

MINUTES OF THE SENATE WAYS & MEANS COMMITTEE.

The meeting was called to order by Chairperson Dave Kerr at 11:00 a.m. on January 27,2000 in Room 123-S of the Capitol.

All members were present except:

Committee staff present: Norman Furse, Revisor of Statutes
Michael Corrigan, Asst. Revisor of Statutes
Rae Anne Davis, KS Legislative Research Department
Debra Hollon, KS Legislative Research Department
Judy Bromich, Administrative Assistant to the Chairman
Ronda Miller, Committee Secretary

Conferees appearing before the committee:

Thaine Hoffman, Division of Architectural Services, Department of Administration
Robert Fincham, Kansas Chapter of the American Institute of Architects
Gale Haag, State Fire Marshal
Duane Goossen, Director, Division of the Budget

Others attending: See attached list

SB 391: State buildings and facilities, capital improvements, building code interpretations and variances

A representative from the Legislative Research Department reviewed the provisions of the bill. Mr. Thaine Hoffman, Director of the Division of Architectural Services, testified before the Committee in support of **SB 391**. He reviewed his written testimony ([Attachment 1](#)), noting that authorizing the Secretary of Administration to grant exceptions would lessen the risk of litigation because the variances would be “on the record.” He pointed out that the State Fire Marshal would be allowed to disapprove any variances relating to fire safety.

Mr. Bob Fincham, American Institute of Architects, Government Affairs Committee Chair, appeared before the Committee in support of **SB 391** and reviewed his written testimony ([Attachment 2](#)). He emphasized the benefits of a procedure to grant building code variances in the instance of remodeling or renovating older buildings. In answer to a question, he stated that **SB 391** would be advantageous in the remodeling of historic buildings. He also stated that there would be few instances in the construction of new buildings that this proposal would be used.

Gale Haag, Kansas State Fire Marshal, testified before the Committee in support of **SB 391** and reviewed his written testimony ([Attachment 3](#)). He stated that **SB 391** would formalize what is already taking place, and though the Fire Marshal’s Office does not like the word “variances,” they use compensatory measures that do not compromise life safety.

Written testimony in support of **SB 391** submitted by Eric King, Director of Facilities Management for the Kansas Board of Regents, was distributed to members ([Attachment 4](#)).

Senator Salisbury moved, Senator Lawrence seconded that **SB 391** be recommended favorably for passage. The motion carried on a roll call vote.

SB 100: State emergency fund, transfers from state general fund

CONTINUATION SHEET

SENATE WAYS & MEANS COMMITTEE MINUTES

A representative from the Legislative Research Department explained the provisions of the bill. Chairman Kerr added that the Finance Council would have to meet to authorize the transfer of monies from the State General Fund to the State Emergency Fund, and the authorization would require a unanimous vote. He added that the current balance in the State Emergency Fund is \$2 million, and, if **SB 100** passes out of Committee, there would be no reason to have such a large balance in it except to cover rewards recognized through the Governor's Office.

Members discussed what constitutes an emergency and historical costs associated with disaster relief. There was some discussion about the \$10 million transfer limit. In answer to a question, Duane Goossen, Director, Division of the Budget, stated that the balance in the Emergency Fund is an arbitrary amount based on past experience. He added that money has been transferred on a number of occasions to cover costs associated with disasters, and that amount has been as much as \$9 million. In answer to a question, it was stated that the Finance Council does not have the authority to transfer monies above the amount included in the bill.

It was moved by Senator Feleciano and seconded by Senator Salisbury that **SB 100** be recommended favorably for passage. The motion carried on a roll call vote.

Senator Petty moved, Senator Feleciano seconded, that bill draft 9rs 1819 be introduced as requested by Senator Petty. The motion carried on a voice vote.

Senator Salmans moved, Senator Ranson seconded that the minutes of January 18, 21, and 24 be approved. The motion carried on a voice vote.

The Chairman adjourned the meeting at 11:45 a.m. The next meeting will be January 31, 2000.