring
2 agencies to submit reports to the general assembly by January
3 1990.

4 Code section 18.28 is amended by eliminating a provision
5 which prohibits the reproduction of 10 or more copies from an
6 original on an office copier located in the city of Des
7 Moines, unless the department approves the copying.

8 Code section 18.32 relates to the advertisement of bids.
9 The section is amended to enhance readability.

10 Code section 18.33 is amended to provide that
11 advertisements for bid specifications shall provide how bids
12 will be accessed as well as opened.

13 Code section 18.36 is amended to provide requirements for
14 bids. The bill allows bids to be in a format prescribed by
15 the department. The bill provides that the bid may be
16 submitted in an electronic format which reasonably assures the
17 authenticity of the bid and the bidder's identity.

18 Code section 18.37 amends a provision requiring a bidder to
19 post evidence of financial security with the department. The
20 bill eliminates a reference to a credit union share draft, and
21 allows a bidder to provide evidence of financial security by
22 providing a certified check or posting a bid bond.

23 Code section 18.38 is amended to provide that bids may be
24 accessed as well as opened. The bill provides that contracts
25 are awarded in a manner designated in the bid specifications.

26 Code section 18.43 is amended to remove a reference to
27 credit union certified share drafts in a provision relating to
28 a bidder's evidence of financial security.

29 Code section 18.44 is amended to allow the department to
30 enter into contracts which the department finds reasonable and
31 which may include factors currently considered by the
32 department.

33 Code section 18.45 is amended to allow the department to
34 determine when a bond by a bidder is required.

35 Code section 18.46 is amended to eliminate requirements

1 relating to written orders for printing including detailed
2 specifications relating to the nature of orders. The bill
3 allows the department to determine procedures for completing
4 an order.

5 Code section 18.48 provides that the department may reject
6 printing if it does not meet quality requirements of a first
7 class printer. It also provides that a contractor may be
8 required to forfeit payment amounts as liquidated damages.
9 This bill provides that the department may reject or refuse
10 delivery on printing which is not of the quality contemplated
11 in the contract. It also provides that the liquidated damages
12 may be deducted from any payment made to the contractor under
13 any state contract.

14 Code section 18.49 provides that the director may authorize
15 a state agency located outside the city of Des Moines to
16 secure printing bids. This bill provides that a state agency
17 located outside of Polk county may contract for outside
18 printing. The bill eliminates procedural requirements
19 regarding the authorization and provides that the director
20 must prescribe the manner by which notification and approval
21 are made.

22 Code section 18.50 is amended to provide that the director
23 of the department may award separate printing contracts for
24 work, material, or printing supplies which are not included in
25 a current printing contract. Currently, the department may
26 enter into a special contract for work or materials, if the
27 amount of the contract is \$5,000 or less. The bill removes
28 this limitation.

29 Code section 18.51 eliminates a requirement that all paper
30 purchased for use by the state must have a distinguishing
31 mark. The bill also provides accounting requirements
32 involving persons doing printing for the state. The language
33 of the provision is currently included in Code section 18.52
34 which the bill repeals.

35 Code section 18.59 is amended to provide that the

1 department is no longer required to obtain the consent of the
2 executive council prior to disposing of printing machinery or
3 equipment. The bill provides that receipts from the sale of
4 presses, printing equipment, printing supplies, and other
5 machinery or equipment used in the printing operation shall be
6 deposited in the department's printing revolving fund.

7 Code section 18.60 provides for accounts by state agencies
8 located outside of the city of Des Moines which maintain
9 printing equipment. The bill provides that the provisions
10 apply to agencies located outside Polk county.

11 Code section 18.63 provides that state agencies located in
12 the city of Des Moines may not expend moneys for the
13 publication or distribution of materials unless required by
14 law or approved by the director. The bill provides that this
15 requirement applies to state agencies located in Polk county.
16 It removes a provision which provides that a violation of the
17 requirement constitutes misfeasance in office. The bill
18 provides that the department may exempt minimal single
19 printing projects from these requirements in order to permit a
20 state agency to timely procure printing, if a state contract
21 is not currently available.

22 Code section 18.82 is amended to change the name of the
23 state printing superintendent to the state printing
24 administrator.

25 Code section 18.115 currently provides for the duties and
26 powers of the state vehicle dispatcher. This bill amends the
27 section by changing the name of the state vehicle dispatcher
28 to the state fleet administrator. The bill also provides that
29 the administrator may notify an elected official as well as
30 the head of a state agency regarding any mishandling or misuse
31 of a state-owned motor vehicle. The bill eliminates language
32 in the section providing procedures for purchasing new motor
33 vehicles. The bill provides that a purchase must comply with
34 competitive bidding procedures. The section eliminates a
35 reference to January 1, 1991, which was the date when new

1 motor vehicles purchased by state agencies and local
 2 governments were required to comply with fuel efficiency
 3 standards. The bill eliminates exemptions from the fuel
 4 economy requirement currently available for school buses, off-
 5 road maintenance work, and vehicles used to pull loaded
 6 trailers. The bill changes the date from January 31 to
 7 February 15 when the department must annually report on
 8 compliance with the standards. The bill eliminates the
 9 department of management as a recipient of the report. The
 10 bill changes the fuel economy standard from a standard which
 11 measures combined fuel economy to a standard which measures
 12 corporate average fuel economy. Both standards are
 13 established by the federal government. The bill removes a
 14 requirement that the department establish a system of uniform
 15 standards for assigning motor vehicles by rule. The bill
 16 provides that the department must assign motor vehicles based
 17 on standards which may include the same factors currently
 18 used. The bill eliminates a provision referring to promoting
 19 the development and purchase of motor vehicle equipment with
 20 engines utilizing alternative methods of propulsion. The bill
 21 amends provisions regarding the purchase of gasoline used in
 22 state-owned motor vehicles. The bill replaces the term
 23 "gasoline" with "fuel". The bill removes a requirement that
 24 the department study the accessibility of state-owned sources.
 25 The bill provides that the department may provide for the
 26 purchase of motor vehicle repair and maintenance in accordance
 27 with competitive bidding procedures. The bill eliminates a
 28 provision requiring the department to obtain insurance
 29 coverage for motor vehicles. Similar language is included
 30 elsewhere in the bill.

31 Code section 18.117 provides for reimbursing state officers
 32 and employees who use a privately owned motor vehicle for
 33 state business. The bill changes the name of the state
 34 vehicle dispatcher to the state fleet administrator. The bill
 35 provides that the amount of reimbursement shall be based on an

1 amount determined by the department in consultation with the
2 department of personnel and the department of revenue and
3 finance. The bill provides that the section is not applicable
4 to members and employees of the general assembly who are to be
5 governed by policies established by the general assembly.

6 Code section 421.40 provides procedures for the payment of
7 claims by departments, the general assembly, and the courts.
8 The bill provides that departments may enter into contracts
9 for goods or services on payment terms of less than 60 days if
10 the state obtains a financial benefit or incentive which would
11 not otherwise be available from the vendor.

12 The bill directs the Iowa Code editor to change references
13 to "superintendent of printing" to "state printing
14 administrator" and references to "state vehicle dispatcher" to
15 "state fleet administrator" wherever the references appear in
16 the Code.

17 The bill repeals a number of sections, including Code
18 sections 18.41, 18.52, 18.55, 18.56, 18.76, 18.77, 18.78,
19 18.79, and 18.118. Code section 18.41 refers to the
20 acceptance of bids; Code section 18.52 provides accounting
21 requirements for private printers; Code section 18.55 requires
22 the director to provide accounting requirements when several
23 state agencies are involved in a printing project; Code
24 section 18.56 provides for vouchers and audit requirements;
25 Code section 18.76 provides for editing manuscripts; Code
26 section 18.77 provides for cooperation among agencies in their
27 operations; Code section 18.78 provides for appeals; Code
28 section 18.79 provides recordkeeping requirements; and Code
29 section 18.118 provides penalties for violating rules adopted
30 by the state vehicle dispatcher.

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TERRY E. BRANSTAD, GOVERNOR

DEPARTMENT OF GENERAL SERVICES
JANET E. PHIPPS, DIRECTOR

February 18, 1997

By Facsimile Transmission 02/18/97 - 1-8027

Ms. Diane Bolender
Director
Legislative Service Bureau
Iowa State Capitol Building
Des Moines, Iowa 50319
LOCAL

FEB 18 1997

RE: Iowa Department of General Services
Background Statement by Agency

Dear Ms. Bolender:

Thank you for the opportunity to provide a background statement regarding the Department's 1997 proposed legislative modifications.

Technical changes. The Department has requested technical changes in Iowa Code chapter 18 (and elsewhere as applicable) to rename certain statutorily created positions to be consistent with the designations established in Iowa Code chapter 7E for division heads such as "state printing administrator", "state fleet administrator", and "administrator of buildings and grounds" respectively. Many of the proposed modifications improve the readability of the statute and do not change the intent, responsibility or authority already imposed or granted. Some of the modifications eliminate dates which have expired.

Purchasing, Printing, Construction, Fleet Acquisitions. The Department has undertaken substantial and extensive review of its purchasing practices for items and services of general use by state agencies and those of an agency specific nature, as well as state printing purchases and purchases related to construction and the state's motor vehicle fleet. The Department requests specific authorization to engage in electronic commercial transactions to implement an effective and efficient method of notification and solicitation of vendors. Through the use of electronic commerce, increased competition will be realized. The proposal requires the Director to promulgate administrative rules with respect to procurements which are advertised and accessed electronically.

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HOOVER BUILDING — A LEVEL / DES MOINES, IOWA 50319 / 515-281-3196 / FAX: 515-242-5974

Consistent with the certainty that government must function effectively and efficiently with fewer resources, and compatible with modern commercial and business practices, the Department's proposed legislation permits the Department to leverage the State's "purchasing power" in the marketplace by allowing the Director to purchase goods and services in a reasonable manner which would permit the Department to take advantage of quantity discounts, special buys, and to negotiate and obtain other cost savings for and on behalf of the State which would not be readily available under its current statutory authority. The proposed legislation also allows the department to enter into contracts on terms of less than sixty days if the State may obtain a financial benefit which would not otherwise be available or avoid cost which could not otherwise be avoided. The department of revenue and finance concurs with the proposed modification to section 421.40, unnumbered paragraph 3.

Bid Bonds. The proposed legislation also eliminates the credit union draft share (ordinary check) from the types of security which may be posted (bid bond or certified check) and further permits discretion on the part of the Director to require a bid bond or certified check as part of the procurement procedure. The Department has found that over the past 8 to 10 years, prospective vendors have routinely posted bid bonds or certified checks as surety.

Disposal Authority. Consistent with the Director's current authority to dispose of State equipment and supplies when not necessary, the proposed legislation allows the Director to dispose of printing equipment and supplies in the same fashion, and permits the receipts from the sale or disposition of printing equipment and supplies to be deposited in the printing revolving fund.

Recycling Revolving Fund. The proposed legislation also establishes a recycling revolving fund to permit the Department to deposit receipts from recycling initiatives into the fund to reinvest in recycling programs.

Reduction of Duplicative Paperwork and Record Keeping in Printing Division. With the advent and extensive use of automated systems and processes, the Department has the ability to effectively reduce duplicative and unnecessary paperwork to better serve its customers. Unnecessary, outdated, and antiquated references to duplicative paperwork and record keeping have been eliminated in the Department's proposed legislative changes, but appropriate auditing and control functions have been retained.

Recycling Initiatives. Generally, the Department's proposed changes relating to recycling initiatives eliminate the requirement to use "starch based products" which are no longer made, and eliminate dates which have expired.

Leasing. The bill clarifies the Department's authority to pay leasing costs for and on behalf of other agencies, and permits some agencies to pay leasing costs directly to their landlords. Some agencies are required by the terms of their funding arrangements to pay leasing costs directly to the landlord.

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Printing. The proposed legislation allows the printing administrator to exempt certain minimal printing jobs from centralized printing requirements, and requires all agencies located outside Polk County (expanded from City of Des Moines to Polk County) to keep accurate printing records if the agency maintains printing equipment or performs printing functions.

Fleet Administration. The proposed changes relating to fleet administration are primarily designed to clarify the applicable provision or improve their readability and do not change the intent of the current law. The term "average combined fuel economy" for purposes of certain reporting requirements is changed to "corporate average fuel economy" which reflects the industry standard and is consistent with that which is recorded and reported each year. The bill removes a reference to the Midwest energy compact which no longer exists and eliminates expired dates. The requirement to insure (through self insurance or other insurance plan) the State's motor vehicle fleet is moved from the fleet administrator's responsibility and more appropriately posited in the Director of the Department. The proposed legislation also clarifies the manner by which the reimbursement rate for use of private vehicles by state employees on official business is established by the Director of the Department (in consultation with the directors of revenue and finance and personnel), and exempts certain employees from the reimbursement rate.

Telecommunications Cabling. The proposed bill modifies the Department's responsibility with respect to telecommunications generally to accurately reflect its statutory authority, and requires the Department to provide telecommunications cabling on the capitol complex.

The above explanation is a broad overview of the Department's proposed legislation. If you have specific questions or concerns, please feel free to contact David Ancell at 1-8384 or me at 1-3196.

Very truly yours,


Janet E. Phipps
Director

JEP;jh

SENATE FILE 518

AN ACT

RELATING TO THE ADMINISTRATION OF STATE GOVERNMENT, BY PROVIDING FOR THE PRACTICES OF THE DEPARTMENT OF GENERAL SERVICES, STATE PROCUREMENT, MOTOR VEHICLES, AND STATE PRINTING.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section 2B.1, subsection 3, Code 1997, is amended to read as follows:

3. The Iowa Code and administrative code divisions are responsible for the editing, compiling, and proofreading of the publications they prepare, as provided in this chapter and notwithstanding section 18.76. The Iowa Code division is entitled to the temporary possession of the original enrolled Acts and resolutions as necessary to prepare them for publication.

Sec. 2. Section 18.1, subsection 2, Code 1997, is amended to read as follows:

2. "Competitive bidding procedures procedure" means the advertisement for, solicitation of, or the procurement of bids; the manner and condition in which bids are received; and the procedure by which bids are opened, accessed, accepted, or rejected, or awarded. A "competitive bidding procedure" may include a transaction accomplished in an electronic format.

Sec. 3. Section 18.1, Code 1997, is amended by adding the following new subsection:

NEW SUBSECTION. 7. "State buildings and grounds" excludes any building under the custody and control of the Iowa public employees' retirement system.

Sec. 4. Section 18.3, subsections 4 and 7, Code 1997, are amended to read as follows:

4. Providing for the proper maintenance of the state capitol, grounds, and equipment and all other state buildings, and grounds, and equipment at the seat of government, except

those referred to in section 216B.3, subsection 6.

7. Providing architectural services, contracting for construction and construction oversight for state agencies except for the board of regents, department of transportation, national guard, and natural resource commission, and the Iowa public employees' retirement system. Capital funding appropriated to state agencies, except the board of regents, department of transportation, national guard, and natural resource commission, and the Iowa public employees' retirement system for property management shall be transferred for administration and control to the director of the department of general services.

Sec. 5. Section 18.3, Code 1997, is amended by adding the following new subsections:

NEW SUBSECTION. 10. Developing and implementing procedures to conduct transactions, including purchasing, authorized by this chapter in an electronic format to the extent determined appropriate by the department. The department shall adopt rules establishing criteria for competitive bidding procedures involving transactions in an electronic format, including criteria for accepting or rejecting bids which are electronically transmitted to the department, and for establishing with reasonable assurance the authenticity of the bid and the bidder's identity.

NEW SUBSECTION. 11. Insuring motor vehicles owned by the state. Insurance coverage may be provided through a self-insurance program administered by the department or purchased from an insurer. If the department utilizes a self-insurance program, the department shall maintain loss and exposure data for vehicles under the jurisdiction of the state fleet administrator. Upon request, state agencies shall provide all loss and exposure information to the department.

NEW SUBSECTION. 12. Organizing the department by divisions or other subunits to promote the effective and efficient administration of the department.

Sec. 6. Section 18.6, subsections 2, 3, 4, and 9, Code 1997, are amended to read as follows:

2. The director may also exempt the purchase of an item or service from a competitive bidding procedure when the director determines that the best interests of the state will be served due-to-an by the exemption which shall be based on one of the following:

a. An immediate or emergency need existing for the item or service.

b. A need to protect the health, safety, or welfare of persons occupying or visiting a public improvement or property located adjacent to the public improvement.

3. The director shall have the power to contract for the purchase of items or services by the department. Contracts for the purchase of items shall be awarded on the basis of the lowest competent bid. Contracts not based on competitive bidding shall be awarded on the basis of bidder competence and reasonable price.

The director may enter into an agreement with the government of another state or with the federal government to provide for the cooperative purchase of an item or service of general use in this state.

4. The director may refuse all bids on any item or service and institute a new bidding procedure.

9. a. When the estimated total cost of construction, erection, demolition, alteration, or repair of a public improvement exceeds twenty-five thousand dollars, the department shall advertise-for solicit bids on the proposed improvement by publishing an advertisement in a print format. The advertisement shall appear in two publications in a newspaper published in the county in which the work is to be done. The first advertisement for bids appearing in a newspaper shall be not less than fifteen days prior to the date set for receiving bids. The department may publish an advertisement in an electronic format as an additional method of soliciting bids under this paragraph.

b. In awarding a contract, the department shall let the work to the lowest responsible bidder submitting a sealed proposal. However, if the department considers the bids

received not to be acceptable, all bids may be rejected and new bids requested. A bid shall be accompanied, ~~in a separate envelope,~~ by a ~~deposit of money or a~~ certified check or credit union-certified share-draft bid bond in an amount ~~to be named~~ designated in the advertisement for bids as security that the bidder will enter into a contract for the doing of the work requested. The department shall ~~fix~~ establish the bid security in an amount equal to at least five percent, but not more than ten percent of the estimated total cost of the work. The certified check, share-drafts or deposits of money bid bonds of the unsuccessful bidders shall be returned as soon as the successful bidder is determined, ~~and the~~. The certified check, share-draft or deposit of money bid bond of the successful bidder shall be returned upon execution of the contract documents. This section does not apply to the construction, erection, demolition, alteration, or repair of a public improvement when the contracting procedure for the ~~doing of the work requested is otherwise provided for in~~ another provision of law.

Sec. 7. Section 18.6, subsection 12, Code 1997, is amended by striking the subsection.

Sec. 8. Section 18.8, unnumbered paragraph 1, Code 1997, is amended to read as follows:

The director shall provide necessary ~~voice or data~~ communications, including telephone and telegraph telecommunications cabling, lighting, fuel, and water services for the state buildings and grounds located at the seat of government, except the buildings and grounds referred to in section 216B.3, subsection 6.

Sec. 9. Section 18.8, unnumbered paragraph 5, Code Supplement 1997, is amended to read as follows:

Except for buildings and grounds described in section 216B.3, subsection 6, ~~and~~ section 2.43, unnumbered paragraph 1, and any buildings under the custody and control of the Iowa public employees' retirement system, the director shall assign office space at the capitol, other state buildings and elsewhere in the city of Des Moines, for all executive and

judicial state agencies. Assignments may be changed at any time. The various officers to whom rooms have been so assigned may control the same while the assignment to them is in force. Official apartments shall be used only for the purpose of conducting the business of the state. The term "capitol" or "capitol building" as used in the Code shall be descriptive of all buildings upon the capitol grounds. The capitol building itself is reserved for the operations of the general assembly, the governor and the courts and the assignment and use of physical facilities for the general assembly shall be pursuant to section 2.43.

Sec. 10. Section 18.12, subsection 8, Code 1997, is amended by adding the following new paragraph:

NEW PARAGRAPH. c. The director may dispose of presses, printing equipment, printing supplies, and other machinery or equipment used in the printing operation, as provided in section 18.59.

Sec. 11. Section 18.12, subsection 9, Code 1997, is amended to read as follows:

9. a. Lease all buildings and office space necessary to carry out the provisions of this chapter or necessary for the proper functioning of any state agency at the seat of government, with the approval of the executive council if no specific appropriation has been made. The cost of any lease for which no specific appropriation has been made shall be paid from the fund provided in section 7D.29.

b. When the general assembly is not in session, the director of general services may request funds monies from the executive council for moving state agencies located at the seat of government from one location to another. The request may include moving costs, telephone telecommunications costs, repair costs, or any other costs relating to the move. The executive council may approve and shall pay the costs from funds provided in section 7D.29 if it determines the agency or department has no available funds for these expenses.

c. Coordinate the leasing of buildings and office space by state agencies throughout the state and develop cooperative

relationships with the state board of regents in order to promote the colocation of state agencies.

Sec. 12. Section 18.12, subsection 12, Code 1997, is amended by striking the subsection.

Sec. 13. Section 18.16, subsection 2, Code 1997, is amended to read as follows:

2. The director shall pay the lease or rental fees to the renter or lessor and submit a monthly statement to each state agency for which building and office space is rented or leased. The If the director pays the lease or rental fees on behalf of a state agency, the state agency's payment to the department shall be credited to the rent revolving fund established by this section. With the approval of the director, a state agency may pay the lease or rental cost shall-be-paid-by-the-state-agency-to-the-department-of-general services-in-the-same-manner-as-other-expenses-of-the-state agency-are-paid-and-the-payment-shall-be-credited-to-the-rent revolving-fund directly to the person who is due the payment under the lease or rental agreement.

Sec. 14. Section 18.18, subsection 1, paragraphs a through c, Code 1997, are amended to read as follows:

a. ~~By July 17, 1997, one~~ One hundred percent of the purchases of inks which are used for newsprint printing services performed internally or contracted for by the department shall be soybean-based.

b. ~~By July 17, 1997, one~~ One hundred percent of the purchases of inks, other than inks which are used for newsprint printing services, and which are used internally or contracted for by the department, shall be soybean-based to the extent formulations for such inks are available.

c. ~~By July 17, 1997, a~~ A minimum of ten percent of the purchases of garbage can liners made by the department shall be plastic garbage can liners with recycled content. The percentage shall increase by ten percent annually until fifty percent of the purchases of garbage can liners are plastic garbage can liners with recycled content.

Sec. 15. Section 18.18, subsection 5, Code 1997, is amended to read as follows:

5. Information on recycled content shall be requested on all bids for paper products issued by the state and on other bids for products which could have recycled content such as oil, plastic products, including but not limited to starch-based-plastic-products, compost materials, aggregate, solvents, soybean-based inks, and rubber products.

Sec. 16. Section 18.18, subsection 8, Code 1997, is amended by striking the subsection.

Sec. 17. NEW SECTION. 18.19 RECYCLING REVOLVING FUND.

A recycling revolving fund is created within the state treasury under the control of the department. The fund shall consist of any moneys appropriated by the general assembly and any other moneys available to and obtained or accepted by the department from the federal government or private sources for placement in the fund. The assets of the fund shall be used by the department only for supporting recycling operations. Moneys in the fund, which may be subject to warrants written by the director of revenue and finance, shall be drawn upon the written requisition of the director or an authorized representative of the director. The fund is subject to an annual audit by the auditor of state. Section 8.33 does not apply to any moneys in the fund. Notwithstanding section 12C.7, subsection 2, interest or earnings on moneys deposited in the fund shall be credited to the fund.

Sec. 18. Section 18.20, unnumbered paragraph 1, Code 1997, is amended to read as follows:

The department in accordance with recommendations made by the department of natural resources shall require all state agencies to establish an agency wastepaper recycling program by January 17, 1998. The director shall adopt rules which require a state agency to develop a program to ensure the recycling of the wastepaper generated by the agency. Each agency shall submit a report to the general assembly meeting in January 1999, which includes a description of the program plan and the agency's efforts to use recycled products. All

state employees shall practice conservation of paper materials.

Sec. 19. Section 18.28, unnumbered paragraph 2, Code 1997, is amended by striking the unnumbered paragraph.

Sec. 20. Section 18.32, Code 1997, is amended to read as follows:

18.32 ADVERTISEMENTS FOR BIDS.

The director shall advertise for bids for the doing of the public printing.

Sec. 21. Section 18.33, Code 1997, is amended to read as follows:

18.33 REQUIREMENTS.

Advertisements shall state where and how specifications and other necessary information may be obtained, the time during which the director will receive bids, and the day, hour, and place when bids will be publicly opened or accessed and the manner by which the contracts will be awarded.

Sec. 22. Section 18.36, Code 1997, is amended to read as follows:

18.36 FORM OF BIDS.

Bids must be:

1. Secured in writing, by telephone, or by facsimile, or in a format prescribed by the director as indicated in the bid specifications and only on the blanks furnished with the specifications.

2. Signed by the bidder, or if a telephone or electronic bid, confirmed in writing by the bidder in a manner prescribed by the director.

3. If submitted Submitted in writing, submitted in a sealed envelope which shall be properly endorsed a format prescribed by the director which reasonably assures the authenticity of the bid and the bidder's identity.

4. In the hands of the director Submitted to the department as specified by the date and time fixed established in the advertisements for bids.

Sec. 23. Section 18.37, Code 1997, is amended to read as follows:

18.37 DEPOSIT WITH BID OR YEARLY BOND.

~~A bidder shall deposit with the director at the time the~~
~~When a bidder files submits a bid to the department, the~~
~~director may require the bidder to file a bid, bond or a~~
~~certified check or credit union certified share draft payable~~
~~to the state treasurer for in an amount to be fixed in the bid~~
~~specifications, either covering all classes or items or~~
~~services, or separate certified checks or drafts for each bid~~
~~in case the bidder makes more than one bid. In lieu of checks~~
~~or share drafts a certified check, the bidder may furnish a~~
~~yearly bond in an amount to be established by the director.~~
~~Checks or share drafts Certified checks deposited by~~
~~unsuccessful bidders, and by successful bidders when they have~~
~~entered into the contract, shall be returned to them.~~

Sec. 24. Section 18.38, Code 1997, is amended to read as follows:

18.38 OPENING AND ACCESSING OF BIDS -- AWARD.

All bids shall be publicly opened ~~or accessed~~ and read and the contracts ~~let at the time and place fixed therefor, or on the adjourned day or days named by the director, of which adjournment all parties shall take notice~~ awarded in the manner designated in the bid specifications. In the award of contracts a contract, due consideration shall be given not only to the price bid, but to the mechanical and other equipment proposed to be used by the bidder, and the financial responsibility of the bidder, and the bidder's ability and experience in the performance of ~~like or similar contracts,~~ and any other factors that the department determines are relevant and that are included in the bid specifications.

Sec. 25. Section 18.43, Code 1997, is amended to read as follows:

18.43 DUTY TO ENTER INTO CONTRACT -- FORFEITURE.

A ~~if the department requires a bid bond or certified check as provided in section 18.37, a~~ successful bidder shall, within ten days after the award, enter into a contract in accordance with the bid. Unless this is done, or the delay is for reasons satisfactory to the director, the ~~bid bond or certified check or credit union certified share draft~~

submitted with the bid shall be forfeited to the state. The bid specifications on which the bid is made constitute a part of the contract.

Sec. 26. Section 18.44, unnumbered paragraph 1, Code 1997, is amended to read as follows:

The department shall enter into contracts which the department determines are reasonable. The department may ensure that the contracts shall, among other provisions, provide that for the following:

Sec. 27. Section 18.45, Code 1997, is amended to read as follows:

18.45 BOND.

A The department may require that a bidder provide a bond for the faithful performance of the a contract ~~shall be required in connection with each contract, in an~~. The amount ~~of the bond shall~~ be fixed established by the director. The bond shall be filed with the department as specified and approved by the director.

Sec. 28. Section 18.46, Code 1997, is amended to read as follows:

18.46 WRITTEN AUTHORIZATION OF ORDERS.

No printing ~~Printing~~ shall ~~not~~ be performed under any contract except on written orders therefor, on detailed forms prescribed as authorized by the director, and signed by the director or by some person authorized by the director. Every Each order shall designate the contract under which the order is given, and the class, quantity, and kind of the required printing, the definite quantity and kind thereof, and be issued in duplicate with a stub copy preserved. A separate series of stubs and duplicates shall be used for each class of printing.

Sec. 29. Section 18.48, Code 1997, is amended to read as follows:

18.48 ACCEPTANCE OF PRINTING -- PENALTY.

No printing shall be accepted as in compliance with the contract when not of the grade of skill which is usually employed by first class printers on printing of this class.

~~nor when the printing is not of the full quality contracted for. The director may reject or refuse delivery on printing which is not of the quality for which the contract was awarded.~~ If immediate necessity and ~~or~~ lack of time to procure printing elsewhere ~~compel~~ compels the use of defective printing furnished by a contractor, ~~it~~ the defective printing shall be accepted without approval, and one-half of the contract price thereon shall be deducted as liquidated damages for breach of contract. The amount of the liquidated damages may be deducted from any payment to the contractor under any state contract.

Sec. 30. Section 18.49, Code 1997, is amended to read as follows:

18.49 CONTRACTS BY INSTITUTIONAL HEADS.

The director may authorize the managing board, or head, or chief executive officer of any institution or department of the state located ~~outside the city of Des Moines Polk county~~ to secure, under the specifications of the director, competitive bids for printing needed by the institution or department, and submit the bids to the director. If the director approves any of the bids, the authorized board, head, or officer may contract for the printing, but the contract shall not be valid until ~~a duplicate copy is filed with and approved by the director approves the contract.~~ The director shall prescribe the manner by which the director is notified of and approves the contract.

Sec. 31. Section 18.50, Code 1997, is amended to read as follows:

18.50 EMERGENCY CONTRACTS.

The director may at any time award a ~~special~~ separate printing contract or may authorize ~~assistants~~ an assistant to award a ~~special~~ separate printing contract for any work or ~~material coming and materials or printing supplies~~ within the provisions of chapter 7A and sections 18.26 to 18.103 ~~but which are not included in current printing contracts already in-existence or which cannot properly be made the subject of a general contract, if the amount of each contract shall not~~

~~exceed the amount of five thousand dollars, and if special bids. A separate printing contract must have been duly solicited by the director from persons or firms vendors engaged in the kind of work under consideration who have indicated a desire to bid on the class of work to be done performed.~~

Sec. 32. Section 18.51, Code 1997, is amended to read as follows:

18.51 PAPER, PRINTING SUPPLIES, AND ACCOUNTING.

1. The director may contract for paper and other printing supplies as part of the a printing or contract. The director may purchase paper and other printing supplies and furnish the same them to the a contractor. ~~All paper purchased for use of the state shall, when practicable, have a distinguishing mark or water-line by which it can be identified.~~

2. The director shall keep an accurate account with any person doing printing for the state. The director shall charge the person the value of all paper drawn, credit the person with all paper used on behalf of the state, and compel an accounting for all paper which is not used.

Sec. 33. Section 18.59, subsection 1, Code 1997, is amended to read as follows:

1. ~~To hold possession of possess~~ all presses and other printing equipment, inventory all of the described equipment, and ~~with the approval of the executive council set the above-described~~ dispose of the machinery and equipment that is no longer necessary or is unfit for use. Receipts from the sale of presses, printing equipment, printing supplies, and other machinery or equipment used in the printing operation shall be deposited in the centralized printing revolving fund established in section 18.57.

Sec. 34. Section 18.60, Code 1997, is amended to read as follows:

18.60 COST SYSTEMS MAINTAINED BY DEPARTMENTS.

Each official, board, department, commission, or agency located ~~outside the city of Des Moines Polk county,~~ who maintains printing equipment, or does any printing for the

state or its departments shall likewise keep an accurate cost system and make report each June 30 to the director of the amounts, and these. These reports shall be included in the annual, fiscal, or calendar report of the director.

Sec. 35. Section 18.63, unnumbered paragraph 1, Code 1997, is amended to read as follows:

No A department or commission of state located in the city of Des Moines Polk county shall not expend any funds moneys for the publication or distribution of books, or pamphlets, or reports unless the publication thereof be is expressly required by law or approved by the director. A violation of this section shall constitute misfeasance in office. The state printing administrator may exempt minimal single printing projects from the requirements of this section in order to permit a state agency to timely procure printing, if a state contract is not currently available. The department shall adopt rules establishing criteria for exemption of minimal printing projects under this section.

Sec. 36. Section 18.82, Code 1997, is amended to read as follows:

18.82 CUSTODY OF DOCUMENTS AND STORAGE ROOMS.

The superintendent state printing administrator shall receive and have the custody of the Iowa documents, reports, and all other printed matter and, including all documents and reports, for which the state printing administrator is responsible under this chapter. The state printing administrator shall make and supervise the distribution of the same printed matter in such manner as will be most economical and useful to the public. The superintendent state printing administrator shall have charge of the state storage building or rooms, in which the superintendent state printing administrator shall keep the reports and documents printed matter.

Sec. 37. Section 18.115, Code 1997, is amended to read as follows:

18.115 VEHICLE DISPATCHER STATE FLEET ADMINISTRATOR -- EMPLOYEES -- POWERS AND DUTIES -- FUEL ECONOMY REQUIREMENTS.

The director of the department of general services shall appoint a state vehicle dispatcher fleet administrator and other employees as necessary to administer this division. The state vehicle dispatcher fleet administrator shall serve at the pleasure of the director and is not governed by the merit system provisions of chapter 19A. Subject to the approval of the director, the state vehicle dispatcher fleet administrator has the following duties:

1. The dispatcher state fleet administrator shall assign to a state officer or employee or to a state office department, bureau, or commission agency, one or more motor vehicles which may be required by the state officer or employee or department state agency, after the state officer or employee or department state agency has shown the necessity for such transportation. The state vehicle dispatcher shall have the power to fleet administrator may assign a motor vehicle either for part time or full time. The dispatcher shall have the right to state fleet administrator may revoke the assignment at any time.

2. The state vehicle dispatcher fleet administrator may cause all state-owned motor vehicles to be inspected periodically. Whenever the inspection reveals that repairs have been improperly made on the motor vehicle or that the operator is not giving it the proper care, the dispatcher state fleet administrator shall report this fact to the head of the department state agency to which the motor vehicle has been assigned, together with recommendation for improvement.

3. The state vehicle dispatcher fleet administrator shall install a record system for the keeping of records of the total number of miles state-owned motor vehicles are driven and the per-mile cost of operation of each motor vehicle. Every state officer or employee shall keep a record book to be furnished by the state vehicle dispatcher fleet administrator in which the officer or employee shall enter all purchases of gasoline, lubricating oil, grease, and other incidental expense in the operation of the motor vehicle assigned to the officer or employee, giving the quantity and price of each

purchase, including the cost and nature of all repairs on the motor vehicle. Each operator of a state-owned motor vehicle shall promptly prepare a report at the end of each month on forms furnished by the state vehicle-dispatcher fleet administrator and forward-the-same forwarded to the dispatcher at-the-statehouse state fleet administrator, giving the information the state vehicle-dispatcher fleet administrator may request in the report. The Each month the state vehicle dispatcher fleet administrator shall each-month compile the costs and mileage of state-owned motor vehicles from the reports and keep a cost history card-on for each motor vehicle and the costs shall be reduced to a cost-per-mile basis for each motor vehicle. It shall be the duty of the The state vehicle-dispatcher-to fleet administrator shall call to the attention of an elected official or the head of any department state agency to which a motor vehicle has been assigned any evidence of the mishandling or misuse of any a state-owned motor vehicle which is called to the dispatcher's state fleet administrator's attention.

PARAGRAPH DIVIDED. A motor vehicle operated under this subsection shall not operate on gasoline other than gasoline blended with at least ten percent ethanol, unless under emergency circumstances. A state-issued credit card used to purchase gasoline shall not be valid to purchase gasoline other than gasoline blended with at least ten percent ethanol, if commercially available. The motor vehicle shall also be affixed with a brightly visible sticker which notifies the traveling public that the motor vehicle is being operated on gasoline blended with ethanol. However, the sticker is not required to be affixed to an unmarked vehicle used for purposes of providing law enforcement or security.

4. The state vehicle-dispatcher fleet administrator shall purchase all motor vehicles for all branches of the state government, except the state department of transportation, institutions under the control of the state board of regents, the department for the blind, and any other agencies state agency exempted by law. Before purchasing any new motor

vehicle-the-dispatcher shall make requests for public bids by advertisement and shall purchase the vehicles from the lowest responsible bidder for the type and make of motor vehicle designated. The state fleet administrator shall purchase new vehicles in accordance with competitive bidding procedures for items or services as provided in this chapter. The vehicle dispatcher state fleet administrator may purchase used or preowned vehicles at governmental or dealer auctions if the purchase is determined to be in the best interests of the state.

In conjunction with the requirements of section 18-3, subsection 17, effective January 17, 1997, the The state dispatcher fleet administrator, and any other state agency, which for purposes of this paragraph includes but is not limited to community colleges and institutions under the control of the state board of regents, or local governmental political subdivision purchasing new motor vehicles for other than law enforcement purposes, shall purchase new passenger vehicles and light trucks such so that the average fuel efficiency for the fleet of new passenger vehicles and light trucks purchased in that year by the state vehicle-dispatcher or other state agency or local governmental political subdivision equals or exceeds the average fuel economy standard for the vehicles' model year as established by the United States secretary of transportation under 15 U.S.C. § 2002. This paragraph does not apply to vehicles purchased for any of the following: law enforcement purposes, school buses, or used for off-road maintenance work, or work vehicles used to pull loaded trailers. The group of comparable vehicles within the total fleet purchased by the state vehicle dispatcher, or any other state agency or local governmental political subdivision purchasing motor vehicles for other than law enforcement purposes, shall have an average fuel efficiency rating equal to or exceeding the average fuel economy rating for that model year for that class of comparable vehicles as defined in 46 CFR 315.82, as used in this paragraph. "fuel economy" means the average number of

~~miles-traveled-by-an-automobile-per-gallon-of-gasoline consumed-as-determined-by-the-United-States-environmental protection-agency-administrator-in-accordance-with-26-U.S.C.-§ 4064(c);--For-purposes-of-this-paragraph,"state-agency" includes,-but-is-not-limited-to,-a-community-college-or-an institution-under-the-control-of-the-state-board-of-regents;~~

The Not later than February 15 of each year, the state vehicle-dispatcher fleet administrator shall annually report compliance with the corporate average combined fuel economy standards published by the United States secretary of transportation for all new motor vehicles purchased by classification, other than motor vehicles purchased by the state department of transportation, institutions under the control of the state board of regents, the department for the blind, and any other state agency exempted from the requirements of this subsection. The report of compliance shall classify the vehicles purchased for the current vehicle model year using the following categories: (passenger automobiles, enforcement automobiles, vans, and light trucks) no-later-than-January-31-of-each-year-to-the-department-of management-and-the-energy-and-geological-resources-division of. The state fleet administrator shall deliver a copy of the report to the department of natural resources. As used in this paragraph, "combined corporate average fuel economy" means the combined corporate average fuel economy as defined in 40 CFR § 600.002 533.5.

a. Effective-January-17-1993,-the The state vehicle dispatcher,-after-consultation-with-the-department-of management-and-the-various-state-agencies-exempted-from obtaining-vehicles-for-use-through-the-state-vehicle dispatcher,-shall-adopt-by-rule-pursuant-to-chapter-17A,-a system-of-uniform-standards-for-assigning fleet administrator shall assign motor vehicles available for use to maximize the average passenger miles per gallon of motor vehicle fuel consumed. The-standards-should In assigning motor vehicles, the state fleet administrator shall consider standards established by the state fleet administrator, which may

include but are not limited to the number of passengers traveling to a destination, the fuel economy of and passenger capacity of vehicles available for assignment, and any other relevant information, to assure assignment of the most energy efficient vehicle or combination of vehicles for a trip from those vehicles available for assignment. The standards adopted-by-the-state-vehicle-dispatcher shall not apply to special work vehicles, and law enforcement vehicles. The rules-when-adopted standards shall apply to the following agencies:

- (1) State vehicle-dispatcher fleet administrator.
- (2) State department of transportation.
- (3) Institutions under the control of the state board of regents.
- (4) The department for the blind.
- (5) Any other state agency exempted from obtaining vehicles for use through the state vehicle-dispatcher fleet administrator.

b. As used in paragraph "a", "fuel economy" means the average number of miles traveled by an automobile per gallon of gasoline consumed as determined by the United States environmental protection agency administrator in accordance with 26 U.S.C. § 4064(c).

5. Of all new passenger vehicles and light pickup trucks purchased by the state vehicle-dispatcher fleet administrator, a minimum of ten percent of all such vehicles and trucks purchased shall be equipped with engines which utilize alternative methods of propulsion including but not limited to any of the following:

- a. A flexible fuel, which is any of the following:
 - (1) A fuel blended with not more than fifteen percent gasoline and at least eighty-five percent ethanol.
 - (2) A fuel which is a mixture of diesel fuel and processed soybean oil. At least twenty percent of the mixed fuel by volume must be processed soybean oil.
 - (3) A renewable fuel approved by the office of renewable fuels and coproducts pursuant to section 159A.2.
- b. Compressed or liquefied natural gas.

- c. Propane gas.
- d. Solar energy.
- e. Electricity.

The provisions of this subsection do not apply to vehicles and trucks purchased and directly used for law enforcement or purchased and used for off-road maintenance work or to pull loaded trailers.

~~It is the intent of the general assembly that the members of the midwest energy compact promote the development and purchase of motor vehicles equipped with engines which utilize alternative methods of propulsion.~~

6. All used motor vehicles turned in to the state vehicle dispatcher fleet administrator shall be disposed of by public auction, and the sales shall be advertised in a newspaper of general circulation one week in advance of sale, and the receipts from the sale shall be deposited in the depreciation fund to the credit of that ~~department or~~ state agency turning in the vehicle; except that, in the case of a used motor vehicle of special design, the state vehicle-dispatcher fleet administrator may, with the approval of the director, instead of selling it at public auction, authorize the motor vehicle to be traded for another vehicle of similar design. If a vehicle sustains damage and the cost to repair exceeds the wholesale value of the vehicle, the state vehicle-dispatcher fleet administrator may dispose of the motor vehicle by obtaining two or more written salvage bids and the vehicle shall be sold to the highest responsible bidder.

7. The state vehicle-dispatcher fleet administrator may authorize the establishment of motor pools consisting of a number of state-owned motor vehicles under the dispatcher's state fleet administrator's supervision and which the dispatcher. The state fleet administrator may cause to be stored store the motor vehicles in a public or private garage. If the state fleet administrator establishes a motor pool is established by the state vehicle-dispatcher, any state officer or employee desiring the use of a state-owned motor vehicle on state business shall notify the state vehicle-dispatcher fleet

administrator of the need for a vehicle within a reasonable time prior to actual use of the motor vehicle. The state vehicle-dispatcher fleet administrator may assign a motor vehicle from the motor pool to the state officer or employee. If two or more state officers or employees desire the use of a state-owned motor vehicle for a trip to the same destination for the same length of time, the state vehicle-dispatcher fleet administrator may assign one vehicle to make the trip.

8. The state vehicle-dispatcher fleet administrator shall cause to be marked require that a sign be placed on every each state-owned motor vehicle a sign in a conspicuous place which indicates its ownership by the state except cars. This requirement shall not apply to motor vehicles requested to be exempt by the commissioner of public safety or the director of the department of general services. All state-owned motor vehicles shall display registration plates bearing the word "official" except cars motor vehicles requested to be furnished with ordinary plates by the commissioner of public safety or the director of the department of general services pursuant to section 321.19. The state vehicle-dispatcher fleet administrator shall keep an accurate record of the registration plates used on all state-cars state-owned motor vehicles.

9. The state vehicle-dispatcher ~~shall have the authority to make such~~ fleet administrator may adopt other rules regarding the operation of state-owned motor vehicles, with the approval of the director of the department of general services, as may be necessary to carry out the purpose of this chapter. All rules adopted by the vehicle dispatcher shall be approved by the director before becoming effective.

10. All gasoline fuel used in state-owned automobiles shall be purchased at cost from the various installations or garages of the state department of transportation, state board of regents, department of human services, or state car motor pools throughout the state, unless such purchases are exempted by the vehicle-dispatcher. ~~The vehicle-dispatcher shall study and determine the reasonable accessibility of these state-~~

~~owned-sources-for-the-purchase-of-gasoline--if-these the~~
 state-owned sources for the purchase of gasoline fuel are not reasonably accessible. If the vehicle-dispatcher state fleet administrator determines that state-owned sources for the purchase of fuel are not reasonably accessible, the state fleet administrator shall authorize the purchase of gasoline fuel from other sources. The vehicle-dispatcher state fleet administrator may prescribe a manner, other than the use of the revolving fund, in which the purchase of gasoline fuel from state-owned sources shall be is charged to the department or state agency responsible for the use of the automobile motor vehicle. The vehicle-dispatcher state fleet administrator shall prescribe the manner in which oil and other normal automobile motor vehicle maintenance for state-owned automobiles motor vehicles may be purchased from private sources, if they cannot be reasonably obtained from a state car motor pool. The state vehicle-dispatcher fleet administrator may advertise for bids and award contracts in accordance with competitive bidding procedures for items and services as provided in this chapter for the furnishing of gasoline fuel, oil, grease, and vehicle replacement parts for all state-owned motor vehicles. The state vehicle-dispatcher fleet administrator and other state agencies, when advertising for bids for gasoline, shall also seek bids for ethanol-blended gasoline.

~~It--The-state-vehicle-dispatcher-is-responsible-for insuring-motor-vehicles-owned-by-the-state--insurance coverage-may-be-through-a-self-insurance-program-administered by-the-department-or-purchased-from-an-insurer--if-the determination-is-made-to-utilize-a-self-insurance-program-the vehicle-dispatcher-shall-maintain-loss-and-exposure-data-for the-vehicles-under-the-dispatcher's-jurisdiction--Each-agency shall-provide-to-the-department-all-requested-motor-vehicle loss-and-loss-exposure-information:~~

Sec. 38. Section 18.117, Code 1997, is amended to read as follows:

18.117 PRIVATE USE PROHIBITED -- RATE FOR STATE BUSINESS.

1. A state officer or employee shall not use a state-owned motor vehicle for personal private use--nor-shall-the. A state officer or employee shall not be compensated for driving a privately owned motor vehicle unless it is done on state business with the approval of the state vehicle-dispatcher, and-in fleet administrator. In that case the state officer or employee shall receive an amount to be determined by the state which-may-be director in consultation with the director of the department of personnel and the director of revenue and finance. The amount shall not exceed the maximum allowable under the federal internal revenue service rules per mile, notwithstanding established mileage requirements or depreciation allowances. However, the director may authorize per-mile-reimbursement private motor vehicle rates in excess of the rate allowed under the federal internal revenue service rules for state business use of substantially modified or specially equipped privately owned vehicles required by persons with disabilities. A statutory provision stipulating establishing reimbursement for necessary mileage, travel, or actual expenses reimbursement to a state officer falls under the mileage-reimbursement private motor vehicle mileage rate limitation provided in this section unless specifically provided otherwise. Any peace officer employed by the state as defined in section 801.4 who is required to use a private motor vehicle in the performance of official duties shall receive reimbursement-for-mileage-expense the private vehicle mileage rate at the rate specified provided in this section. However, the state vehicle-dispatcher fleet administrator may delegate authority to officials of the state, and department heads, for the use of private vehicles on state business up to a yearly mileage figure established by the director of general services. If a state motor vehicle has been assigned to a state officer or employee, the officer or employee shall not collect mileage for the use of a privately owned motor vehicle unless the state motor vehicle assigned is not usable.

2. This-section Subsection 1 does not apply to officials any of the following:

a. Officials and employees of the state whose mileage is paid by other than by a state agencies-and-this-section-does not-apply-to-elected agency.

b. Elected officers of the state-judicial.

c. Judicial officers, or court employees.

d. Members and employees of the general assembly who shall be governed by policies relating to motor vehicle travel, including but not limited to reimbursement for expenses, as established by the general assembly.

Sec. 39. Section 421.40, unnumbered paragraph 3, Code 1997, is amended to read as follows:

The departments, the general assembly, and the courts shall pay their claims in a timely manner. If a claim for services, supplies, materials, or a contract which is payable from the state treasury remains unpaid after sixty days following the receipt of the claim or the satisfactory delivery, furnishing, or performance of the services, supplies, materials, or contract, whichever date is later, the state shall pay interest at the rate of one percent per month on the unpaid amount of the claim. This paragraph does not apply to claims against the state under chapters 25 and 669 or to claims paid by federal funds. The interest shall be charged to the appropriation or fund to which the claim is certified. Departments may enter into contracts for goods or services on payment terms of less than sixty days if the state may obtain a financial benefit or incentive which would not otherwise be available from the vendor. The department of revenue and finance, in consultation with the department of general services and other affected agencies, shall develop policies to promote consistency and fiscal responsibility relating to payment terms authorized under this paragraph. The director of the department of revenue and finance shall adopt rules under chapter 17A relating to the administration of this paragraph.

Sec. 40. NAME CHANGES -- DIRECTIONS TO CODE EDITOR.

1. The Iowa Code editor shall change references to "superintendent of printing" to "state printing administrator" wherever the references appear in the Code.

2. The Iowa Code editor shall change references to "state vehicle dispatcher" to "state fleet administrator" wherever the references appear in the Code.

Sec. 41. Sections 18.41, 18.52, 18.55, 18.56, 18.76, 18.77, 18.78, 18.79, and 18.118, Code 1997, are repealed.

MARY E. KRAMER
President of the Senate

RON J. CORBETT
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 518, Seventy-seventh General Assembly.

MARY PAT GUNDERSON
Secretary of the Senate

Approved Mary Pat Gunderson, 1998

TERRY E. BRANSTAD
Governor