

Approved: 3-11-96
Date

MINUTES OF THE HOUSE COMMITTEE ON APPROPRIATIONS.

The meeting was called to order by Chairperson Robin Jennison at 1:30 p.m. on February 19, 1996 in Room 514-S of the Capitol.

All members were present except: Representative Gross, excused
Representative Lowther, excused
Representative Jennison, excused

Committee staff present: Alan Conroy, Russell Mills, Susan Wieggers, Legislative Research Department
Jim Wilson, Revisor of Statutes; Mike Corrigan, Revisor
Tim Kukula, Appropriations Secretary; Todd Fertig, Administrative Aide

Conferees appearing before the committee: Thaine Hoffman
Trudy Aron
Dr. Wolfe

Others attending: See attached list

In the absence of Chairman Jennison, Vice Chairman Carmody called the meeting to order at 1:30 p.m. by opening hearings on **HB 2730**, a bill concerning the use of repetitive architectural designs in state buildings.

Representative Carmody recognized Thaine Hoffman and Trudy Aron to address the committee as proponents of the **HB 2730**. Both Hoffman and Aron distributed copies of their testimonies and Mr. Hoffman also distributed a proposed amendment to **HB 2730** (Attachment 1, 2, 3).

No one else wished to speak on behalf of **HB 2730**, so Representative Carmody closed the Hearings on **HB 2730**.

A motion was made by Representative Kline, seconded by Representative Helgerson, to amend **HB 2730** to include the proposed amendment of Thaine Hoffman with a few technical changes. The motion carried.

A motion was made by Representative Reinhardt, seconded by Representative Wilk, to pass **HB 2730** favorably out of committee as amended. The motion carried.

Representative Carmody opened hearings on **HB 2701**, a bill concerning refunds from and claims against the state. Representative Carmody recognized Dr. Wolfe to explain **HB 2701**. Dr. Wolfe answered several questions concerning claims contained in the bill. Several questions were asked concerning Department of Revenue policies for fuel tax exemption that could not be answered.

Representative Carmody recessed the hearing on **HB 2701** until a representative from the Department of Revenue could address the committee.

Representative Carmody opened committee discussion on **HB 2585** and recognized Jim Wilson to explain the draft amendment to the bill (Attachment 4).

A motion was made by Representative Cornfield, seconded by Representative Farmer, to amend **HB 2585** with the changes shown in attachment 4. The motion carried.

A motion was made by Representative Minor, seconded by Representative Gatlin, to pass **HB 2585** out of committee favorably as amended. The motion carried.

CONTINUATION SHEET

MINUTES OF THE HOUSE COMMITTEE ON APPROPRIATIONS, Room 514-S Statehouse, at 1:30 P.M. on February 19, 1996.

A motion was made by Representative Neufeld, seconded by Representative Cornfield, to introduce a bill relating to the incremental financing plan for "Land of Oz" amusement park. The motion carried.

A motion was made by Representative Neufeld, seconded by Representative Cornfield, to introduce a bill relating to an increase in speed limits. The motion carried.

A motion was made by Representative Nichols, seconded by Representative Hochhauser, to introduce a bill relating the SHARP Program involving the KBI, KHP, Wildlife and Parks and other state law enforcement officials who currently are required to work 171 hours on a 160 hour pay scale. The motion carried.

The next meeting is scheduled for February 20, 1996.

LEGISLATIVE BUDGET COMMITTEE

DATE 2-19-96

NAME ADDRESS REPRESENTING

NAME	ADDRESS	REPRESENTING
Ken Baker	Ks Hospital Assoc	Ks Hospital Assoc
Tim Madden	Ks Dept of Corrections	KDOC
Don Rezac	Emmett H Kc	S.E.A.K
Thane Hoffman	625 Polk	DOAS
Arlan Holmes	Topeka	DOB
Aldon Foster	Great Bend	Great Bend CofC
David Thill	"	"
David Metz	" "	" "
Russ McCauley oo	" "	" "
Salvador Smith	Wichita	WIBA
Les Brown	Great Bend	G.B. CofC
Al Silverstein	Great Bend	G.B. CofC
Colin Ferguson	Great Bend	family + asc
James Roth	"	Self.
Kathi Cymrak	"	Great Bend Chamber of Com
Gary Cady	"	High School Council
Rich Tucker	" "	Central Ks. Med. Ctr.
Chuck Bartlett	" "	CITY OF GREAT BEND
Roger Franko	Topeka	KGC

STATE OF KANSAS



DEPARTMENT OF ADMINISTRATION

Division of Architectural Services

BILL GRAVES, Governor
SHEILA FRAHM, Lt. Governor/Secretary
THAINE HOFFMAN, AIA, Director

625 SW Polk Street
Topeka, Kansas 66603-3288
(913) 233-9367
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January 31, 1996

Re: Written Testimony
House Bill 2730 - Plans for repetitive projects

One of the primary rolls of the Director of Architectural Services is to save taxpayer dollars.

One way to do this is to develop "standard" plans for repetitive projects such as the Kansas Department of Transportation (KDOT) salt domes, KDOT shops and offices, Wildlife and Parks' restrooms and shower houses. Standard plans not only saves design costs but allow these plans to become construction tested and perfected to a degree not possible on single-use plans.

Most repetitive buildings are below the \$500,000 limit and can be done by Architectural Services in-house design staff. However, with inflation, buildings that were previously done in-house now exceed the statutory limit and must be redrawn by outside consultants. It makes no sense to spend your tax dollars to develop new plans when the Division of Architectural Services (DOAS) already has the perfected plans available. This was the case with the KDOT shops at Kansas City at a fee of \$38,000, and at Wichita at a fee of \$50,500. DOAS receives fees for our services, but even considering our fees, the agency would have saved over \$5,000 on these two projects. Plus, the fees to DOAS could reduce our dependance on general funds.

A similar problem occurs when new features are added to "standard" plans. If a wash bay is added to a KDOT sub-area shop, it may run the cost over the statutory limit and thus require the project to be redrawn by an outside consultant. This bill would allow up to a 25% increase in the floor area if the standard design was still appropriate.

Attachment

2-19-96

House Appropriations

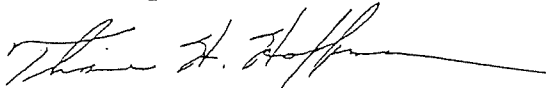
1

Licensure and copyright laws add to the problem. One professional may not seal the work of another, thus the plans need to be redrawn by each new firm. In addition, one firm recently threatened to sue if the second firm copied their design. In standard buildings, there is no economy in redesigning each one. This proposal avoids those issues by having the plans originate within the State system. The plans can then be revised as needed.

The provisions of this bill would not be in effect if DOAS increased the personnel in our design section, thus insuring that this is not an attempt to increase the size of our office. However, it would allow us to do the projects that will save the taxpayers the most money.

I would ask that this bill be approved.

Sincerely,

A handwritten signature in cursive script, appearing to read "Thaine H. Hoffman", with a long horizontal flourish extending to the right.

Thaine Hoffman, AIA
Director

TH:gk

Requested changes to HB 2730:

On page 2, strike lines 2-9 and substitute:

(2) "Repetitive project" means a project which has the same standard design and uses the same plans as a previously constructed project; such as KDOT sub area shops, salt domes and wildlife and park showers and toilet buildings. The plans may be modified as required for current codes, operational needs or cost control. The total floor area of the project may be increased up to 25% over the originally constructed project, however, not more than 25% of the exterior and interior walls may be moved. A project shall not be considered to be repetitive if it has been over four years between the substantial completion of the last project using the design plans and the appropriation of funds for the proposed project.

2-1996

House Appropriations

Attachment
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AIA Kansas

A Chapter of The American Institute of Architects
75th Anniversary 1921-1996

February 19, 1996



TO: Representative Jennison and Members of the House Appropriations Committee

FROM: Trudy Aron, Executive Director

POSITION: Support for HB 2730 Only with Amendment

I am Trudy Aron, Executive Director, of the American Institute of Architects in Kansas (AIA Kansas). Thank you for the opportunity to testify on HB 2730 .

I'd like to provide the committee with a little background. Current law requires the State to select a private architectural firm to design projects which have projected construction costs greater than \$500,000. Projects which cost less than this amount are usually designed by staff architects at the Division of Architectural Services or other state agencies. In 1990, AIA Kansas agreed to the doubling of the threshold for requiring private firms from \$250,000 to the current \$500,000. That decision was very controversial within our organization with small firms believing we had done them a disservice.

That background brings us to the bill being discussed today. In light of the problems caused by expanding the threshold six years ago, our Board was not anxious to further expand the services which could be provided by the Division or other agencies. However, after numerous meetings between our Board and the Division of Architectural Services, we agreed to support the bill, if it were amended as offered by Division Director Thaine Hoffman, AIA.

HB 2730, with the amendment, would allow the Division or other agency to reuse their original design and build the project at a second (or more) site. We understand the State's desire to reuse plans already designed by their staff and since these plans have been designed by state employees, liability and ownership problems are eliminated. The 25% design percentage increase outlined in the amendment makes it less likely that a project will be totally redesigned. A totally redesigned project would not be a repetitive one and would make it subject to the current statute.

With these things in mind, we support HB 2730 with the amendment.

Thank you for allowing us to testify on this bill. I'll be happy to answer any questions you may have.

President
F. Lynn Walker, AIA
President Elect
Vincent Mancini, AIA
Secretary
Alan M. Stecklein, AIA
Treasurer
Gregory E. Schwerdt, AIA
AIA Kansas City Director
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Past President
Donnie D. Marrs, AIA
University Liaisons
John Gaunt, FAIA, KU
Eugene Kremer, FAIA, KSU

Executive Director
Trudy Aron, Hon. AIA, CAE

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2-19-96

House Appropriations

Attachment
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HOUSE BILL No. 2585

By Committee on Appropriations

3-28

9 AN ACT concerning certain claims against the state, relating to set-off of
10 certain moneys received by inmates for court ordered restitution;
11 amending K.S.A. 46-920 and repealing the existing section.
12

13 *Be it enacted by the Legislature of the State of Kansas:*

14 Section 1. K.S.A. 46-920 is hereby amended to read as follows: 46-

15 920. (a) The secretary of corrections may reimburse any inmate of any
16 correctional institution or other facility under the secretary's jurisdiction
17 for any personal injury or personal property damage or loss occurring
18 under circumstances which establish, in the secretary's opinion, that such
19 loss or damage was caused by the negligence of the state or any agency,
20 officer or employee thereof. No reimbursement payment shall be made
21 on any claim for an amount of more than \$500. Nothing in this section
22 shall prohibit the crediting of any payment made to an inmate of a cor-
23 rectional institution or other facility under the secretary's jurisdiction to
24 such inmate's account within the institution or facility, as the case may
25 be.

26 (b) *When an inmate owes an outstanding unpaid amount of restitu-*
27 *tion ordered by a court pursuant to K.S.A. 21-4603, 21-4603d or 21-4610,*
28 *and amendments thereto, the secretary of corrections shall withdraw from*
29 *the inmate's trust account as a set-off:*

30 (1) *Money received by the inmate from the state as a settlement of a*
31 *claim against the state through the joint committee on special claims*
32 *against the state which is otherwise specifically approved for payment by*
33 *appropriation act of the legislature, or which is approved through the*
34 *department of corrections internal claims procedure under this section;*
35 *or*

36 (2) *money received by the inmate from the state as the result of a*
37 *settlement or a final judgment in a civil action in which the state of Kansas*
38 *or an employee of the department of corrections was a named defendant*
39 *and the state was found to be liable.*

40 ~~(c) *When more than one state court order of restitution against the*~~
41 ~~*inmate is outstanding, the secretary shall credit any money received by*~~
42 ~~*inmate pursuant to (b)(1) or (b)(2) to the restitution orders in the*~~
43 ~~*final judgment was entered.*~~

DRAFT OF AMENDMENTS TO HB 2585

For Consideration By Committee on Appropriations
(2-8-96)

(c) When an inmate on post release, parole or conditional release supervision owes an outstanding unpaid amount of restitution ordered by a court pursuant to K.S.A. 21-4603, 21-4603d or 21-4610 and amendments thereto, the state shall setoff the unpaid restitution from:

(1) Money payable to the inmate from the state as a settlement of a claim against the state through the joint committee against the state which is specifically approved for payment by appropriation act of the legislature or which is approved through the department of corrections under this section; or

(2) money payable to the inmate from the state as a result of a settlement or final judgment in a civil action in which the state of Kansas or an employee of the department of corrections was a named defendant and the state was found to be liable.

(d) Vouchers certifying the amount to be setoff under subsection (c) for the outstanding unpaid restitution and any balance remaining payable to the inmate shall be prepared and submitted to the director of accounts and reports of the department of administration.

(e) When more than one state court order of restitution is outstanding and unpaid, moneys shall be applied to and paid for the restitution orders in accordance with this section in the order in which the final judgement orders were entered.

(f) Moneys collected for payment towards outstanding unpaid restitution in accordance with this section shall be forwarded to the appropriate clerk of the district court for disbursement.

Attachment
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House Appropriations

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