

SESSION OF 2010

SUPPLEMENTAL NOTE ON SENATE BILL NO. 385

As Amended by Senate Committee of the Whole

Brief*

SB 385 would remove the requirement that the State Board of Education review and approve new school building plans and would clarify that the law applies to renovation and reconstruction. School districts still must comply with requirements set by the State Fire Marshal, and school building plans must be certified by an architect or professional engineer as meeting requirements of this act.

Background

SB 385 was introduced by the Senate Ways and Means Committee and concerned a special local funding authority for school districts. This bill never received a hearing. The Senate Committee on Education removed all the contents of SB 385 and inserted the substance of SB 383 in its place.

The Senate Education Committee held a hearing on SB 383 with one proponent representing the Kansas Chapter of the American Institute of Architects. There were no opponents of the bill.

The Senate Education Committee made technical amendments to the bill.

The Senate Committee of the Whole amended the bill clarifying that the bill's provision would apply to renovation and reconstruction.

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

According to the Division of Budget fiscal note, when *The FY 2011 Governor's Budget Report* was compiled, information from the Department of Education indicated that there was duplication of effort between the Department of Education and the State Fire Marshal's Office regarding school building construction plan review. Because of budget constraints, the Department of Education offered to eliminate permanently a full-time architect position, along with funding in the amount of \$81,118, all from the State General Fund beginning in FY 2010 if the State Fire Marshal would assume responsibility for school building construction plan review. This reduction was included in the Governor's recommendations for FY 2010 and FY 2011.

The fiscal note went on to indicate that according to the State Fire Marshal, the Fire Marshal's Office does not review the plans at the same level of detail as the Department of Education, including reviews of the mechanical, electrical, and structural designs, in addition to complying with the Americans with Disabilities Act. As a result, the State Fire Marshal's Office cannot perform a timely review of the plans with its existing staff. The agency estimated that an architect position and an administrative specialist would be needed to implement SB 383 at a total cost of \$143,524, including \$128,523 for salaries and \$15,000 for other operating expenditures. *The FY 2011 Governor's Budget Report* did not include these estimated expenses.