

Gipp, Chair
Larkin
Brauns

HSB 584

STATE GOVERNMENT

Succeeded By

SENATE/HOUSE FILE SF 2360
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,
2 including state purchasing and capitol complex issues,
3 extending the time period for use of an appropriation, and
4 providing an effective date.

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

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Submitted By

1—Section 1. Section 18.7, Code 1999, is amended to read as
2 follows:

3 18.7 DISPUTES INVOLVING PURCHASING FROM IOWA STATE
4 INDUSTRIES.

5 ~~Disputes-arising~~ A dispute that arises between the
6 department of corrections and a purchasing department or
7 agency over the procurement of products from Iowa state
8 industries as described in section 904.808 shall be referred
9 ~~to-the-director.--The-decision-of-the-director-is-final-unless~~
10 ~~a-written-appeal-is-filed-with-the-executive-council-within~~
11 ~~five-days-of-receipt-of-the-decision-of-the-director,~~
12 ~~excluding-Saturdays,-Sundays,-and-legal-holidays.--If-an~~
13 ~~appeal-is-filed,~~ submitted in writing to the executive council
14 which shall hear and determine the appeal dispute within
15 thirty days. The decision of the executive council is final.

16 Sec. 2. NEW SECTION. 18A.6 CAPITOL COMPLEX PROJECTS.

17 All capital projects on the capitol complex shall be
18 planned, approved, and funded only after considering the
19 guiding principles enunciated in any capitol complex master
20 plan adopted by the commission on or after January 1, 2000.
21 At a minimum, the extent to which the proposed capital project
22 does all of the following shall be considered:

23 1. Preserves and enhances the dignity, beauty, and
24 architectural integrity of the capitol building, other state
25 office buildings, and the capitol grounds.

26 2. Protects and enhances the public open spaces on the
27 capitol complex when deemed necessary for public use and
28 enjoyment.

29 3. Protects the most scenic public views to and from the
30 capitol building.

31 4. Recognizes the diversity of adjacent neighborhoods and
32 reinforces the connection of the capitol complex to its
33 neighbors and the city of Des Moines.

34 5. Accommodates pedestrian and motorized traffic that
35 achieves appropriate public accessibility.

1 This section applies only to projects for which a
2 construction site was not determined prior to the effective
3 date of this Act.

4 Sec. 3. Section 904.808, subsection 1, paragraph b, Code
5 1999, is amended to read as follows:

6 b. When the state director releases, in writing, the
7 obligation of the department or agency to purchase the product
8 from Iowa state industries, after determining that Iowa state
9 industries is unable to meet the performance characteristics
10 of the purchase request for the product, and a copy of the
11 release is attached to the request to the director of revenue
12 and finance for payment for a similar product, or when Iowa
13 state industries is unable to furnish needed products,
14 comparable in both quality and price to those available from
15 alternative sources, within a reasonable length of time. Any
16 disputes arising between a purchasing department or agency and
17 Iowa state industries regarding similarity of products, or
18 comparability of quality or price, or the availability of the
19 product, shall be referred to the director of the department
20 of general services, whose decision shall be subject to appeal
21 submitted in writing to the executive council as provided in
22 section 18.7. However, if the purchasing department is the
23 department of general services, any matter which would be
24 referred to the director under this paragraph shall be
25 referred to the executive council in the same manner as if the
26 matter were to be heard by the director of the department of
27 general services. The decision of the executive council is
28 final.

29 Sec. 4. CAPITOL COMPLEX TRANSPORTATION AND PARKING ISSUES
30 -- STUDY. The legislative council is requested to establish a
31 legislative interim committee to review issues related to
32 parking on and transportation to and from the capitol complex.
33 The committee should explore alternative means of
34 transportation to and from the capitol complex and other
35 related issues, including parking and parking congestion on

584

S.F. _____ H.F. _____

1 the capitol complex. The department of general services
2 should be requested to assist the committee. The committee
3 should be directed to submit its findings, together with any
4 recommendations, in a report to the general assembly which
5 convenes in January 2001.

6 Sec. 5. 1998 Iowa Acts, chapter 1224, section 7,
7 subsection 2, paragraph r, unnumbered paragraph 2, as enacted
8 by 1999 Iowa Acts, chapter 207, section 18, is amended to read
9 as follows:

10 Notwithstanding section 8.33, moneys allocated to the
11 department of general services in this paragraph "r" which
12 remain unobligated or unexpended at the close of the fiscal
13 year shall not revert but shall remain available for the
14 purpose designated in this paragraph "r" for the fiscal year
15 period beginning July 1, 1999, and ending June 30, 2000 2001.

16 Sec. 6. EFFECTIVE DATE. Sections 2 and 5 of this Act,
17 being deemed of immediate importance, take effect upon
18 enactment.

19 EXPLANATION

20 This bill amends Code section 18.7, relating to disputes
21 arising between the department of corrections and a purchasing
22 department or agency over the procurement of products from
23 Iowa state industries, to provide that such disputes shall be
24 submitted in writing to the executive council, which shall
25 make a final decision within 30 days. Currently, such
26 disputes are referred to the director of the department of
27 general services and appealable within five days to the
28 executive council. A corresponding change is made in Code
29 section 904.808, requiring state agencies and departments to
30 purchase from Iowa state industries in certain circumstances.

31 The bill also creates new Code section 18A.6 providing
32 procedural requirements applicable to capital projects on the
33 capitol complex. The bill states that such projects shall be
34 planned, approved, and funded only after considering the
35 guiding principles set forth in any capitol complex master

1 plan adopted by the capitol planning commission on or after
2 January 1, 2000. The bill then lists several of the
3 principles which shall be given priority consideration. The
4 provision is effective upon the bill's enactment.

5 The bill requests the legislative council to establish a
6 legislative interim committee to review issues related to
7 parking on and transportation to and from the capitol complex.

8 Additionally, the bill extends the time within which a 1998
9 appropriation from the reversion technology initiatives
10 account to the department of general services for a purchasing
11 system may be used. The bill provides that the appropriated
12 funds may be used for the designated purpose through June 30,
13 2001. This provision is effective upon the bill's enactment.

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3/21/00 Removed from Calendar

FEB 21 2000

Place On Calendar

HOUSE FILE 2360
BY COMMITTEE ON STATE GOVERNMENT

(SUCCESSOR TO HSB 584)

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Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
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5 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

HOUSE FILE 2360

H-8058

1 Amend House File 2360 as follows:

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

4 "Sec. ____ . Section 73.16, subsection 2, Code 1999,
5 is amended by adding the following new unnumbered
6 paragraph after unnumbered paragraph 1:

7 NEW UNNUMBERED PARAGRAPH. The director of each
8 agency or department of state government having
9 purchasing authority shall issue electronic bid
10 notices for distribution to the targeted small
11 business web page located at the department of
12 economic development if the director releases a
13 solicitation for bids for procurement of equipment,
14 supplies, or services. The notices shall be provided
15 to the targeted small business marketing manager
16 forty-eight hours prior to the issuance of all bid
17 notices. The notices shall contain a description of
18 the subject of the bid, a point of contact for the
19 bid, and any subcontract goals included in the bid."

20 2. By renumbering as necessary.

By FORD of Polk

H-8058 FILED FEBRUARY 23, 2000

HF 2360

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2 follows:

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HOUSE FILE 2360

H-8225

1 Amend House File 2360 as follows:

2 1. Page 3, by inserting after line 15 the
3 following:

4 "Sec. ____ . FOOD AND AGRICULTURAL COMMODITY
5 PURCHASING -- STUDY. The department of general
6 services, in consultation with the quartermaster and
7 property officer of the state under section 29A.19,
8 the commission for the blind, the council on human
9 services, the state board of education, the state
10 board of regents, and the director of the department
11 of corrections, shall conduct a study of the
12 feasibility of requiring state agencies, when
13 purchasing food or agricultural commodities for
14 processing into food, to purchase Iowa agricultural
15 commodities for processing into food and food
16 processed from Iowa agricultural commodities if the
17 price of the commodities or food is reasonably
18 competitive and the quality meets required standards.
19 The study shall include an analysis of the financial
20 impacts of such a purchasing requirement and the
21 availability of Iowa agricultural commodities and food
22 processed from Iowa agricultural commodities. The
23 analysis shall consider the potential for decreased
24 costs and increased availability of Iowa agricultural
25 commodities and food processed from Iowa agricultural
26 commodities as a result of the imposition of such a
27 purchasing requirement.

28 The department shall report to the general assembly
29 by January 1, 2001, on the results of the study and
30 the findings and recommendations of the department."

31 2. By renumbering as necessary.

By FALLON of Polk

H-8225 FILED MARCH 7, 2000