

Approved

Stephen R. Cloud
Date 4-3-89

MINUTES OF THE HOUSE COMMITTEE ON GOVERNMENTAL ORGANIZATION

The meeting was called to order by Rep. Stephen R. Cloud at
Chairperson

9:12 a.m./p.m. on March 27, 1984 in room 522-S of the Capitol.

All members were present except:

Committee staff present:

Avis Swartzman - Revisor
Russ Mills - Legislative Research Department
Carolyn Rampey - Legislative Research Department
Julian Efird - Legislative Research Department
Jackie Breymeyer - Committee Secretary

Conferees appearing before the committee:

Ann Davidson - Kansas Society of Architects
John B. Hipp - State Architect

The meeting of the House Governmental Organization Committee was called to order at 9:12 a.m. The Chairman told the Committee that HCR 5092 had been referred to the Committee. This Concurrent Resolution contains language to the effect that the lieutenant governor shall promote and encourage the development of the general economic welfare and prosperity of the state. Since House Concurrent Resolutions have no deadline, the Committee can meet at a later date to consider this Resolution.

The Chairman also mentioned that it was doubtful that HB 2751 and HB 2752 would get out of Senate Governmental Organization Committee. By striking the existing language in SB 441, which repeals the Kansas Sunset Law, the provisions of HB 2751 and HB 2752 could be added which would extend the sunset law and also include the technical and clean-up language. Rep. Louis moved that SB 441 be amended to strike out the existing language and adding the provisions of HB 2751 and HB 2752 and the bill be considered favorable for passage. Rep. Barr gave a second to the motion. The motion carried.

The Chairman asked the Committee to turn to SB 535. A few comments were made among the Committee. Rep. Fuller moved that SB 535 be passed. Rep. Matlack gave a second to the motion. The motion carried.

The Chairman directed the Committee's attention to SB 481. Ann Davidson, Kansas Society of Architects, asked for rejection of SB 481 as amended. Mr. Hipp, State Architect, said he did not like taking an adversary position against his fellow architects, but he is totally against what they are trying to do to the bill. He is confused by Mr. Onek's testimony because 17 projects below \$250,000 had been awarded to firms like his. The Architect's office is basically one of repair and remodeling. The name should reflect present day functions. A better name would be the Division of Facilities Management, because of the many other things done than just architectural services. Dialogue ensued between Mr. Hipp and one of the Committee members over the concern of coming back with a request for more people and, or money. Mr. Hipp replied that what he is after is mainly flexibility because of the great amount of time it takes before a project can begin. The office wants to be able to do a more efficient, speedier job in regard to their projects. They need the latitude to do the rush jobs.

After further discussion, the Chairman asked the Committee's wishes on SB 481. Rep. Walker moved that SB 481 be passed. Rep. Hassler gave a second to the motion. The motion failed.

The Committee turned to SB 532. Copies of Subcommittee C Report were distributed. (See Attachment) Rep. Louis gave the background on the Report. He mentioned the two organizational charts, the audit, the Wichita building purchase and the personnel problems in the Department. A one-year extension had been voted on by the Subcommittee on a 3/2 vote. He mentioned that the KCC had undergone a one-year extension and it had gone through the legislative process with no problems.

Rep. Ediger commented that 90% of the problems of the Department were not Mr. Shelor's but his predecessor's. A one-year extension would only compound the problem.

Rep. Sprague mentioned the organizational problems and how the Department is not following statutory mandates. It is the Secretary's job to get it organized according to statute or come back to the Committee so we can see what we can do in order to change things.

Unless specifically noted, the individual remarks recorded herein have not been transcribed verbatim. Individual remarks as reported herein have not been submitted to the individuals appearing before the committee for editing or corrections.

SRE

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON GOVERNMENTAL ORGANIZATION,
room 522-S, Statehouse, at 9:12 a.m./p.m. on March 27, 1984

Comments were made about the lack of feedback; no proposals or satisfactory answers to questions.

Rep. Smith commented that the Secretary of Corrections had a tremendous job to do and was attacking the problem. The Secretary of Human Resources can do the same. We are saying to him that a year from now we want the Department to be organized and running like its supposed to be run.

Rep. Matlack spoke against a one-year extension. The post audit report showed nothing major in the way of problems. Mr. Shelor has had to take time with his confirmation hearings but now he will have the time to devote to the Department.

Many other comments for and against the one-year extension were made.

Rep. Louis moved the adoption of the Subcommittee C Report. Rep. Sprague gave a second to the motion. The motion carried.

Rep. Louis moved to moved to amend SB 532 by making it a one-year extension. Rep. Sprague gave a second to the motion. The motion carried.

Rep. Sprague moved that SB 532 be passed as amended. Rep. Louis gave a second to the motion. The motion carried.

The minutes of the March 23 and 26 meetings were approved.

Chairman Cloud thanked the Committee and staff for their hard work, support and accomplishments of the past two years. The Committee reciprocated with their thanks to the Chairman. The meeting was adjourned at 10:05.

THE KANSAS SOCIETY OF ARCHITECTS, AIA

612-614 Kansas Avenue Topeka, Kansas 66603 913.357.5308 A Chapter of the American Institute of Architects

March 27, 1984

Governmental Organization Committee
The House of Representatives, State of Kansas
c/o The Honorable Stephen R. Cloud, Committee Chair

Re: Senate Bill No. 481

Dear Representative Cloud and Committee Members:

Again, we thank you for a most responsive discussion during your committee hearing on Friday, March 23, 1984. Issues and concerns that have surfaced during legislative action on the potential amendment, are of great significance to many of us looking toward the future procedures related to state building projects. We suggest further review of the statutes as they stand. The Kansas Society of Architects reaffirms our request that the proposed amendment be rejected.

If revisions, amendments, variations, etc., to this existing and related statutes, rules and regulations, and/or legislative directives are scheduled for consideration, the following is a beginning outline of charges and tasks that should be considered, prior to action:

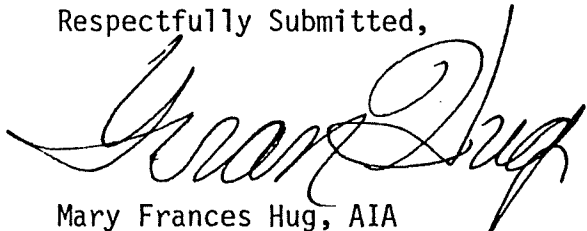
- 1) An analysis should be developed which considers the potential of the direct savings in state funds resulting from no change in the existing construction cost limitations.
 - a) Senate records document that with an increase in the "limits", the Division of Architectural Services can and intends to increase the services provided "in-house". Such potential implies that projected work will not be sufficient to utilize current in-agency staff numbers. (No requirement increase in staff nor was noted, in order to provide these "added" services.)



- 2) Comparisons of potential efficiency ratios resulting from application of so called inflation factors to both productivity and costs of construction. Such comparisons must include services provided within and outside of state agencies.
- 3) Data related to the "chain reaction" effect in financial expansion resulting from dollars placed into the competitive market is probably already available. Such data must be considered prior action.
- 4) Attached is a copy of partial language revisions which change entire sections of the existing statute. We cannot promote such broadscope revisions in the time frame and schedule remaining in this session. Extreme revisions to the original intent of the amending legislation establish conflicting goals. Although this is not a "total" or complete statement of revisions, it does exemplify what could re-establish dialogue among those impacted by this and related statutes.

Rejection of Senate Bill No. 481 as amended, and expanding a joint effort of review and potential action is an efficient and more accountable process in determining what needs to happen in the project procedures related to construction for the state. We request that such a joint approach be established including the designated legislative entities, agency users, agency service providers, out of agency consulting services (ie. architects and engineers), and the established state building advisory commission.

Respectfully Submitted,



Mary Frances Hug, AIA
President, Kansas Society of Architects

SUBCOMMITTEE REPORT

March 26, 1984

TO: House Committee on Governmental Organization
FROM: Subcommittee C
RE: Office of Secretary and Department of Human Resources

Pursuant to its review of S.B. 532, the Subcommittee makes the following recommendation regarding sunset of the office and agency:

1. The Office of the Secretary and the Department of Human Resources should be continued in existence for one year, with the abolition date set for July 1, 1985, instead of July 1, 1992 as recommended by the Senate.

The Subcommittee adopted its recommendation on a vote of 3/2.

Subcommittee Members:

Representative David Louis,
Chairman
Representative Stephen Cloud
Representative Steve Ediger
Representative Ardena Matlack
Representative Dale Sprague



THE UNIVERSITY OF KANSAS

March 25, 1984

The Honorable Steven Cloud
Kansas House of Representatives
State House
Topeka, Kansas

Dear Representative Cloud:

Thank you very much for the opportunity of appearing before your committee on Friday, March 23rd, and for allowing me to suggest some revisions in the wording of Senate Bill No. 481. Those suggested revisions are enclosed with this letter.

I have attempted to rephrase the wording of the bill to make it consistent with the spirit and intent of the legislative bill of 1977 which reformed the process of state building construction in the face of widespread criticism and dissatisfaction with the then existing process. I do not believe that we should lose sight of the intention of that original bill which took great care in defining, either by word or by the implications of the statute itself, the role which each of the parties in the realization of state building projects was to play. I believe that it is important to maintain the integrity of that original act, and the suggested revisions which I have enclosed attempt to accomplish that.

Again, let me express my appreciation to you and the members of your committee for your kindness.

Sincerely,

Charles H. Kahn, FAIA
Professor of Architecture

PROPOSED REVISIONS FOR SENATE BILL NO. 401 AS AMENDED

LINE 0036 AFTER (B)(1) INSERT: AS COVERED IN THE FOLLOWING ARTI-
0037 CLES, STATE BUILDING CONSTRUCTION PROJECTS WILL RE-
0038 THE APPOINTMENT OF PROJECT ARCHITECTS UNDER THE FOL-
0039 LOWING CONDITIONS: (A) ALL NEW CONSTRUCTION WITH A TO-
0040 TAL EXPECTED PROJECT COST IN EXCESS OF \$250,000; (B)
0041 ALL COMPREHENSIVE RENOVATION OR RESTORATION PROJECTS
0042 OR MAJOR REPAIR PROJECTS WITH A TOTAL EXPECTED PROJECT
0043 PROJECT COST IN EXCESS OF \$250,000; (C) AT THE DISCRE-
0044 TION OF THE SECRETARY OF ADMINISTRATION, A PROJECT AR-
0045 CHITECT MAY NOT BE REQUIRED FOR A RENOVATION OR REPAIR
0046 PROJECT INVOLVING AN INDIVIDUAL BUILDING SYSTEM (E.G.
0047) WHERE SUCH WORK IS NOT
0048 PART OF A COMPREHENSIVE RENOVATION OR RESTORATION PRO-
0049 JECT AND THE TOTAL EXPECTED PROJECT COST DOES NOT EX-
0050 CEED

AMEND

RENUMBER THE LINES OF THE REST OF THE DOCUMENT TO BE CONSISTENT WITH THE ABOVE LINE NUMBERING REVISIONS. THE REMAINING SUGGESTED REVISIONS REFER TO THE LINE NUMBERS AS PRINTED IN THE SENATE BILL

LINE 0040 STRIKE THE LINE AFTER THE FIRST WORD "PROJECT." INSERT THE FOLLOWING: IF THE CHARACTER AND/OR TOTAL COST OF THE PROJECT AS DEFINED UNDER SECTION (b)(1) ABOVE IS SUCH AS TO REQUIRE THE SELECTION OF A PROJECT ARCHITECT,

LINE 0049 STRIKE THE FIGURE "\$420,000"

LINE 0055 STRIKE THE LINE AFTER THE WORD "INDEPENDENTLY."

LINE 0056 STRIKE THE LINE

LINE 0057 STRIKE THE LINE

LINE 0058 STRIKE THE LINE

LINE 0059 STRIKE THE LINE

LINE 0060 STRIKE THE LINE

LINE 0061 STRIKE THE WORDS BEGINNING WITH "SPECIFIED AND TERMINATE" WITH THE WORD "INDEPENDENTLY."

LINE 0068 CHANGE "(2)" TO "(3)"

LINE 0075 CHANGE "(3)" TO "(4)"

LINE 0100 DELETE THE WORDS AT THE END OF THE LINE "IF THE"

LINE 0100 INSERT: "IF THE CHARACTER AND/OR TOTAL COST OF THE PROJECT AS DEFINED UNDER SECTION (b)(1) ABOVE IS SUCH AS TO REQUIRE THE SELECTION OF A PROJECT ARCHITECT,"

LINE 0101 DELETE THE ENTIRE LINE

LINE 0102 DELETE THE PHRASE "\$400,000,"

LINE 0124 CHANGE "(4)" TO "(5)"

LINE 0132 CHANGE "(5)" TO "(6)"

LINE 0184 DELETE THE ENTIRE LINE. INSERT: "WHEN THE CHARACTER AND/OR TOTAL COST OF A STATE BUILDING CONSTRUCTION RE-NOVATION OR REPAIR PROJECT IS SUCH AS TO REQUIRE THE APPOINTMENT OF A PROJECT ARCHITECT AS DEFINED UNDER SECTION (5)(1) ABOVE,"

LINE 0186 DELETE THE ENTIRE LINE

LINE 0187 DELETE THE PHRASE "\$400,000,"