

MAR 7 2006
Place On Calendar

HOUSE FILE 2698
BY COMMITTEE ON STATE GOVERNMENT

(SUCCESSOR TO HSB 624)

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

A BILL FOR

1 An Act concerning the authority of customer councils regarding
2 the funding and providing of services by the department of
3 administrative services and providing an effective date.

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

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HF 2698

1 Section 1. Section 8A.121, subsection 1, Code 2005, is
2 amended by striking the subsection and inserting in lieu
3 thereof the following:

4 1. The department shall establish, by rule, customer
5 councils responsible for overseeing departmental operations
6 with regard to services provided by the department. The rules
7 adopted shall provide, at a minimum, for the method of
8 appointment of members to a council by governmental entities
9 required to receive the service from the department and for
10 the powers and duties of the council as they relate to the
11 service provided, which shall include, if applicable, the
12 authority of approving, on an annual basis, business plans
13 submitted by the department for performance of the service,
14 the procedure for resolving complaints concerning the service
15 provided, and the procedure for setting rates for the service.
16 In addition, if the service to be provided may also be
17 provided to the judicial branch and the legislative branch,
18 then the rules shall provide that the chief justice of the
19 supreme court and the legislative council may, in their
20 discretion, each appoint a member to the applicable customer
21 council. A customer council shall determine whether the
22 services overseen by the council shall be funded by an
23 appropriation to the department or by the governmental entity
24 receiving the service.

25 Sec. 2. Section 8A.121, subsection 2, Code 2005, is
26 amended to read as follows:

27 2. a. For services which the department applicable
28 customer council determines shall be funded by the
29 governmental entity receiving the service, the department
30 customer council shall establish a process for determining
31 whether the department shall be the sole provider of the
32 service or not.

33 b. If the department ~~determines that it shall~~ is to be the
34 sole provider of a service, the ~~department shall establish~~ by
35 ~~rule~~ a customer council responsible for overseeing

1 departmental operations with regard to the service provided to
2 shall ensure that the department meets the needs of affected
3 governmental entities and the citizens those entities serve.
4 ~~The rules adopted shall provide, at a minimum, for the method~~
5 ~~of appointment of members to the council by governmental~~
6 ~~entities required to receive the service from the department~~
7 ~~and for the powers and duties of the council as it relates to~~
8 ~~the service provided, which shall include the authority of~~
9 ~~approving, on an annual basis, business plans submitted by the~~
10 ~~department for performance of the service, the procedure for~~
11 ~~resolving complaints concerning the service provided, and the~~
12 ~~procedure for setting rates for the service. In addition, if~~
13 ~~the service to be provided may also be provided to the~~
14 ~~judicial branch and legislative branch, then the rules shall~~
15 ~~provide that the chief justice of the supreme court and the~~
16 ~~legislative council may, in their discretion, each appoint a~~
17 ~~member to the applicable customer council.~~

18 Sec. 3. Section 8A.121, subsection 3, Code 2005, is
19 amended by striking the subsection.

20 Sec. 4. EFFECTIVE DATE. This Act, being deemed of
21 immediate importance, takes effect upon enactment.

22 EXPLANATION

23 This bill provides that the customer councils established
24 by the department of administrative services, and not the
25 department, shall determine which services provided by the
26 department shall be funded by an appropriation to the
27 department and which services shall be funded by the
28 governmental entity receiving the service. The bill also
29 provides that if the customer council determines that the
30 governmental entity shall fund the service, the customer
31 council, and not the department, shall establish a process for
32 determining whether the department shall be the sole provider
33 of the service.

34 The bill takes effect upon enactment.

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HOUSE FILE 2698

H-8323

1 Amend House File 2698 as follows:

2 1. By striking page 1, line 1, through page 2,
3 line 17, and inserting the following:

4 "Sec. ____ . Section 8A.121, subsection 1, Code
5 2005, is amended to read as follows:

6 1. ~~The department governor, in consultation with~~
7 ~~customer councils and the department, shall establish~~
8 ~~a process by which the department shall determine,~~
9 ~~annually,~~ which services provided by the department
10 shall be funded by an appropriation to the department
11 and which services shall be funded by the governmental
12 entity receiving the service.

13 Sec. ____ . Section 8A.121, subsection 2, Code 2005,
14 is amended to read as follows:

15 2. a. For services which the ~~department~~ governor
16 determines shall be funded by the governmental entity
17 receiving the service, the ~~department~~ governor shall
18 establish a process for determining whether the
19 department shall be the sole provider of the service
20 or not.

21 b. ~~If~~ For services which the department governor
22 determines that it the department shall be the sole
23 provider of a the service, the department shall
24 establish, by rule, a customer council responsible for
25 overseeing departmental operations with regard to the
26 service provided to ensure that the department meets
27 the needs of affected governmental entities and the
28 citizens those entities serve. The rules adopted
29 shall provide for, at a minimum, for the method of
30 appointment of members to the council by governmental
31 entities required to receive the service from the
32 department, the procedure for resolving complaints
33 concerning the service provided, and for the powers
34 and duties of the council as it relates to the service
35 provided, which shall include the authority of
36 approving, on an annual basis, business plans
37 submitted by the department for performance of the
38 service, the procedure for resolving complaints
39 concerning the service provided, and the procedure for
40 setting to annually review, negotiate, and determine
41 the scope, levels of service, and rates for the
42 service provided. The scope, levels of service, and
43 rates determined by the customer council should be
44 mutually acceptable to the affected government
45 entities, as represented by the customer council, and
46 the department. The rules may also provide an impasse
47 resolution mechanism to resolve disputes which may
48 allow for the imposition of a temporary rate for the
49 service provided for up to three months while the
50 impasse is resolved. In addition, if the service to

H-8323

H-8323

Page 2

1 be provided may also be provided to the judicial
2 branch and legislative branch, then the rules shall
3 provide that the chief justice of the supreme court
4 and the legislative council may, in their discretion,
5 each appoint a member to the applicable customer
6 council."

7 2. Title page, by striking line 1 and inserting
8 the following: "An Act concerning".

9 3. Title page, line 3, by inserting after the
10 word "services" the following: ", including the
11 authority of customer councils,".

12 4. By renumbering as necessary.

By ROBERTS of Carroll
LENSING of Johnson

H-8323 FILED MARCH 20, 2006

HOUSE FILE **2698**
BY COMMITTEE ON STATE GOVERNMENT

(SUCCESSOR TO HSB 624)

(As Amended and Passed by the House March 21, 2006)

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

A BILL FOR

1 An Act concerning the funding and providing of services by the
2 department of administrative services, including the authority
3 of customer councils, and providing an effective date.

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

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House Amendments _____

1 Section 1. Section 8A.121, subsection 1, Code 2005, is
2 amended to read as follows:

3 1. The department governor, in consultation with customer
4 councils and the department, shall establish-a-process-by
5 which-the-department-shall determine, annually, which services
6 provided by the department shall be funded by an appropriation
7 to the department and which services shall be funded by the
8 governmental entity receiving the service.

9 Sec. 2. Section 8A.121, subsection 2, Code 2005, is
10 amended to read as follows:

11 2. a. For services which the department governor
12 determines shall be funded by the governmental entity
13 receiving the service, the department governor shall establish
14 a process for determining whether the department shall be the
15 sole provider of the service or not.

16 b. ~~If~~ For services which the department governor
17 determines that ~~it~~ the department shall be the sole provider
18 of ~~a~~ the service, the department shall establish, by rule, a
19 customer council responsible for overseeing departmental
20 operations with regard to the service provided to ensure that
21 the department meets the needs of affected governmental
22 entities and the citizens those entities serve. The rules
23 adopted shall provide for, at a minimum, ~~for~~ the method of
24 appointment of members to the council by governmental entities
25 required to receive the service from the department, the
26 procedure for resolving complaints concerning the service
27 provided, and for the powers and duties of the council as it
28 relates to the service provided, which shall include the
29 ~~authority of approving, on an annual basis, business plans~~
30 ~~submitted by the department for performance of the service,~~
31 ~~the procedure for resolving complaints concerning the service~~
32 ~~provided, and the procedure for setting~~ to annually review,
33 negotiate, and determine the scope, levels of service, and
34 rates for the service provided. The scope, levels of service,
35 and rates determined by the customer council should be

1 mutually acceptable to the affected government entities, as
2 represented by the customer council, and the department. The
3 rules may also provide an impasse resolution mechanism to
4 resolve disputes which may allow for the imposition of a
5 temporary rate for the service provided for up to three months
6 while the impasse is resolved. In addition, if the service to
7 be provided may also be provided to the judicial branch and
8 legislative branch, then the rules shall provide that the
9 chief justice of the supreme court and the legislative council
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11 applicable customer council.

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HOUSE FILE SF 02698
BY (PROPOSED COMMITTEE ON
STATE GOVERNMENT BILL BY
CHAIRPERSON ELGIN)

Roberts, chair
Bukta
Lensing
Paulsen
Tomenga

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

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