

SECOND REGULAR SESSION  
SENATE COMMITTEE SUBSTITUTE FOR  
**HOUSE BILL NO. 1868**  
**95TH GENERAL ASSEMBLY**

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Reported from the Committee on Financial and Governmental Organizations and Elections, April 28, 2010, with recommendation that the Senate Committee Substitute do pass.

4774S.02C

TERRY L. SPIELER, Secretary.

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**AN ACT**

To repeal sections 37.320 and 109.250, RSMo, and to enact in lieu thereof four new sections relating to the office of administration.

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*Be it enacted by the General Assembly of the State of Missouri, as follows:*

Section A. Sections 37.320 and 109.250, RSMo, are repealed and four new  
2 sections enacted in lieu thereof, to be known as sections 37.320, 37.900, 109.250,  
3 and 1, to read as follows:

37.320. 1. The commissioner of administration shall appoint a director  
2 as the executive head of the unit. The director must be experienced in the  
3 principles of information and forms management, archives, and the affairs and  
4 organization of state government. He **or she** shall be a person who is qualified  
5 by training and experience to administer the affairs of the unit.

6 2. The director shall appoint such staff as may be necessary to implement  
7 the provisions of sections 37.300 to 37.390, 109.250 and 181.100 to 181.110,  
8 RSMo. All staff members shall be appointed pursuant to the provisions of  
9 chapter 36, RSMo.

10 [3. The director shall also serve as an additional voting member of the  
11 state records commission established by the provisions of section 109.250, RSMo.]

**37.900. 1. Any statewide elected official may request the office  
2 of administration to determine the lowest and best bidder with respect  
3 to any contract for purchasing, printing, or services for which the  
4 official has the authority to contract.**

5 **2. The official shall submit the original request for proposal and  
6 any pertinent information explaining the evaluation criteria**

**EXPLANATION—Matter enclosed in bold-faced brackets [thus] in this bill is not enacted and is intended to be omitted in the law.**

7 established in the request and any additional information the official  
8 deems necessary.

9       3. The office of administration shall not be required to inquire  
10 of or negotiate with any offeror submitting a bid and shall only be  
11 required to reply to the elected official within forty-five days after the  
12 submission of the request by naming the offeror the office of  
13 administration determines to be the lowest and best bidder based on all  
14 submitted documents.

109.250. 1. There is hereby created the "State Records Commission". It  
2 shall consist of the following members: the secretary of state, or his **or her**  
3 authorized representative, who shall act as [chairman] **chairperson**; the  
4 attorney general, or his **or her** authorized representative; the state auditor, or  
5 his **or her** authorized representative; [the director of the forms management unit  
6 appointed pursuant to section 37.320, RSMo] **the commissioner of the office**  
7 **of administration, or his or her authorized representative**; a member of  
8 the house of representatives appointed by the speaker of the house; a member of  
9 the senate appointed by the president pro tem of the senate; the director of the  
10 state historical society; and the chief information officer. The director of the  
11 records management and archives service will serve as secretary to the  
12 commission. While serving as secretary to the commission, he **or she** shall have  
13 no vote on matters considered by the commission.

14       2. It shall be the duty of the commission to determine what records no  
15 longer have any administrative, legal, research, or historical value and should be  
16 destroyed or disposed of otherwise. The commission will prescribe the procedures  
17 for compiling and submitting to the commission lists and schedules of records  
18 proposed for disposal and the procedures for the physical destruction or other  
19 disposition of records. Procedures prescribed by the commission will be  
20 promulgated by the director of the records management and archives service, only  
21 upon written approval of the commission.

22       3. The commission shall meet whenever called by the [chairman]  
23 **chairperson**.

Section 1. In any contract for purchasing supplies as defined in  
2 section 34.010 not exceeding the threshold for competitive bids set forth  
3 under section 34.040, the office of administration shall not prevent any  
4 department, office, board, commission, bureau, institution, political  
5 subdivision, or any other agency of the state from purchasing supplies

6 from an authorized General Services Administration vendor including  
7 "GSA Advantage", "GSA e-Buy", or successor sources.

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