

Approved: 5-5-91
Date

MINUTES OF THE HOUSE COMMITTEE ON APPROPRIATIONS.

The meeting was called to order by Chairperson George Teagarden at 1:35 p.m. on March 25, 1991 in room 514-S of the Capitol.

All members were present except: Representative Pottorff (excused)

Committee staff present:

Ellen Piekalkiewicz, Legislative Research Department
Debra Duncan, Legislative Research Department
Jim Wilson, Revisor of Statutes
Susan Miller, Administrative Aide
Sue Krische, Committee Secretary

Conferees appearing before the committee:

Joyce Wolf, Kansas Audubon Council
Shaun McGrath, Kansas Natural Resource Council
Steven Hamburg, University Environmental Ombudsman, University of Kansas
Nicholas Roach, Director of Purchasing

Others attending: see attached list.

SB 87 - Appropriations for FY92, State library, Arts, PBC

SCHOOL FOR THE VISUALLY HANDICAPPED

Representative Chronister presented the FY91 and FY92 subcommittee reports (Attachment 1). Representative Chronister moved that the FY91 and FY92 subcommittee reports on the School for the Visually Handicapped be adopted. Representative Wisdom seconded. Motion carried.

SCHOOL FOR THE DEAF

Representative Wisdom presented the FY91 and FY92 subcommittee reports (Attachment 2). It was noted there are 200 students at the School for the Deaf and 60 at the School for the Visually Handicapped. Representative Helgeson feels consideration should be given to combining these schools to achieve some economies. Representative Wisdom moved adoption of the FY91 and FY92 subcommittee reports on the School for the Deaf. Representative Chronister seconded. Motion carried.

STATE HISTORICAL SOCIETY

Representative Chronister reviewed the FY91 and FY92 subcommittee reports (Attachment 3). In response to a question on the Center for Historical Research, Chairman Teagarden explained that the Center was taken out because the cost estimates on that project will be outdated and new figures will have to be resubmitted next year. The Joint Committee on State Building Construction has recommended the project the past three years. The Subcommittee would like to see this project considered for the new General Facilities Building Fund. It was noted that \$500,000 has been expended in the planning of the Center for Historical Research.

Representative Adam noted that no positions were included to staff the Heritage Trust Fund when it was approved last session. Representative Adam moved to increase the fee limitation to \$67,000 on administrative expenses associated with the Heritage Trust Fund to allow 1.5 FTE positions with some travel expense to staff the program. Representative Solbach seconded. Motion carried.

Representative Heinemann moved that the FY92 subcommittee report on the Historical Society be amended to state that pending passage of HB 2455, serious consideration be given in Omnibus to funding the Center for Historical Research out of the General Facilities Building Fund and further, to request that the Joint Committee on State Building Construction make a recommendation on whether the project should be multi-year funded. Representative Goossen seconded. It was noted the General Facilities Building Fund was planned to fund projects previously funded from the State General Fund and several members pointed out there are many potential projects for these funds. The motion failed.

Representative Patrick moved to delete items #1 and #2 from the FY92 subcommittee report on the State Historical Society. Representative Turnquist seconded. Motion failed. In response to a question, staff advised that under this report the budget is reduced overall 2.4 percent. The Senate cut \$58,000 and the House cut \$59,000. Representative Chronister moved adoption of the FY91 and FY92 subcommittee reports.

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON APPROPRIATIONS, room 514-S Statehouse, at 1:35 p.m.
on March 25, 1991.

on the Historical Society, as amended. Representative Wisdom seconded. Motion carried.

Representative Heinemann suggested that the Joint Building Construction Committee look at all projects eligible for the General Facilities Building Fund and address priorities so that there is some assurance that everything will receive fair consideration in the decision-making process.

STATE COUNCIL ON VOCATIONAL EDUCATION

The subcommittee concurred with the Senate for FY91 and FY92 on the Council on Vocational Education (Attachment 4). Representative Vancrum moved adoption of the FY91 and FY92 subcommittee reports on the Council on Vocational Education. Representative Hamm seconded. Motion carried.

PUBLIC BROADCASTING COMMISSION

Representative Wisdom reviewed the FY91 and FY92 subcommittee reports (Attachment 5). Representative Vancrum submitted a minority report for FY92 on the Public Broadcasting Commission. Representative Chronister advised that KOOD is providing instructional television to USDs in western Kansas that do not belong to distribution centers that the Kansas City station serves. It was noted that the funding for public broadcasting is distributed by the Commission to public television and radio stations. Following discussion, Representative Vancrum withdrew his minority report.

Representative Patrick pointed out that new technologies are becoming available for delivery of educational TV and he suggested these should be studied in light of the investment in the transponder at KSU. He noted the Public Broadcasting Commission, the Regents and DISC are all involved in delivery of educational services and their efforts should be coordinated. Representative Chronister stated KTEC is involved in telecommunications and the coordination of the delivery of services.

Representative Vancrum moved to add an item to the FY92 subcommittee report on the Public Broadcasting Commission to recommend an interim study of the coordination of instructional TV focusing on coordinating the Regents' program, the Public Broadcasting Commission Educational TV component, and the activities in this area of KTEC and the Department of Administration. Representative Patrick seconded. Motion carried.

Representative Gatlin commented that KOOD serves nearly half the state with public television. Representative Wisdom moved adoption of the FY91 and FY92 subcommittee reports as amended on the Public Broadcasting Commission. Representative Chronister seconded. Motion carried. Representative Chronister moved that SB 87, as amended, be recommended favorably for passage. Representative Wisdom seconded. Motion carried.

HB 2354 - State procurement of recycled, low life-cycle cost and energy efficient goods.

Representative Adam explained that HB 2354 is an attempt to expand on last session's SB 310 concerning the procurement policies of the state regarding recycled paper. HB 2354, as introduced, would mandate the utilization of recycled products and energy efficient goods by state purchasing officers. Representative Adam advised the fiscal impact of HB 2354, as introduced, was approximately \$178,000 and 4 FTE and in order to reduce the cost she is proposing a balloon of amendments to the bill (Attachment 6). She stated the amendments would require one FTE, or less, and would still accomplish the purpose of moving the state in the direction of purchasing goods made from recycled materials.

Joyce Wolf, Kansas Audubon Council, testified in support of HB 2354 (Attachment 7). She stated in buying other products that contain recycled materials, we fulfill the goals of promoting waste reduction and market development.

Shaun McGrath, Kansas Natural Resource Council, appeared in support of HB 2354 stating that in purchasing recycled goods when appropriate, the state takes a step in developing the market for recycled goods, thus closing the recycling loop (Attachment 8).

Steven Hamburg, Environmental Ombudsman, University of Kansas, appeared in support of HB 2354 (Attachment 9). He emphasized that the creation of markets for recycled products is just as important as collecting materials for reprocessing.

Nicholas Roach, State Director of Purchasing, testified in support of HB 2354, as amended per the balloon, which will allow implementation of the bill for approximately \$41,800 and 1 position. This position was deleted by the subcommittee this year and he requested that it be restored to implement the provisions of

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON APPROPRIATIONS, room 514-S Statehouse, at 1:35 p.m.
on March 25, 1991.

SB 310 from last session and SB 2354.

Chairman Teagarden recognized Mike Blair, a photographer with the Department of Wildlife and Parks, for his outstanding wildlife pictures which hang in the Appropriations Committee room this session.

INTRODUCTION OF BILLS

Chairman Teagarden requested introduction of a bill on behalf of Acting Secretary Art Griggs, Department of Administration. The bill would forgive \$80,000 still owed by the Kansas Development Finance Authority to the State General Fund for start-up costs. Representative Wisdom moved introduction of the bill. Representative Chronister seconded. Motion carried.

Representative Adam moved introduction of a bill to work out an agreement on Workers Compensation with the new owners of Rockwell International. Representative Wisdom seconded. Motion carried.

Representative Hamm moved introduction of a bill relating to the repayment and service obligations of medical students under scholarship agreement at KUMC. Representative Wisdom seconded. Motion carried.

The meeting was recessed at 3:30 p.m. and Chairman Teagarden announced the Committee would reconvene at 5:00 p.m. to take action on GIS funding.

The Chairman reconvened the meeting at 5:05 p.m. for a discussion of GIS funding. Representative Helgerson moved to put GIS monies back in the individual budgets. Representative Gatlin seconded. Representative Gatlin pointed out that his subcommittee last year reviewed GIS funding and that GIS-related activity has been going on for at least a decade and the effort now is to coordinate the activity that is already occurring. Representative Vancrum suggested that in approving this fund we will be setting up a bureaucracy which has not been needed previously, and he would prefer the consolidation of agencies. The motion carried. Representative Vancrum is recorded as voting no.

The meeting was adjourned at 5:20 p.m. The next meeting is scheduled for Tuesday, March 26 at 1:30 p.m. in 514-S.

GUEST LIST

COMMITTEE: HOUSE APPROPRIATIONS

DATE: 3-25-91

NAME (PLEASE PRINT)	ADDRESS	COMPANY/ORGANIZATION
Winnie Aft	Topelka	USA # 500
Dave DePue	"	KCOVE
Dale N Anderson	Topelka	KTWW-11
Nick Slechte	Banker Hill	Koop-9
Greg Tugman	Topelka	DOB
Patricia Gwaltney	Dodge City	
Steven Hamburg	Lawrence	Univ of Kansas
Joyce Wolf	LAWRENCE	Ks. Audubon Council
Shawn McGrath	Topelka	Ks. Nat. Resource Council
David A. Haug	Topelka	KC St Hist. Soc.
Ramon Powers	Topelka	Ks. St. Hist. Soc.
Ruth Sherrer	Topelka	KSHS
Nicie ROACH	TOPEKA	PURCHASES
Shawn Harrison	Topelka	Ks Tire Dealers Assn.
Jim Jones	Topelka	Ks Dept. of Trans.
Tim Cunningham	Topelka	Ks. Dept. of Trans.
Mawri Trout	Topelka	IBM
Chuck Neal	Topelka	IBM
Marion Cott	Topelka	Ks. Humanities Committee
Fred J. Rogers	Topelka	SRS Purchasing
STEVE KEARNEY	"	MEDIC & ASSOC.
ML Manning	Topelka	DOB
Janeen Grace	Topelka	KNRC

SUBCOMMITTEE REPORT

Agency: School for the Visually Handicapped

Bill No. 340, 112

Bill Sec. 5, 12

Analyst: Piekalkiewicz

Analysis Pg. No. 439

Budget Page No. 590

<u>Expenditure Summary</u>	<u>Agency Req. FY 91</u>	<u>Gov. Rec. FY 91</u>	<u>Subcommittee Adjustments</u>
State Operations:			
State General Fund	\$ 2,856,268	\$ 2,813,061	\$ --
EDIF	75,000	75,000	--
All Other Funds	154,662	154,662	--
Subtotal	<u>\$ 3,085,930</u>	<u>\$ 3,042,723</u>	<u>\$ --</u>
Capital Improvements:			
Total	<u>\$ 3,304,926</u>	<u>\$ 3,261,719</u>	<u>\$ 25,000</u>

Agency Request/Governor's Recommendation

Operating expenditures for FY 1991 are estimated to be \$3,085,930, of which all but \$229,662 is from the State General Fund. An expenditure limitation increase of \$43,064 (from \$34,360 to \$77,424) is sought on the General Fee Fund in connection with a higher estimate for other operating expenditures than was approved by the 1990 Legislature.

For FY 1991, the Governor recommends operating expenditures of \$3,042,723. The Governor concurs with the agency's request for an expenditure limitation increase on the General Fee Fund.

Senate Subcommittee Recommendation

The Subcommittee concurs with the Governor's recommendation with the following adjustment:

1. Add \$25,000 from the State Institutions Building Fund for asbestos removal.

Senate Committee Recommendation

The Senate Committee concurs with the recommendations of the Subcommittee.

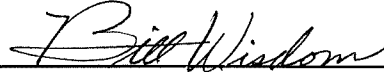
Senate Committee of the Whole Recommendation

The Senate Committee of the Whole concurs with the recommendations of the Senate Committee.

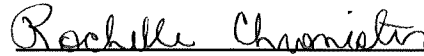
*HA
3-25-91
Attachment 1*

House Subcommittee Recommendation

The House Subcommittee concurs with the Senate recommendations.



Representative Bill Wisdom
Subcommittee Chair



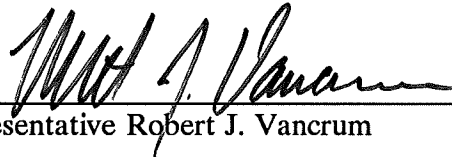
Representative Rochelle Chronister



Representative Lee Hamm



Representative George Teagarden



Representative Robert J. Vancrum

SUBCOMMITTEE REPORT

Agency: School for the Visually
Handicapped

Bill No. 87, 112

Bill Sec. 4, 5

Analyst: Piekalkiewicz

Analysis Pg. No. 439

Budget Page No. 590

<u>Expenditure Summary</u>	<u>Agency Req. FY 92</u>	<u>Gov. Rec. FY 92*</u>	<u>Subcommittee Adjustments</u>
State Operations:			
State General Fund	\$ 3,468,551	\$ 2,971,771	\$ (45,000)
EDIF	100,000	--	73,300
All Other Funds	70,942	70,942	45,000
Subtotal	<u>\$ 3,639,493</u>	<u>\$ 3,042,713</u>	<u>\$ 73,300</u>
Capital Improvements:	470,300	134,000	--
Total	<u><u>\$ 4,109,793</u></u>	<u><u>\$ 3,176,713</u></u>	<u><u>\$ 73,300</u></u>
FTE Positions	95.5	91.5	--

* Excludes amounts reserved for employee compensation.

Agency Request/Governor's Recommendation

The School's request of \$3,639,493 for FY 1992 includes funding for 4.0 FTE new positions, \$100,000 from the Economic Development Initiatives Funds (EDIF) to maintain an arts for the handicapped program, and \$55,027 to purchase computer equipment for administrative and classroom use. The School in FY 1992 is continuing its practice of requesting salary comparison adjustments for its unclassified faculty and dormitory personnel for the purpose of making teacher salaries comparable to teacher salaries in surrounding school districts. The School requests in FY 1992 \$470,300 from the State Institutions Building Fund (SIBF) for various capital improvement projects. The Governor's recommendation is \$3,042,713, which is a reduction of \$596,780 from the agency request and decrease of \$10 from the FY 1991 recommendation. The Governor's recommendation does not include funding for Accessible Arts, Inc. The Governor recommends \$134,000 from the SIBF capital improvements projects including \$50,000 for rehabilitation and repair projects, \$55,000 to replace the roof on the Brighton Recreation Center, \$13,000 to remove underground storage tanks, and \$16,000 for pool plumbing and heater replacement.

Senate Subcommittee Recommendation

The Subcommittee concurs with the Governor's recommendation with the following exceptions:

1. Add a no-limit appropriation for special oil overcharge funds to purchase a van for which the Governor recommended \$20,000 from the State General Fund. The Subcommittee notes that this funding from oil overcharge funds will be

available because recommended funding of \$30,000 from oil overcharge funds for the Agriculture in the Classroom program most likely will not be forthcoming because this program will probably be deemed ineligible to receive those funds.

2. Delete \$20,000 from the State General Fund for the above mentioned van.
3. Delete \$25,000 from the State General Fund and add \$25,000 from the General Fee Fund, estimating that the School will continue to receive the same amount of out-of-state tuition as in the current year.
4. Add \$73,300 from the Economic Development Initiatives Fund for Accessible Arts, Inc., which is a reduction of \$1,700 from the current year.

Senate Committee Recommendation

The Senate Committee concurs.

Senate Committee of the Whole Recommendation

The Senate Committee of the Whole concurs.

<u>Expenditure Summary</u>	<u>Senate Adjustments</u>	<u>Senate Rec. FY 92</u>	<u>House Subcommittee Adjustments</u>
State Operations:			
State General Fund	\$ (45,000)	\$ 2,926,771	\$ 3,200
EDIF	73,300	73,300	--
All Other Funds	45,000	115,942	--
Subtotal	<u>\$ 73,300</u>	<u>\$ 3,116,013</u>	<u>\$ 3,200</u>
Capital Improvements:	--	134,000	--
Total	<u><u>\$ 73,300</u></u>	<u><u>\$ 3,250,013</u></u>	<u><u>\$ 3,200</u></u>
FTE Positions	--	91.5	--

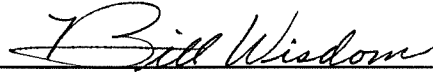
House Subcommittee Recommendation

The House Subcommittee concurs with the Senate recommendation, with the following exceptions:

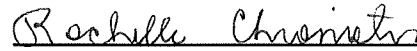
1. Recommend that the School check with the JTPA Service Delivery Area III (Kansas City) Private Industry Council about the possibility of funding the requested paraprofessional position which would assist a teacher who places students at vocational job sites prior to graduation from Job Training Partnership

Act funds which are expended through the Private Industry Councils. The Subcommittee recommends that if these funds are forthcoming the paraprofessional position be hired as a special projects position.

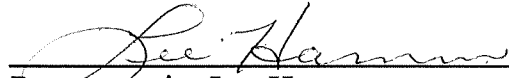
- 2. Add \$3,200 for special services such as speech, occupational and physical therapy to restore the level of funding to the same amount as in the current year.



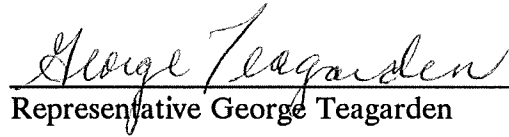
Representative Bill Wisdom
Subcommittee Chair



Representative Rochelle Chronister



Representative Lee Hamm



Representative George Teagarden



Representative Robert J. Vancrum

SUBCOMMITTEE REPORT

Agency: School for the Deaf

Bill No. 87, 112

Bill Sec. 5, 6

Analyst: Piekalkiewicz

Analysis Pg. No. 444

Budget Page No. 174

<u>Expenditure Summary</u>	<u>Agency Req. FY 92</u>	<u>Gov. Rec. FY 92*</u>	<u>Subcommittee Adjustments</u>
State Operations:			
State General Fund	\$ 6,631,920	\$ 5,481,985	\$ (128,000)
All Other Funds	206,400	207,880	--
Subtotal	\$ 6,838,320	\$ 5,689,865	\$ (128,000)
Capital Improvements	1,114,000	130,500	--
TOTAL	\$ 7,952,320	\$ 5,820,365	\$ (128,000)
FTE Positions	190.5	176.5	(5.0)

* Excludes amounts reserved for employee compensation.

Agency Request/Governor's Recommendation

The School's request of \$6,838,320 for FY 1992, includes funding for 14.0 FTE new positions, including 12.0 FTE positions associated with implementing a new program for trainable mentally handicapped children who are deaf. The School in FY 1992 is continuing its practice of requesting salary comparison adjustments for its unclassified faculty and dormitory personnel for the purpose of making teacher salaries comparable to teacher salaries in surrounding school districts. The Governor's recommendation is \$5,689,865, which is a reduction of \$1,148,455 from the agency request and an increase of \$126,695 from the FY 1991 recommendation. The School requests in FY 1992 \$1,114,000 from the State Institutions Building Fund (SIBF) for various capital improvement projects, including \$277,000 for the first phase of a project to construct a new elementary school. The Governor's recommendation does not include funding for the requested new positions or the requested salary comparison adjustment for faculty and dormitory personnel. The Governor recommends \$130,500 from the SIBF capital improvements projects, including \$50,000 for rehabilitation and repair projects, \$40,000 for roof repair, and \$40,500 for the replacement of a main oil switch.

Senate Subcommittee Recommendation

FY 1991. The Subcommittee concurs with the Governor's recommendation for the current year.

FY 1992. The Subcommittee concurs with the Governor's recommendation with the following exceptions:

HA
3-25-91
Attachment 2

1. Delete \$154,000 from the State General Fund for five positions which are currently unfilled and have been since the beginning of this fiscal year. Those positions are: 2.5 FTE clerical positions, 1.0 FTE teacher, 1.0 FTE psychologist, and .5 FTE director of research.
2. Add \$30,000 from the State General Fund to reduce the shrinkage rate of 3.5 percent recommended by the Governor to 3.0 percent.
3. The Subcommittee was informed that the agency has requested a Governor's Budget Amendment for \$45,000 to fully fund the base salary costs of the School's faculty and dormitory staff. The Subcommittee notes that if a GBA is not forthcoming, this issue must be addressed by the Legislature during the Omnibus Session.

Senate Committee Recommendation

The Senate Committee concurs.

Senate Committee of the Whole Recommendation

The Senate Committee of the Whole concurs with the following exceptions:

1. Add \$7,000 for salaries and wages in FY 1992. The Senate was informed that different positions are currently vacant than those cited by the Senate Committee.
2. Add \$49,000 to reduce the shrinkage rate from 3.0 percent, recommended by the Senate Committee, to 2.0 percent.

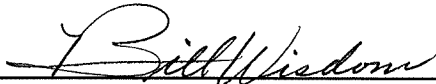
<u>Expenditure Summary</u>	<u>Senate Adj. FY 92</u>	<u>Senate Rec. FY 92</u>	<u>House Subcommittee Adjustments</u>
State Operations:			
State General Fund	\$ (68,000)	\$ 5,413,985	\$ 53,000
All Other Funds	--	207,880	(8,000)
Subtotal	<u>\$ (68,000)</u>	<u>\$ 5,621,865</u>	<u>\$ 45,000</u>
Capital Improvements	--	130,500	--
TOTAL	<u><u>\$ (68,000)</u></u>	<u><u>\$ 5,752,365</u></u>	<u><u>\$ 45,000</u></u>
FTE Positions	(5.0)	171.5	5.0

House Subcommittee Recommendation

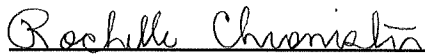
The House Subcommittee concurs with the Senate, with the following exceptions:

2-2

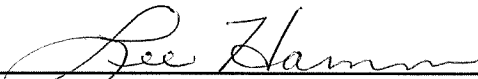
1. Concur with the Governor's Budget Amendment No. 1 to add \$45,000 from the State General Fund for base salary costs for faculty and dormitory personnel which was not included in the Governor's original budget.
2. Restore position limitation authority to 171.5 FTE positions.
3. Add \$8,000 from the State General Fund for salaries and wages due to a loss in federal funds.



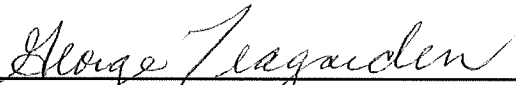
Representative Bill Wisdom
Subcommittee Chair




Representative Rochelle Chronister



Representative Lee Hamm



Representative George Teagarden



Representative Robert J. Vancrum

SUBCOMMITTEE REPORT

Agency: Historical Society

Bill No. 87, 112

Bill Sec. 6,7

Analyst: Piekalkiewicz

Analysis Pg. No. 449

Budget Page No. 284

<u>Expenditure Summary</u>	<u>Agency Req. FY 92</u>	<u>Gov. Rec. FY 92*</u>	<u>Subcommittee Adjustments</u>
All Funds:			
State Operations	\$ 6,729,159	\$ 5,530,360	\$ (58,000)
Aid to Local Units	478,464	517,338	--
Other Assistance	118,950	18,950	50,000
Subtotal	<u>\$ 7,326,573</u>	<u>\$ 6,066,648</u>	<u>\$ (8,000)</u>
Capital Improvements	7,662,578	250,000	(225,000)
TOTAL	<u><u>\$ 14,989,151</u></u>	<u><u>\$ 6,316,648</u></u>	<u><u>\$ (233,000)</u></u>
State General Fund:			
State Operations	\$ 5,916,973	\$ 4,842,198	\$ (58,000)
Capital Improvements	7,662,578	--	25,000
TOTAL	<u><u>\$ 13,579,551</u></u>	<u><u>\$ 4,842,198</u></u>	<u><u>\$ (33,000)</u></u>
Economic Development			
Initiatives Fund:			
State Operations	\$ --	\$ --	\$ --
Other Assistance	100,000	--	50,000
TOTAL	<u><u>\$ 100,000</u></u>	<u><u>\$ --</u></u>	<u><u>\$ 50,000</u></u>
FTE Positions	154	144	(5)

* Excludes amounts reserved for employee compensation.

Agency Request/Governor's Recommendation

The Historical Society's FY 1992 request for state operations of \$7,326,573 reflects an increase of \$1,089,349 over the current year estimate. Included in this request is proposed funding for seven new positions, a state records center (\$146,000), reinterpretation of historic sites (\$167,000), and \$99,312 for the creation of a master negative copy of microfilm of state documents, manuscripts, and newspapers. The request includes \$100,000 for the Kansas Committee for the Humanities (KCH). The Governor's recommendation for FY 1992 is \$6,066,648, a reduction of \$1,259,925 from the agency request. Expenditures are not recommended for the requested new positions, the state records center, or the Kansas Committee for the Humanities. The recommendation includes \$17,500 for historic site reinterpretation.

Capital Improvements. The agency, in FY 1992, is requesting \$7,662,578 for capital improvements, including \$6,000,000 for previously appropriated funds for the new Center for Historical Research. Included in the FY 1992 request is an additional \$240,000 for the new Center,

*HA
3-25-91
Attachment 3*

equating to 4.0 percent of the appropriated amount, \$6,000,000, for an inflation factor. Of the balance of the request, \$710,795 is for rehabilitation and repair projects at the state-owned historic sites, \$228,146 for floodplain improvements on the site where the Kansas Museum of History is located, \$17,689 for a ventilation system for the Museum, and \$465,948 for an exterior canopy for the new Center.

The Governor recommends \$250,000 from the General Facilities Building Fund, a new fund recommended by the Governor, to be financed by the dedication of 20 percent of gaming revenue receipts. The recommendation for the Historical Society of \$250,000 is for the rehabilitation and repair of the state-owned historic sites. The Governor, in addition, recommends that the first phase of construction of the new Center for Historical Research (\$6,000,000) be delayed from FY 1992 to FY 1993 and the second phase (\$1,904,000) from FY 1993 and FY 1994.

Senate Subcommittee Recommendation

FY 1991. The Subcommittee concurs with the Governor's recommendation for the current year.

FY 1992. The Subcommittee concurs with the Governor's recommendation with the following exceptions:

1. Delete \$103,000 from the State General Fund for four historic site curator positions, three at undesignated sites and one at the Souders Farm. This recommendation is a reflection of the Subcommittee's belief that the state is misplacing its resources in providing funding for the staffing of 13 of the 20 state-owned historic sites. The Subcommittee asserts that the staffing of the historic sites is the responsibility of the local communities where those sites are located. The Subcommittee believes strongly that the on-going maintenance of the historic sites is the state's responsibility and by its recommendation the Subcommittee does not wish to suggest that the local communities bear the entire cost of administering the historic sites. The Subcommittee would hope that its recommendation is seen as a first step in establishing a dynamic local and state partnership, which will maximize resources available for the renovation of the historic sites.
2. Add \$5,000 from the State General Fund to the amount recommended by the Governor (\$39,000) for temporary positions at the historic sites. The Subcommittee recognizes that the reduction of four positions at the historic sites may be hard to replace with community volunteers during this transitional year. The Subcommittee recommends that temporary employees be employed at the sites until volunteer staff can be found.
3. Add \$40,000 from the State General Fund for historic site reinterpretation. The Historical Society received an appropriation of \$25,000 for this purpose in FY 1991 and the Governor recommended \$17,500 for FY 1992. With the funds recommended by this Subcommittee, the Historical Society will be able to refurbish several of the sites to an acceptable level. The Subcommittee notes that many of the exhibits at the sites have not been refurbished in 25 years.

4. Delete \$24,000 from the State General Fund for funding a Museum staff person. This position is one of seven which were added to the staff of Kansas Museum of History while it was being constructed to work on the permanent exhibits (a four or five year project). The positions were authorized with the understanding that when the permanent exhibits were completed, the positions would be eliminated, however, the positions are still part of the Society's staff.
5. Add \$24,000 from the State General Fund for the Society's microfilm program to purchase sufficient supplies to continue microfilming at the production level of 2,000 rolls per year.
6. The Subcommittee requests that the agency cancel three outstanding encumbered accounts totaling \$12,314 from previous fiscal years which no longer are required to pay any outstanding obligations. By canceling those encumbrances the agency would be releasing those funds into the State General Fund.
7. Recommend reappropriation language in S.B. 87 for FY 1991 Economic Development Initiatives capital improvement account to allow the Historical Society to carry forward funds to FY 1992 not expended in FY 1991.
8. Recommend reappropriation language in S.B. 87 for several FY 1991 State General Fund capital improvement accounts to allow the Historical Society to carry forward funds to FY 1992 for projects not completed in FY 1991.
9. Establish in S.B. 87 a Unmarked Burial Sites Fund to allow the Society to accept contributions for the burial of human skeleton remains.
10. Add \$50,000 from the EDIF for the Kansas Committee for the Humanities to be expended as follows: \$20,000 for competitive grants, \$10,000 for the KCH Resource Center, and \$20,000 for an outreach program for local historical societies.
11. Delete \$250,000 from the General Facilities Building Fund for repair and rehabilitation projects at the state-owned historic sites and add \$25,000 from the State General Fund for emergency repairs at the sites in S.B. 112.
12. Delete funding in S.B. 112 for the Center for Historical Research. The Subcommittee by its recommendation does not deny the importance of the project but believes that the scope, size, and intent of the entire project, which includes a consideration of future uses of the Memorial Building, must be considered. The Committee requests that the Building Committee address these questions and especially review the space analysis report conducted on the Memorial Building.

Senate Committee Recommendation

The Senate Committee concurs.

Senate Committee of the Whole Recommendation

The Senate Committee of the Whole concurs.

<u>Expenditure Summary</u>	<u>Senate Adj. FY 92</u>	<u>Senate Rec. FY 92</u>	<u>House Subcommittee Adjustments</u>
All Funds:			
State Operations	\$ (58,000)	\$ 5,472,360	\$ 18,000
Aid to Local Units	--	517,338	--
Other Assistance	50,000	68,950	15,000
Subtotal	<u>\$ (8,000)</u>	<u>\$ 6,058,648</u>	<u>\$ 33,000</u>
Capital Improvements	(225,000)	25,000	(25,000)
TOTAL	<u><u>\$ (233,000)</u></u>	<u><u>\$ 6,083,648</u></u>	<u><u>\$ 8,000</u></u>
State General Fund:			
State Operations	\$ (58,000)	\$ 4,784,198	\$ (59,000)
Capital Improvements	25,000	25,000	(25,000)
TOTAL	<u><u>\$ (33,000)</u></u>	<u><u>\$ 4,809,198</u></u>	<u><u>\$ (84,000)</u></u>
Economic Development Initiatives Fund:			
State Operations	\$ --	\$ --	\$ 77,000
Other Assistance	50,000	50,000	15,000
TOTAL	<u><u>\$ 50,000</u></u>	<u><u>\$ 50,000</u></u>	<u><u>\$ 92,000</u></u>
FTE Positions	(5)	139	3

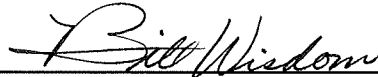
House Subcommittee Recommendation

FY 1991. The House Subcommittee concurs with the Senate.

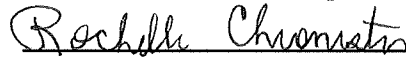
FY 1992. The House Subcommittee concurs with the Senate, with the following exceptions:

1. Restore \$77,000 from the State General Fund for three historic sites curator positions deleted by the Senate.
2. Add \$77,000 from the Economic Development Initiatives Fund (EDIF) and delete \$77,000 from the State General Fund for other operating expenditures such as expenditures associated with the operations of the Kansas Museum of History which is one of the premier tourist attractions in the state.
3. Delete \$15,000 from the State General Fund for historic site reinterpretation for a total of \$25,000.

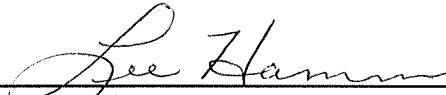
4. Delete \$44,000 from the State General Fund for temporary positions at the historic sites. The Subcommittee recommends that the Historical Society pursue the possibility of getting community volunteers especially ones participating in the Green Thumb program to fulfill the function of the temporary employees.
5. Add 15,000 from the EDIF for the Kansas Committee for the Humanities (KCH) for its resource center.
6. Combine the line item for the security contract with the line item for other operating expenditures.
7. Make a technical adjustment to strike two unnecessary funds.
8. Delete \$25,000 from the State General Fund for emergency repair capital improvement projects at the historic sites, pending a recommendation from the Joint Committee on Building Construction.



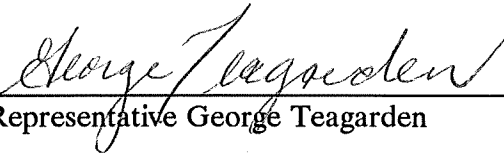
Representative Bill Wisdom
Subcommittee Chair



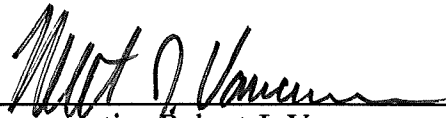
Representative Rochelle Chronister



Representative Lee Hamm



Representative George Teagarden



Representative Robert J. Vancrum

SUBCOMMITTEE REPORT

Agency: State Council on Vocational **Bill No. 87** **Bill Sec. 7**
 Analyst: Rampey **Analysis Pg. No. 465** **Budget Page No. 592**

<u>Expenditure Summary</u>	<u>Agency Req. FY 92</u>	<u>Gov. Rec. FY 92</u>	<u>Subcommittee Adjustments</u>
State Operations:			
Special Revenue Fund	\$ 150,000	\$ 136,562	\$ --
FTE Positions	2.0	2.0	--

Agency Request/Governor's Recommendation

FY 1991. The Council estimates expenditures of \$154,694 in FY 1991, which is the amount approved by the 1990 Legislature. The Governor recommends expenditures of \$153,172, a reduction of \$1,522 from the Council's request. The reduction is due to a recalculation of fringe benefits.

FY 1992. The Council estimates expenditures of \$150,000 in FY 1992, which is the amount of its expected annual federal allocation under the new Carl D. Perkins Vocational and Applied Technology Education Act of 1990. The Governor recommends expenditures of \$136,562, a reduction of \$13,438 from the Council's request. The reduction is entirely in salaries.

Senate Subcommittee Recommendations

FY 1991. The Subcommittee concurs with the recommendations of the Governor.

FY 1992. The Subcommittee concurs with the recommendations of the Governor, with the following comment:

1. The Council on Vocational Education is an agency whose mandate under federal law is to make recommendations to the State Board of Education, the Governor, the business community, and the general public concerning vocational education. The Subcommittee values the work of the Council, and urges the State Board to be attentive and responsive to the reports and recommendations the Council makes.

Senate Committee of the Whole

Concur.

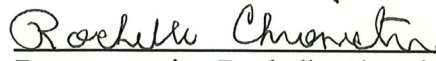
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House Subcommittee Recommendation

Concur.




Representative Bill Wisdom
Subcommittee Chair



Representative Rochelle Chronister



Representative Lee Hamm



Representative George Teagarden



Representative Bob Vancrum

SUBCOMMITTEE REPORT

Agency: Public Broadcasting Commission Bill No. 87 Bill Sec. 8

Analyst: Piekalkiewicz Analysis Pg. No. 467 Budget Page No. 456

<u>Expenditure Summary</u>	<u>Agency Req. FY 92</u>	<u>Gov. Rec. FY 92</u>	<u>Subcommittee Adjustments</u>
State General Fund:			
State Operations	\$ 6,990	\$ 6,189	\$ (6,189)
Aid to Local Units	143,000	132,137	(132,137)
Other Assistance	837,000	592,177	(592,177)
TOTAL	<u>\$ 986,990</u>	<u>\$ 730,503</u>	<u>\$ (730,503)</u>
FTE Positions	--	--	--

Agency Request/Governor's Recommendation

The Public Broadcasting Commission's request of \$986,990 for FY 1992 includes \$730,000 for on-going state support for the four existing public television stations, plus one rebroadcast station. The request for the operation grants to the four stations represents an increase of \$77,327, 11.8 percent, over the FY 1991 estimate of \$652,673. Funding in FY 1992 is also requested for an operating grant to KANZ-FM (\$70,000) public radio station, which is an increase of \$37,659 over the current year estimate. The Commission also requests \$150,000 for matching equipment grants for the stations, which is \$110,000 above the amount approved for FY 1991. For FY 1992, the Governor's recommendation provides the exact level of state support (\$652,673) as in the current year for the four public television stations and one public radio station.

Senate Subcommittee Recommendation

FY 1991. The Subcommittee concurs with the Governor's recommendation of \$829,628 for the current year.

FY 1992. The Subcommittee concurs with the Governor's recommendation with the following exception:

1. Delete funding for the public broadcasting stations in S.B. 87 and place an equal amount of funding in the appropriations bill for the Board of Regents. Legislation is not required for the Board to make grants available to the public television and radio stations. The Subcommittee, however, does recommend the introduction of legislation to disband the Public Broadcasting Commission and authorize the Board of Regents to assume responsibilities for the Commission's duties, including:

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Attachment 5

- a. providing coordination on matters relating to public television and radio broadcasting among state agencies and all facets of Kansas public education;
- b. establishing statewide equipment compatibility policies and determine methods of interconnection to be employed within the state; and
- c. recommending to the Governor and the Legislature levels of funding for public television and radio broadcasting operations.

The Subcommittee notes that for several years, the Legislature has been disappointed with the performance of the Commission. The ineffectiveness of the Commission has led to the funding of disparate broadcasting projects with no consideration of the interconnection capabilities of the projects or what long-term costs the state would be expected to bear. The Division of Information Systems and Communications (DISC) conducted a study in 1988, examining the organizational issues, technical issues, and policy issues related to public television and radio. The study found that "the deficiencies historically associated with the Public Broadcasting Commission have resulted in both technological and organizational fragmentation regarding public broadcasting, as well as a duplication of public facilities, which ultimately leads to a lack of statewide coordination and planning and also to costly and wasteful expenditures of state government funds."

It is evident to the Subcommittee that the only function of the Commission is to serve as a funding mechanism for state funding for the public television and radio stations, therefore, the Subcommittee is recommending that the stations be funded in the budget of the Board of Regents as a single line item. The Board will have the discretion to award grants which it feels serve the interests of the state as a whole. The Subcommittee hopes this will end the annual parochial pattern of funding public television and radio stations and will instead address the funding of broadcasting projects which will benefit the entire state.

The Subcommittee notes that the Board of Regents operates a facility known as the Regents' Educational Communications Center (RECC), which is a satellite uplink facility located on the campus of Kansas State University. During the first two years of the Margin of Excellence, the Center received funding for eleven positions, including several engineers and electronic technicians, who have the necessary technical knowledge to evaluate the requests of the public television and radio stations. Affiliated with the Center is the RECC Academic Committee whose membership is provided in an attachment to this report.

2. The Subcommittee would like to express its dismay that KOOD public television station appears to be forever in a state of financial distress and that the only remedy the station has chosen to this situation is to request increasing amounts of state support. For FY 1992, the station is requesting an increase of \$44,000 in state support, regardless of the fact that the station received \$273,818 for FY

1991 (which was an increase of \$83,818 over FY 1990), compared with the \$132,137 received from the state by the Topeka and Wichita stations. The Subcommittee notes that the Senate Subcommittee which reviewed the Public Broadcasting Commission budget during the 1990 Session noted the same concerns and did not recommend the additional state funds for KOOD.

Contrary to representations, the station is not managing its operations according to accepted standard business practices, evidenced by the fact that the station does not fund the depreciation of its equipment. Furthermore, the station has failed to take advantage of obvious cost efficiencies by providing instructional educational services at a loss of \$30,000, when KCPT, Kansas City public television station could be providing those services. (KCPT is currently providing instructional educational services to 200,000 Kansas school children.) KPTS (Wichita), as an example, after analyzing all the costs and benefits chose to request that KCPT provide instructional educational services to the Wichita area. This area is now reaping the benefits of excellent full service instructional television at a lower cost than the Wichita public television could provide.

3. The Subcommittee heard testimony from KHCC-FM (Hutchinson) public radio station, which has requested \$67,312 from the State General Fund to match federal and local support for a project to construct a new public radio station in west central Kansas, an area which currently does not receive public radio coverage. The Subcommittee notes that this is a worthy project, and that the precedent has been established for the state to contribute to the funding of projects for unserved areas. The Subcommittee notes that in its recommendation to fund the public broadcasting stations through the Board of Regents it did not designate how the single line item appropriation should be allocated. Under the new method of funding public broadcasting stations, the KHCC project is eligible to receive state funding.
4. Regardless of whether there will be increased revenue available, the Subcommittee believes its recommendation is important because it will provide for a more effective and cost efficient way of administering grants for public broadcasting projects which will better serve the people of Kansas.

Senate Committee Recommendation

The Senate Committee concurs.

Senate Committee of the Whole Recommendation

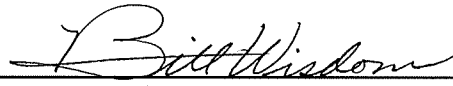
The Senate Committee of the Whole concurs.

<u>Expenditure Summary</u>	<u>Senate Adj. FY 92</u>	<u>Senate Rec. FY 92</u>	<u>Senate Subcommittee Adjustments</u>
State General Fund:			
State Operations	\$ (6,189)	\$ 0	\$ 6,003
Aid to Local Units	(132,137)	0	128,167
Other Assistance	(592,177)	0	574,412
TOTAL	<u>\$ (730,503)</u>	<u>\$ 0</u>	<u>\$ 708,582</u>

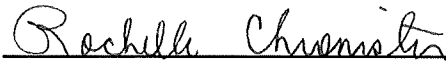
House Subcommittee Recommendation

The House Subcommittee concurs with the Senate with the following exceptions:

1. The Subcommittee does not concur with the Senate's recommendation to delete funding for the Public Broadcasting Commission in S.B. 87 and place an equal amount for public television and radio stations in the budget for the Board of Regents.
2. Add \$708,582 from the State General Fund as a single line item in S.B. 87 for operating grants to public television and radio stations, which is a reduction of \$21,921 from the current year level of state support.



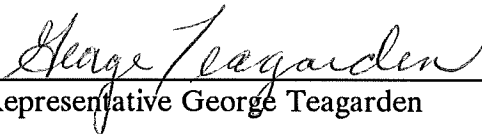
Representative Bill Wisdom
Subcommittee Chair



Representative Rochelle Chronister



Representative Lee Hamm




Representative George Teagarden

Representative Robert J. Vancrum

MINORITY REPORT

I concur with the House Subcommittee recommendations, with the following exception:

I cannot in good conscience agree with the recommendation stated in item 2 that \$708,582 SGF be added as operating grants to public television and radio. I recognize that the Senate shifted these funds to the Regents' budget and that the House Subcommittee did reduce the amount of current year support by \$21,921. I believe the Senate Subcommittee report indicates some disturbing lack of good business practices and failure to use appropriate efficiency measures in delivering instructional education services. In this year of financial shortfall we should withhold funding until we are sure all of these stations have recognized they must drop their "business as usual" practices. We have insisted that all other agencies learn to live with less taxpayer support and we should expect nothing less out of these agencies. I recommend this matter be more thoroughly reviewed between now and the time the omnibus appropriations bill is prepared and appropriate funding addressed at that time.



Representative Robert J. Vancrum

HOUSE BILL No. 2354

By Representatives Adam and McClure

2-13

8 AN ACT concerning state procurement practices; relating to recycled, low life-cycle cost and energy efficient goods; amending
9
10 K.S.A. 1990 Supp. 75-3740 and repealing the existing section.

11
12 *Be it enacted by the Legislature of the State of Kansas:*

13 New Section 1. As used in sections 1 through 5:

14 ~~[(a)] "Director" means the director of purchases of the department
15 of administration.~~

16 ~~[(b)] "Goods" means any supplies, materials or equipment.~~

17 ~~[(c)] "Practical" means capable of being used, consistent with performance, in accordance with applicable specifications and available
18 within a reasonable time.~~

19
20 ~~[(d)] "Recycled" means recovered from postconsumer solid waste.~~

21 ~~[(e)] "State purchasing officer" means any state officer or employee
22 authorized to make purchases directly for a state agency.~~

23 ~~[(f)] "Subdivision" means any city, county, school district, township
24 or other political or taxing subdivision of the state.~~

25 New Sec. 2. (a) The director, in cooperation with the statewide
26 coordinator of waste reduction, recycling and market development
27 shall establish, for the purpose of state purchases of goods, two
28 separate lists, one containing only goods made from recycled materials and the other containing both those goods and goods made
29 from virgin materials. The director and other state purchasing officers
30 may elect to purchase goods appearing on the list of goods made
31 from recycled materials without regard to the price of like goods on
32 the other list. If the director or officer elects to purchase goods from
33 the list containing both types of goods, such purchase shall be based
34 on the lowest bid, independent of the recycled content of the goods.

35
36 (b) Contracts for goods made from recycled materials shall be
37 awarded based on the lowest bid for goods with the highest recycled
38 content. For purposes of this section, "highest recycled content"
39 means recycled content equal to not less than 80% of the highest
40 commercially available amount of postconsumer recycled content for
41 like goods, as determined pursuant to subsection (c).

42 (c) The director, in cooperation with the statewide coordinator
43 for waste reduction, recycling and market development, shall re-

(a) "Alternate goods having recycled content" means goods of different manufacture or composition which: (1) Functionally meet or exceed specifications; and (2) contain postconsumer recycled material in an amount equal to at least 80% of the maximum amount of postconsumer recycled material found in commercially available goods that functionally meet or exceed specifications.

- strike bracketed language

Attachment 6
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H/A

1 search markets of goods containing recycled materials and identify
2 the highest commercially available amount of postconsumer recycled
3 content for any given goods.

4 ~~(d) The director shall, where practical, solicit bids from manu-
5 facturers of goods identified in subsection (c).~~ (b)

6 New Sec. 3. (a) The director shall develop and implement a
7 cooperative purchasing program whereby subdivisions may join in
8 state purchases of goods by competitive bid for the purpose of making
9 it economically feasible to purchase goods made from recycled ma-
10 terials. Participation by a subdivision in such program shall be con-
11 strued to comply with any procedures required by law for purchases
12 by the subdivision.

13 (b) The director, in cooperation with the statewide coordinator
14 of waste reduction, recycling and market development, shall provide
15 technical assistance and advice to subdivisions to encourage solid
16 waste reduction, recycling and development of markets for recycled
17 and recyclable materials through procurement policies and practices.
18 Subdivisions shall aggressively pursue procurement policies and prac-
19 tices that encourage solid waste reduction, recycling and develop-
20 ment of markets for recycled and recyclable materials and compost
21 and shall, whenever practical, procure products containing recycled
22 materials.

23 New Sec. 4. On or before the first day of the regular legislative
24 session each year, the director shall submit to the governor and to
25 the legislature a report summarizing progress in implementing the
26 provisions of sections 2 and 3 and any plans or recommendations
27 for furthering the purposes of those sections. The report shall in-
28 clude, but not be limited to:

29 (a) A summary list of available goods that contain recycled
30 materials;

31 (b) the results of any existing performance tests conducted on
32 recycled or durable goods and agencies' experience with recycled or
33 low life-cycle cost goods used;

34 (c) a list of all subdivisions participating in and using the coop-
35 erative purchasing program; and

36 (d) a list of goods purchased for their low life-cycle cost, recycled
37 content or recyclability and a list of such goods reviewed for
38 purchase.

39 New Sec. 5. (a) The average fuel efficiency for automobiles pur-
40 chased for the state by the director or any other state purchasing
41 officer in any given category of automobiles shall equal or exceed
42 national fuel efficiency standards for that category for the year in
43 which the automobiles are purchased.

where practical, shall provide for any g
contract a category of alternate goods having
recycled content.

(b) Using commercially available sources, the
director shall identify pursuant to subsection (a)
alternate goods having recycled content.

Any subdivision may purchase pursuant to section 2
alternate goods having recycled content upon
inspection of the file or record of bids and
bidders required by K.S.A. 75-3740 and amendments
thereto to be maintained by the director

alternate goods having recycled content

and

strike bracketed language

passenger automobiles in the state fleet shall
equal or exceed corporate automobile
efficiency (CAFE) standards

2-9

Where practical,
replacement

1 (b) ~~All off-highway and medium truck tires purchased for the~~
2 state by the director or any other state purchasing officer shall be
3 retreaded tires.

4 Sec. 6. K.S.A. 1990 Supp. 75-3740 is hereby amended to read
5 as follows: 75-3740. (a) Except as provided by K.S.A. 1990 Supp.
6 75-3740b and section 2, and amendments thereto, all contracts and
7 purchases made by or under the supervision of the director of pur-
8 chases or any state agency for which competitive bids are required
9 shall be awarded to the lowest responsible bidder, taking into con-
10 sideration conformity with the specifications, terms of delivery, and
11 other conditions imposed in the call for bids. *In determining the*
12 *lowest responsible bidder, the director, where practical, shall con-*
13 *sider the complete life-cycle cost of the goods, including, but not*
14 *limited to, factors such as initial cost, energy consumption, energy*
15 *cost, warranties, product performance, expected maintenance costs,*
16 *resale value and ultimate, safe disposition costs. It shall be incumbent*
17 *upon the bidder to demonstrate the life-cycle costs of goods for which*
18 *a bid is offered.*

-strike bracketed language

19 (b) The director of purchases shall have power to decide as to
20 the lowest responsible bidder for all purchases, but if:

21 (1) The dollar amount of the bid received from the lowest re-
22 sponsible bidder from within the state is identical to the dollar
23 amount of the bid received from the lowest responsible bidder from
24 without the state, the contract shall be awarded to the bidder from
25 within the state; and

26 (2) ~~in the case of bids for paper products specified in K.S.A.~~
27 ~~1990 Supp. 75-3740b, the dollar amounts of the bids received~~
28 ~~from two or more lowest responsible bidders are identical, the~~
29 ~~contract shall be awarded to the bidder whose bid is for those~~
30 ~~paper products containing the highest percentage of recyclable~~
31 ~~materials; and~~

32 (3) ~~in the case of bids for paper products specified in K.S.A.~~
33 ~~1990 Supp. 75-3740b, (2) the dollar amounts of the bids received~~
34 ~~from two or more lowest responsible bidders are identical, the con-~~
35 ~~tract shall be awarded to the bidder whose bid is for those paper~~
36 ~~products goods containing the highest percentage of recycled~~
37 ~~materials.~~

38 (c) Any or all bids may be rejected, and a bid shall be rejected
39 if it contains any material alteration or erasure. The director of
40 purchases may reject the bid of any bidder who is in arrears on
41 taxes due the state, who is not properly registered to collect and
42 remit taxes due the state or who has failed to perform satisfactorily
43 on a previous contract with the state. The secretary of revenue is

6-3

1 hereby authorized to exchange such information with the director of
2 purchases as is necessary to effectuate the preceding sentence not-
3 withstanding any other provision of law prohibiting disclosure of the
4 contents of taxpayer records or information. Prior to determining the
5 lowest responsible bidder on contracts for construction of buildings
6 or for major repairs or improvements to buildings for state agencies,
7 the director of purchases shall consider: (1) The criteria and infor-
8 mation developed by the secretary of administration, with the advice
9 of the state building advisory commission to rate contractors on the
10 basis of their performance under similar contracts with the state,
11 local governmental entities and private entities, in addition to other
12 criteria and information available, and (2) the recommendations of
13 the project architect, or, if there is no project architect, the rec-
14 ommendations of the secretary of administration or the agency archi-
15 tect for the project as provided in K.S.A. 75-1254, and
16 amendments thereto. In any case where competitive bids are re-
17 quired and where all bids are rejected, new bids shall be called for
18 as in the first instance, unless otherwise expressly provided by law.

19 (d) Before the awarding of any contract for construction of a
20 building or the making of repairs or improvements upon any building
21 for a state agency, the director of purchases shall receive written
22 approval from the state agency for which the building construction
23 project has been approved, that the bids generally conform with the
24 plans and specifications prepared by the project architect, by the
25 secretary of administration or by the agency architect for the project,
26 as the case may be, so as to avoid error and mistake on the part of
27 the contractors. In all cases where material described in a contract
28 can be obtained from any state institution, the director of purchases
29 shall exclude the same from the contract.

30 (e) All bids with the names of the bidders and the amounts
31 thereof, together with all documents pertaining to the award of a
32 contract, shall be made a part of a file or record and retained by
33 the director of purchases for five years, unless reproduced as pro-
34 vided in K.S.A. 75-3737, and amendments thereto, and shall be
35 open to public inspection at all reasonable times.

36 (f) As used in this section and in K.S.A. 75-3741, and amend-
37 ments thereto, "project architect" shall have the meaning ascribed
38 thereto in K.S.A. 75-1251, and amendments thereto.

39 Sec. 7. K.S.A. 1990 Supp. 75-3740 is hereby repealed.

40 Sec. 8. This act shall take effect and be in force from and after
41 its publication in the statute book.

6-9
f-f



Kansas Audubon Council

HB 2354

March 25, 1991

House Committee on Appropriations

My name is Joyce Wolf and I am pleased to be here today on behalf of the 5000 Kansas members of the National Audubon Society who support the wise use and protection of our natural resources.

Promotion of recycling and purchase of goods made from recycled materials are two effective ways of protecting our natural resources; therefore, the Kansas Audubon Council heartily endorses HB 2354. Recognizing the need to bolster market development in Kansas, last year the legislature passed a bill that provided for the purchase of recycled paper products. HB 2354 is an expansion of that program. It allows the division of purchasing to begin to buy other products that contain recycled materials.

One of the critical steps needed to make recycling work is the development of markets for recyclable materials, i.e., aluminum, glass, plastic, paper, steel, etc. that has been accumulated must be reprocessed into "new" products and those products must be marketed in order for the recycling loop to be completed.

Because HB 2354 encourages the purchase of goods made from recycled materials, it fulfills the goal of promoting recycling, waste reduction and market development, and thus has been endorsed by the State Commission charged with that task (Rep. Joan Adam chaired the subcommittee of the Commission which developed the concepts embodied in HB 2354). The Bill also is complementary to recommendations made by the Solid Waste Management Advisory Task Force.

During the testimony for last year's bills, several municipalities testified that it would be very helpful if they were able to purchase recycled goods at state prices. Currently, Kansas school districts are able to obtain lists of vendors for state paper contracts, and in turn the school districts are able to purchase paper at state contract prices, thereby resulting in added savings to taxpayers. By expanding this system and making this information available to other subdivisions, similar savings should be able to be realized by them.

The changes that have been incorporated into HB 2354 simplify the listing of alternative goods, providing information to subdivisions, and the reporting required by the director. Similarly, the standards that state-owned automobiles must meet, and the appropriate instances for purchase of retreaded tires have been clarified. By including these amendments in HB 2354, the state is still able to effectively promote the purchase of recycled goods, but considerable expense has been avoided by streamlining the process.

In addition to the direct savings on energy that accrue by the purchase of energy-efficient vehicles, significant reductions in energy demand result from the promotion of recycling.

	ENERGY	AIR POLLUTION	WATER USE
paper	23-74%	50%	60%
aluminum	97%	95%	95%
glass	32%	14%	50%
steel	47-74%	70%	70%

When these materials are recycled, the avoidance of landfill tipping fees can also be considered a benefit.

The Kansas Audubon Council endorses HB 2354 and urges the committee to vote favorably on it.

Kansas Natural Resource Council

March 25, 1991

Testimony before the House Appropriations Committee

Re: HB2354 Concerning State Procurement

From: Shaun McGrath, Program Director

My name is Shaun McGrath, and I represent the Kansas Natural Resource Council, a private, non-profit, organization which advocates sustainable resource policies for the state. Our membership is over 850 statewide.

HB2354 will allow the Division of Purchasing to procure recycled goods when it is appropriate, and to give other state agencies and political subdivisions the option to buy recycled goods when they are available. The bill is an important first step in developing the market for recycled goods, thus closing the recycling loop. The bill represents a positive progression from last year's SB310 which encourages the procurement of paper with recycled materials.

A number of states already have purchasing programs in place similar to those established in HB2354:

Maryland gives a 5% price preference to goods manufactured with recycled materials; and develops a list of available recycled materials.

Minnesota requires development of an expanded life-cycle costing system for procurement of durable and repairable supplies. Has also developed a cooperative purchasing program with other state agencies and units of local and federal governments.

Missouri gives a 10% price preference to recycled products emphasizing recycled oil, retread tires, compost materials and paper. Also has cooperative purchasing program for political subdivisions, and requires a report of the program to the legislature.

North Carolina demands information relating to recycled content in paper, plastic and inks when accepting bids.


Pennsylvania mandates state agencies to follow new federal procurement preference guidelines for products made with recycled materials, and gives a 5% price preference.

Washington uses a weighting factor for the amount of recycled content in a product, giving preference to higher recycled content. They have also removed local/county procurement biases against recycled products.

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Attachment 8

 Printed on Recycled Paper

Kentucky follows the federal procurement policies to the extent that is practicable to favor purchases of products wholly or partially made from recycled materials.

Alaska requires the state, municipal governments, and school districts to purchase recycled products when they are of comparable quality, price and appropriate for the intended use. Also develops a list of qualified recycled products.

California gives a 5% preference with a \$50,000 limit for recycled products. They also allow recycled preference to be combined with small business or other economic incentives.

Florida gives a 10% price preference to recycled goods, and makes an analysis of alternative products made with recyclable.

HB2354 is based on the experiences of many state governments who have already taken the lead in promoting the purchase of recycled goods in their states. This bill will allow Kansas to also take a progressive step toward developing the market for recycled goods.

KNRC commends Representatives Adam and McClure for introducing this bill. We urge the Committee to pass HB2354 favorably.

TESTIMONY BY STEVEN HAMBURG IN
SUPPORT OF HOUSE BILL 2354
March 1991

My name is Steven Hamburg and I am a faculty member and University Environmental Ombudsman at the University of Kansas. I am testifying in support of House Bill No. 2354. I have had direct experience with several of the provisions of the proposed legislation, and I think it will have very beneficial effects on the environment and at a net financial savings to the State of Kansas.

Last summer I was appointed to the newly created position of University Environmental Ombudsman for the University of Kansas, Lawrence campus. My office was created to try and minimize the impact that the University has on the environment without compromising the mission of the University as a whole or the individual units which comprise it. Integral to the mission of my office is increasing recycling on campus and the energy efficiency of the University, and doing it such that the University realizes a net savings.

Section 2 of HB 2354, which creates a separate recycled products category for use in procurements, is critical to increasing recycling in the State. The creation of markets for recycled products is just as important as collecting materials for reprocessing. At the University of Kansas we are attempting to insure that we purchase at least as much recycled material as we send off campus to be recycled. Towards completing the circle it is critical that we make recycled materials readily available, and increase market demand for them. The creation of contracts for recycled products will help people implement the very strong interest that many of us see throughout the State in purchasing recycled products when ever possible.

The Recycled Products Guide makes the implementation of such separate contracts simple. Currently there are 80-90 products which would fall under the provisions of this legislation, all of which are listed in the guide along with the names and addresses of suppliers. The majority of these products are paper products and only approximately 2% of the State's purchasing categories would be affected by this legislation at this time. As recycled products become available this legislation would insure that the State would be making them available for purchase in relatively short order, helping to create product demand, further strengthening recycling efforts. Under the existing system it takes a great deal of effort to insure that

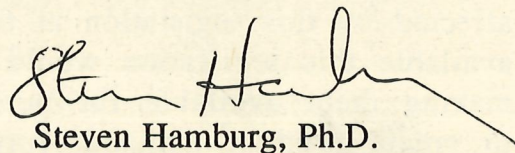
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Attachment 9

maximum support of recycling occurs; i.e. my office has located a 100% post consumer waste toilet paper available at the same price as we currently pay for the 100% virgin paper which is on state contract, the difference, 70 tons of recycled paper that is not getting used. The proposed legislation would maximize the possibility that we would use the recycled product. Since the decision to purchase from the recycled line would rest with the agency doing the purchasing, cost considerations would be made on a case by case basis. In many cases we find that recycled products involve little or no cost differences.

My office has contacted individuals across the country, and we hear universally good things about the Recycled Products Guide, which only costs \$195 per year and includes monthly updates. Based on the experience of my staff, who have no procurement training, and very little experience, I am confident that implementation of separate product lines for recycled goods would not take more than a couple of hundred hours work at a maximum.

I would also like to speak in strong favor of section 5 of this bill which addresses fuel efficiency of automobiles purchased by the State. At the University of Kansas we currently purchase automobiles which average about 15% lower fuel economy than required of manufacturers average car under federal law, as of now 27.5 miles per gallon. Current bid specifications, with regards to engine size and options, encourages the purchase of larger less efficient vehicles. If the University of Kansas had been purchasing cars averaging at least the mileage required since Federal legislation was first enacted, I estimate that we would be currently spending \$15,000-25,000 less per year on gasoline. We need to down size the cars purchased by the State. If we did down size we would greatly reduce the amount of carbon we introduce into the atmosphere and thus minimize our contribution to the greenhouse effect, reduce operating expenses, as well as reduce initial capital costs. The proposed legislation will require the State do what the average citizen is already required to do. At the University of Kansas we are trying to reverse the trend of purchasing less efficient automobiles, but given that purchases are made by individuals, it is far easier to implement the change administratively rather than educate each purchaser as to the indirect costs associated with his/her decision.

I thank you for your time.



Steven Hamburg, Ph.D.

University Environmental Ombudsman, Univ. of Kansas