

MAR 23 2005
STATE GOVERNMENT

HOUSE FILE 824
BY FALLON

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

A BILL FOR

1 An Act requiring that state agencies purchase Iowa agricultural
2 commodities and food derived from Iowa agricultural
3 commodities.

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

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HF 824

1 Section 1. NEW SECTION. 8A.317 IOWA AGRICULTURAL
2 COMMODITIES -- PREFERENCE.

3 1. As used in this section:

4 a. "Agricultural commodity" means a commodity that may be
5 processed into food, including but not limited to livestock,
6 crops, vegetables, nuts, seeds, honey, eggs, or milk existing
7 in an unprocessed state.

8 b. "Iowa agricultural commodity" means an agricultural
9 commodity that is produced on a farm located in this state.

10 2. a. When purchasing agricultural commodities for
11 processing into food, the department shall purchase Iowa
12 agricultural commodities if the price is reasonably
13 competitive and the quality meets departmental standards.

14 b. When purchasing food, the department shall purchase
15 food that has been processed from Iowa agricultural
16 commodities if the price is reasonably competitive and the
17 quality meets departmental standards.

18 3. The department shall identify suppliers of Iowa
19 agricultural commodities and food processed from Iowa
20 agricultural commodities in order to comply with this section.
21 This section applies to a contractor or subcontractor who is a
22 party to a contract, if the contract provides for the purchase
23 of agricultural commodities on behalf of the department. The
24 department shall include the preference required in this
25 section in publications used to solicit bids from suppliers of
26 agricultural commodities and food.

27 Sec. 2. Section 29A.19, Code 2005, is amended to read as
28 follows:

29 29A.19 QUARTERMASTER.

30 1. A present or retired commissioned officer of the
31 national guard who has ten years' service in the Iowa army
32 national guard or the Iowa air national guard and has attained
33 the grade of a field officer shall be detailed to be the
34 quartermaster and property officer of the state, who shall
35 have charge of and be accountable for, under the adjutant

1 general, all state military property. The quartermaster shall
2 keep property returns and reports and give bond to the state
3 of Iowa as the governor may direct.

4 2. When purchasing agricultural commodities for processing
5 into food or processed food, the quartermaster shall comply
6 with the requirements for the purchase of agricultural
7 commodities and food in the same manner required of the
8 department of administrative services pursuant to section
9 8A.317.

10 Sec. 3. Section 216B.3, Code 2005, is amended by adding
11 the following new subsection:

12 NEW SUBSECTION. 19. Comply with the requirements for the
13 purchase of agricultural commodities and food in the same
14 manner required of the department of administrative services
15 pursuant to section 8A.317.

16 Sec. 4. Section 217.3, Code 2005, is amended by adding the
17 following new subsection:

18 NEW SUBSECTION. 9. Comply with the requirements for the
19 purchase of agricultural commodities and food in the same
20 manner required of the department of administrative services
21 pursuant to section 8A.317.

22 Sec. 5. Section 260C.19B, Code 2005, is amended to read as
23 follows:

24 260C.19B ~~PURCHASE-OF-BIO-BASED-HYDRAULIC-FLUIDS,-GREASES,-~~
25 ~~AND-OTHER-INDUSTRIAL-LUBRICANTS~~ PURCHASING REQUIREMENTS.

26 1. Hydraulic fluids, greases, and other industrial
27 lubricants purchased by or used under the direction of the
28 board of directors to provide services to a merged area shall
29 be purchased in compliance with the preference requirements
30 for purchasing bio-based hydraulic fluids, greases, and other
31 industrial lubricants as provided pursuant to section 8A.316.

32 2. Agricultural commodities for processing into food or
33 processed food purchased under the direction of the board of
34 directors for a merged area shall comply with the requirements
35 established for the department of administrative services

1 under section 8A.317.

2 Sec. 6. Section 262.9, Code 2005, is amended by adding the
3 following new subsection:

4 NEW SUBSECTION. 5A. Comply with the requirements for the
5 purchase of agricultural commodities and processed food in the
6 same manner required of the department of administrative
7 services pursuant to section 8A.317.

8 Sec. 7. Section 307.21, Code 2005, is amended by adding
9 the following new subsection:

10 NEW SUBSECTION. 6A. Comply with the requirements for the
11 purchase of agricultural commodities and processed food in the
12 same manner required of the department of administrative
13 services pursuant to section 8A.317.

14 Sec. 8. Section 904.312, unnumbered paragraph 2, Code
15 2005, is amended to read as follows:

16 The director shall ~~whenever~~ do all of the following:

17 1. Whenever technically feasible, purchase and use
18 degradable loose foam packing material manufactured from grain
19 starches or other renewable resources, unless the cost of the
20 packing material is more than ten percent greater than the
21 cost of packing material made from nonrenewable resources.
22 For the purposes of this subsection, "packing material" means
23 material, other than an exterior packing shell, that is used
24 to stabilize, protect, cushion, or brace the contents of a
25 package.

26 2. Comply with the requirements for the purchase of
27 agricultural commodities and processed food in the same manner
28 required of the department of administrative services pursuant
29 to section 8A.317.

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EXPLANATION

31 This bill provides that when purchasing agricultural
32 commodities for processing into food, state agencies must
33 purchase Iowa agricultural commodities, and when purchasing
34 food, state agencies must purchase food that has been
35 processed from Iowa agricultural commodities. The bill

1 provides that this requirement applies when the price is
2 reasonably competitive, sources for the agricultural
3 commodities or food are available, and the quality of the
4 agricultural commodities or food meets agency standards. The
5 bill requires state agencies that are involved in purchases to
6 identify suppliers of Iowa agricultural commodities and food
7 processed from Iowa agricultural commodities. The bill
8 applies to persons acting under contract with the state
9 agency. It also requires that the agency include the
10 preference in publications used to solicit bids from suppliers
11 of agricultural commodities and food.

12 The state agencies affected include the department of
13 administrative services, the Iowa national guard, the
14 department for the blind, the department of human services,
15 community colleges, the state board of regents, the state
16 department of transportation, and the department of
17 corrections.

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