

MINUTES

JOINT COMMITTEE ON STATE BUILDING CONSTRUCTION

April 25, 2012
Room 159-S—Statehouse

Members Present

Senator Dwayne Umbarger, Chairperson
Representative JoAnn Pottorff, Vice-chairperson
Senator Marci Francisco
Senator Laura Kelly
Senator Jeff Longbine
Senator Carolyn McGinn
Representative Steve Brunk
Representative Bill Feuerborn
Representative Bob Grant
Representative Kay Wolf

Staff Present

Audrey Dunkel, Kansas Legislative Research Department
Ryan Weir, Kansas Legislative Research Department
Bobbi Mariani, Kansas Legislative Research Department
Dylan Dear, Kansas Legislative Research Department
Abigail Boudewyns, Kansas Legislative Research Department
Jill Wolters, Office of the Revisor of Statutes
Daniel Yoza, Office of the Revisor of Statutes
Gary Deeter, Committee Secretary

Conferees

Ray Hauke, Vice President for Administration and Fiscal Affairs, Emporia State University
Kimberly Torrey, Chief Fiscal Officer, Kansas Highway Patrol
Lieutenant Colonel Alan Stoecklein, Kansas Highway Patrol
Kyle Smith, Deputy Director, Kansas Bureau of Investigation
Tom Hawk, Executive Director, Behavioral Sciences Regulatory Board
Dennis Taylor, Secretary, Kansas Department of Administration

Others Attending

See attached list.

Chairman Umbarger opened the meeting and welcomed Ray Hauke, Vice President for Administration and Fiscal Affairs, Emporia State University, who updated the Committee on the remodeling of Singular/Trusler Residence Hall, a \$5.3 million project (Attachment 1). He requested approval for architectural design funds for FY 2012 and further funding for construction in FY 2013 and 2014. Mr. Hauke indicated the renovation would be financed with Residence Hall Funds and Restricted Fee Funds. He noted the per-square-foot (psf) cost of \$93.05 to be well below new construction costs of \$203 psf. *A motion was made, seconded, and passed unanimously to approve the project request. (Motion by Representative Pottorff and seconded by Senator Longbine)*

Kimberly Torrey, Chief Fiscal Officer, Kansas Highway Patrol, provided information regarding the Troop F construction plan presented in December 2011 (Attachment 2). The project location had been changed from the Wichita Readiness Center to property owned by the Kansas Department of Transportation near K-254 and Rock Road in Kechi. She also commented that the Kansas Bureau of Investigation has indicated a desire to co-locate with Troop F. These changes will provide savings estimated to be \$892,642. Ms. Torrey indicated additional details are provided in the report of Emig and Associates, Architects (Attachment 3).

Lieutenant Colonel Alan Stoecklein, Kansas Highway Patrol, responded to Committee members' questions, stating the combining of offices allows growth and provides adequate storage and meeting rooms, as well as ample parking facilities. The savings of \$892,000 is realized in the provision of retaining ponds, dirt work, and foundations provided by the Kansas Department of Transportation.

Kyle Smith, Deputy Director, Kansas Bureau of Investigation, said the agency is enthusiastically supportive of this merger.

Audrey Dunkel, Kansas Legislative Research Department, indicated the nature of the presentation is informational only and no action need be taken on the issue. She advised the Committee that the change will be reflected in the agency's budget for FY2013 and in the agency's five-year capital improvements plan.

Dr. Tom Hawk, Executive Director, Behavioral Sciences Regulatory Board (BSRB), appeared and requested the Committee arbitrate with the Kansas Department of Administration, which is requiring the agency to move to available space in the state's Eisenhower Building at an increased first-year cost of \$28,829.75, rather than renewing the lease with the current landlord at a reduced cost (a \$16,548 savings and, over a five-year lease, \$82,740) (Attachment 4). He commented that, because the agency is 100 percent fee-funded, it should be treated differently from an agency supported by the State General Fund. Noting the difference in cost for the Board, he said being required to move is not a good business decision.

Dennis Taylor, Secretary, Kansas Department of Administration, noting a 2000 statute giving the Secretary authority over agency leases, replied that because state building space is available, state costs can be reduced by utilizing these vacant spaces. He commented that the proposed move would not have increased the Board's costs until the current landlord reduced the new lease costs. Responding to a number of Committee questions regarding fairness, Mr. Taylor stated the Department is developing a policy document to address the best utilization of state-owned buildings; one aspect of the proposed policy would be to move privately-leased agencies into state-owned facilities. The present action with the BSRB is simply a harbinger of the proposed policy to make more efficient use of state-owned facilities. Members expressed strong concern that the state is competing with private enterprise and the Department is being unfair to force fee-funded agencies to increase their operating costs.

A motion was made, seconded, and passed unanimously to recommend a legislative interim study regarding authorizing lease arrangements. (Motion, Representative Pottorff; second, Representative Grant)

Dr. Hawk requested at least a six-month extension and, better, a two-year extension on the Board's current lease. Members urged Mr. Taylor to work with Dr. Hawk to reach an equitable and satisfactory agreement.

A motion was made by Representative Grant, seconded by Senator Longbine, to send a letter to the Kansas Department of Administration requesting that a two-year extension be granted to the BSRB before requiring the agency to move to a state-owned building. After some discussion, the motion passed.

The meeting was adjourned at 1:30 p.m. No further meeting was scheduled.

Prepared by Florence and Gary Deeter
Edited by Audrey Dunkel and Ryan Weir

Approved by the Committee on:

June 1, 2012

(Date)