

MINUTES OF THE SENATE EDUCATION COMMITTEE

The meeting was called to order by Chairman Jean Schodorf at 1:30 p.m. on February 2, 2009, in Room 545-N of the Capitol.

All members were present except:

Senator Anthony Hensley- excused  
Senator Bob Marshall- excused  
Senator Dwayne Umbarger- excused

Committee staff present:

Matt Sterling, Office of the Revisor of Statutes  
Martha Dorsey, Kansas Legislative Research Department  
Sharon Wenger, Kansas Legislative Research Department  
Dorothy Gerhardt, Committee Assistant

Conferees appearing before the committee:

Sharon Wenger, Kansas Legislative Research Department  
Warren Corman, Head Architect, University of Kansas  
Dale Glenn, American Institute of Architects  
Eric Stafford, Associated General Contractors

Others attending:

See attached list.

**Hearing on SB 9 - State educational institutions; capital improvements totally financed with non-state moneys**

Sharon Wenger, Kansas Legislative Research Department, presented a short summary of SB 9 which would exempt construction and renovation projects on university campuses from bureaucratic requirements in regard to bidding and construction. This proposal was brought to the Legislative Educational Planning Committee (LEPC) by the Board of Regents. As submitted to the LEPC, the Regents reported as part of the gift-funded projects a cost saving could be realized as well as be a quicker way to construct or renovate projects. This would involve any project that was constructed or renovated with 'non-state' moneys. Non-state moneys at this point could include tuition, fees and federal funds. It would not mean there would be no competition. The Joint Committee on State Building Construction would still review the project. Projects would still be inspected by the Division of Architectural Services. There would still be competitive acquisition policies. These would be policies developed by the state educational institution and approved by the State Board of Regent. She pointed out endowment association projects could still be financed only with private moneys. It was also mentioned that after much discussion, LEPC agreed to introduce this bill but not to recommend it.

Warren Corman, Head Architect, University of Kansas (Attachment 1) presented testimony in support of SB 9. In summarizing the bill, he stated the objective is an attempt to speed up the bidding process without removing any of the regulations that guarantee it is done correctly with regard to bidding, code review, acceptance by the state, and inspections. He stated this is an attempt at getting everyone to work as a team - architects, owners, state, secretary of administration, contractor - and not as adversaries, while improving efficiency.

Dale Glenn, American Institute of Architects (Attachment 2), also spoke in support of SB 9.

Eric Stafford, Associated General Contractors (Attachment 3), spoke in opposition to SB 9 as currently written. He stated their opposition rested with their concern that each institution would have their own set of guidelines; and, also feel guidelines should remain in statute and not under the rules and regulations of the Board of Regents. Their final concern with the proposed revisions lies with the combining of procurement phases for the Construction Management at-Risk delivery method.

The hearing on SB 9 was closed.

Chairman Schodorf requested a meeting with Eric Stafford, Associated General Contractors of Kansas, Inc.

## CONTINUATION SHEET

Minutes of the Senate Education Committee at 1:30 p.m. on February 2, 2009, in Room 545-N of the Capitol.

and Kathy Damron, University of Kansas, and other interested parties to work on wording of the bill that all sides would feel comfortable with.

The next meeting is scheduled for February 3, 2009.

The meeting was adjourned at 2:25 p.m.