

SENATE BILL No. 423

By Committee on Ways and Means

2-9

1 AN ACT concerning postsecondary education; redesignating Kansas state
2 university - Salina, college of technology as Kansas state ~~polytechnic~~
3 ***{university polytechnic campus}***; amending K.S.A. 74-3209, 74-3229,
4 76-205, 76-213, 76-220, 76-221, 76-222, 76-223, 76-751 and 76-754
5 and K.S.A. 2015 Supp. 76-156a, 76-756 and 76-7,126 and repealing the
6 existing sections.
7

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

9 Section 1. K.S.A. 74-3209 is hereby amended to read as follows: 74-
10 3209. As used in this act:

11 (a) "Institution" means the university of Kansas, university of Kansas
12 medical center, Kansas state university of agriculture and applied science,
13 Wichita state university, Emporia state university, Pittsburg state
14 university, Fort Hays state university; and Kansas state ~~university—Salina,~~
15 ~~college of technology~~ ***polytechnic {university polytechnic campus}***;

16 (b) "governing authority" means the state board of regents or the
17 chief executive officer of an institution if such officer has been designated
18 by the state board to act on its behalf in exercising the authority of the
19 board to care for, control, maintain and supervise all roads, streets,
20 driveways and parking facilities for vehicles on the grounds of the
21 institution; and

22 (c) "vehicle" means motor vehicle, motorized bicycle and bicycle.

23 Sec. 2. K.S.A. 74-3229 is hereby amended to read as follows: 74-
24 3229. (a) There is hereby established the students' advisory committee to
25 the state board of regents. Prior to July 1, 1996, the students' advisory
26 committee shall be composed of seven members who shall be the highest
27 student executive officer elected by the entire student body at the
28 university of Kansas, Kansas state university of agriculture and applied
29 science, Emporia state university, Pittsburg state university, Fort Hays
30 state university, Wichita state university; and Kansas state ~~university—~~
31 ~~Salina, college of technology~~ ***polytechnic {university polytechnic***
32 ***campus}***. On and after July 1, 1996, the students' advisory committee shall
33 be composed of six members who shall be the highest student executive
34 officer elected by the entire student body at the university of Kansas,
35 Kansas state university of agriculture and applied science, Emporia state
36 university, Pittsburg state university, Fort Hays state university; and

1 Wichita state university.

2 The chief executive officers of the state educational institutions under
3 the control and supervision of the state board of regents shall annually
4 certify to the state board the names of the student executive officers
5 elected to membership on the students' advisory committee and, upon such
6 certification, the student officers shall qualify for membership on the
7 committee. The members of the advisory committee shall serve for terms
8 expiring concurrently with their terms as elective student officers and upon
9 qualification of their successors.

10 (b) The students' advisory committee shall be notified of all meetings
11 of the state board of regents and shall have the following functions, powers
12 and duties:

13 (1) Attend all meetings of the state board of regents except closed or
14 executive meetings held pursuant to the provisions of K.S.A. 75-4319, and
15 amendments thereto;

16 (2) make recommendations to the board of regents concerning course
17 and curriculum planning and faculty evaluation;

18 (3) advise and consult with the board of regents in the formulation of
19 policy decisions on student affairs;

20 (4) identify student concerns;

21 (5) consider any problems presented to it by the board of regents and
22 give advice thereon; and

23 (6) disseminate information to their peers concerning the philosophies
24 and standards of education developed by the board of regents and
25 stimulate awareness of student rights and responsibilities.

26 (c) Members of the students' advisory committee attending meetings
27 of the state board of regents shall receive no compensation for serving on
28 such advisory committee, but shall be paid subsistence allowances,
29 mileage and other expenses as provided in K.S.A. 75-3223, and
30 amendments thereto from moneys appropriated therefor to the state board
31 of regents.

32 Sec. 3. K.S.A. 2015 Supp. 76-156a is hereby amended to read as
33 follows: 76-156a. The Kansas university endowment association is hereby
34 authorized to act as the investing agent for any endowment or bequest to
35 the university of Kansas. The Kansas state university foundation is hereby
36 authorized to act as the investing agent for any endowment or bequest to
37 Kansas state university of agriculture and applied science or to Kansas
38 state ~~university-Salina, college of technology~~ *polytechnic {university*
39 *polytechnic campus}*. The Wichita state university foundation is hereby
40 authorized to act as the investing agent for any endowment or bequest to
41 Wichita state university. The Fort Hays state university foundation is
42 hereby authorized to act as the investing agent for any endowment or
43 bequest to Fort Hays state university. The Emporia state university

1 foundation, inc., is hereby authorized to act as the investing agent for any
2 endowment or bequest to Emporia state university. The Pittsburg state
3 university foundation, inc., is hereby authorized to act as the investing
4 agent for any endowment or bequest to Pittsburg state university.

5 Any such investing agent may exercise such fiscal management and
6 administrative powers as may be necessary or appropriate for the lawful
7 and efficient management of any such endowment or bequest. Each
8 investing agent is hereby authorized to execute any agreements or other
9 legal papers appropriate to the accomplishment of the purposes of this act
10 with respect to any such endowment or bequest.

11 Sec. 4. K.S.A. 76-205 is hereby amended to read as follows: 76-205.

12 (a) The Kansas college of technology hereby is merged with and made a
13 part of the Kansas state university of agriculture and applied science, and
14 the institutional infrastructure of the college hereby is designated as the
15 Kansas state ~~university—Salina, college of technology~~ *polytechnic*
16 *{university polytechnic campus}*. All properties, moneys, appropriations,
17 rights and authorities vested in the Kansas college of technology prior to
18 the effective date of this act hereby are vested in Kansas state university of
19 agriculture and applied science. Whenever the Kansas technical institute,
20 or the Kansas college of technology, or words of like effect, is referred to
21 or designated by any statute, contract or other document, such reference or
22 designation shall be deemed to apply to the Kansas state university of
23 agriculture and applied science.

24 (b) The merger effected by this act shall not affect any contract,
25 agreement or assurance in effect on the effective date of this act. All
26 lawful debts of the Kansas college of technology shall be assumed and
27 paid by the Kansas state university of agriculture and applied science.

28 (c) Subject to authorization by the state board of regents, all
29 personnel of the Kansas college of technology, who are necessary, in the
30 opinion of the president of Kansas state university of agriculture and
31 applied science, to the operation of the Kansas state ~~university—Salina,~~
32 ~~college of technology~~ *polytechnic {university polytechnic campus}*, shall
33 become personnel of Kansas state university of agriculture and applied
34 science. All such personnel shall retain all retirement benefits and all
35 rights of employment which had accrued to or vested in such personnel
36 prior to the merger effected by this act. The employment of such
37 personnel shall be deemed to have been uninterrupted.

38 (d) (1) No suit, action or other proceeding, judicial or administrative,
39 lawfully commenced, or which could have been commenced, by or against
40 the Kansas college of technology, or by or against any personnel of the
41 Kansas college of technology, shall abate by reason of the merger effected
42 by operation of this act. The court may allow any such suit, action or other
43 proceeding to be maintained by or against the Kansas state university of

1 agriculture and applied science.

2 (2) No criminal action commenced or which could have been
3 commenced by the Kansas college of technology shall abate by the taking
4 effect of this act.

5 (e) Commencing with the 1992 fiscal year, for the purpose of
6 preparation of the governor's budget report and related legislative measure
7 or measures for submission to the legislature, the Kansas state ~~university—~~
8 ~~Salina, college of technology~~ *polytechnic {university polytechnic campus}*
9 shall be considered a separate state agency and shall be titled for such
10 purpose as the "Kansas State ~~University—Salina, College of Technology~~
11 *Polytechnic {University Polytechnic Campus}*." The budget estimates and
12 requests of such college shall be presented as a state agency separate from
13 Kansas state university, and such separation shall be maintained in the
14 budget documents and reports prepared by the director of the budget and
15 the governor, or either of them, including all related legislative reports and
16 measures submitted to the legislature.

17 Sec. 5. K.S.A. 76-213 is hereby amended to read as follows: 76-213.

18 (a) The state board of regents has and may exercise the following powers
19 and authority:

20 (1) To determine the programs of technical education and other
21 programs which shall be offered and the certificates of completion of
22 courses or curriculum and degrees which may be granted by the Kansas
23 state ~~university—Salina, college of technology~~ *polytechnic {university*
24 *polytechnic campus}*;

25 (2) to acquire any land and buildings formerly comprising any part of
26 what is commonly known as Schilling air force base, Salina, Kansas, by
27 gift, purchase, lease, contract, or otherwise, from the United States
28 government or any of its agencies or from the city of Salina or any of its
29 agencies and to grant such assurances as may be appropriate to the
30 acquisition and utilization of any such land and buildings;

31 (3) to use the proceeds of the retailers' sales tax levied by the city of
32 Salina for purposes benefiting the Kansas state ~~university—Salina, college~~
33 ~~of technology~~ *polytechnic {university polytechnic campus}*, which
34 purposes shall include, but not by way of limitation, site preparation,
35 buildings, campus improvements, equipment, and the financing of capital
36 improvements; and

37 (4) to do all things necessary and appropriate to effectuate the orderly
38 and timely merger of the Kansas college of technology with the Kansas
39 state university of agriculture and applied science.

40 (b) As used in this section, the term "technical education" means
41 vocational or technical education and training or retraining which is given
42 at Kansas state ~~university—Salina, college of technology~~ *polytechnic-*
43 *{university polytechnic campus}*, and which is conducted as a program of

1 education designed to educate and train individuals as technicians in
2 recognized fields. Programs of technical education include, but not by
3 way of limitation, aeronautical technology inclusive of professional pilot
4 training, construction technology, drafting and design technology,
5 electrical technology, electronic technology, mechanical technology,
6 automatic data processing and computer technology, industrial technology,
7 metals technology, safety technology, tool design technology, cost control
8 technology, surveying technology, industrial production technology, sales
9 service technology, industrial writing technology, communications
10 technology, chemical control technology, quality control technology and
11 such additional programs of technical education which may be specified
12 from time to time by the board of regents.

13 Sec. 6. K.S.A. 76-220 is hereby amended to read as follows: 76-220.

14 (a) The state board of regents is hereby authorized and empowered, in its
15 discretion, for and on behalf of Kansas state university of agriculture and
16 applied science, to sell and convey all of the rights, title and interest in the
17 following described real estate located in Saline county, Kansas: A tract of
18 land located in section 34, township 14 south, range 3 west of the sixth
19 principal meridian in Saline county, Kansas, more particularly described as
20 follows: Beginning at the northeast corner of block 9 of the Schilling
21 subdivision of Saline county, Kansas; thence south 0 degrees 06 minutes
22 24 seconds east, a distance of 310.00 feet; thence south 89 degrees 53
23 minutes 36 seconds west, a distance of 360.00 feet; thence north 0 degrees
24 06 minutes 24 seconds west, a distance of 310.00 feet; thence north 89
25 degrees 53 minutes 36 seconds east, a distance of 360.00 feet to the point
26 of beginning said tract containing 2.56 acres, more or less.

27 (b) Conveyance of such rights, title and interest in such real estate
28 shall be executed in the name of the state board of regents by its
29 chairperson and executive officer. Any proceeds from the sale of such real
30 estate shall be deposited in the state treasury to the credit of an appropriate
31 account of the restricted fees fund of Kansas state university of agriculture
32 and applied science. Such proceeds shall be applied to or utilized for the
33 repair, remodeling, construction or reconstruction of institutional facilities,
34 the acquisition of equipment, and the financing of student scholarships at
35 the Kansas state university—~~Salina, college of technology~~ *polytechnic*
36 *{university polytechnic campus}*.

37 Sec. 7. K.S.A. 76-221 is hereby amended to read as follows: 76-221.

38 (a) The state board of regents is hereby authorized and empowered, in its
39 discretion, for and on behalf of Kansas state university of agriculture and
40 applied science, to sell and convey or exchange and convey for other real
41 estate of similar value all of the rights, title and interest in any part or parts
42 or all of the following described real estate located in Saline county,
43 Kansas: Block 2; block 7B; block 8A; block 9A and block 9C, except for

1 the tract of land located in section 34, township 14 south, range 3 west of
2 the sixth principal meridian in Saline county, Kansas, more particularly
3 described as follows: Beginning at the northeast corner of block 9 of the
4 Schilling subdivision of Saline county, Kansas; thence south 0 degrees 06
5 minutes 24 seconds east, a distance of 310.00 feet; thence south 89 degrees
6 53 minutes 36 seconds west, a distance of 360.00 feet; thence north 0
7 degrees 06 minutes 24 seconds west, a distance of 310.00 feet; thence
8 north 89 degrees 53 minutes 36 seconds east, a distance of 360.00 feet to
9 the point of beginning said tract containing 2.56 acres, more or less; and
10 block 10 all of Schilling subdivision.

11 (b) Conveyance of such rights, title and interest in such real estate
12 shall be in accordance with the procedures prescribed therefor by the state
13 board of regents and shall be executed in the name of the state board of
14 regents by its chairperson and executive officer. Any proceeds from sale of
15 such real estate shall be deposited in the state treasury to the credit of an
16 appropriate account of the restricted fees fund of Kansas state university of
17 agriculture and applied science. Such proceeds shall be applied to or
18 utilized for the repair, remodeling, construction or reconstruction of
19 institutional facilities, the acquisition of equipment, and the financing of
20 student scholarships at the Kansas state university—~~Salina, college of~~
21 ~~technology polytechnic~~ {*university polytechnic campus*}, or for the
22 purchase of property adjacent thereto.

23 (c) No exchange and conveyance of real estate authorized by this
24 section shall be made or accepted by the state board of regents until the
25 deeds, titles and conveyances have been reviewed and approved by the
26 attorney general.

27 Sec. 8. K.S.A. 76-222 is hereby amended to read as follows: 76-222.

28 (a) The state board of regents is hereby authorized and empowered, in its
29 discretion, for and on behalf of Kansas state university of agriculture and
30 applied science, to sell and convey or exchange and convey for other real
31 estate of similar value all of the rights, title and interest in any part or parts
32 or all of the following described real estate located in Saline county,
33 Kansas: A tract of land located in part 16B of block 16, lying in the
34 southeast quarter of section 27, township 14 south, range 3 west of the
35 sixth principal meridian and in the northeast quarter of section 34,
36 township 14 south, range 3 west of the sixth principal meridian in the
37 Schilling subdivision of Saline county, Kansas; more particularly
38 described as follows: Commencing at the northwest corner of the southeast
39 quarter of section 27, township 14 south, range 3 west; thence south 89
40 degrees 49 minutes 04 seconds east along the north line of said southeast
41 quarter a distance of 1187.93 feet; thence south 0 degrees 06 minutes 24
42 seconds east a distance of 2323.20 feet; thence south 89 degrees 53
43 minutes 36 seconds west a distance of 50.00 feet to the northeast corner of

1 block 16B of Schilling subdivision, Saline county, Kansas; thence south 0
2 degrees 06 minutes 24 seconds east a distance of 316.12 feet to a point on
3 the east boundary of block 16B, on the south line of the southeast quarter
4 of section 27, township 14 south, range 3 west and on the north line of the
5 northeast quarter of section 34, township 14 south, range 3 west; thence
6 south 0 degrees 06 minutes 24 seconds east a distance of 511.41 feet to the
7 southeast corner of block 16B; thence south 89 degrees 53 minutes 36
8 seconds west a distance of 555.01 feet to the true point of beginning;
9 thence south 89 degrees 53 minutes 36 seconds west a distance of 410.00
10 feet to the southwest corner of block 16B; thence north 0 degrees 06
11 minutes 24 seconds west a distance of 264.38 feet; thence north 89
12 degrees 53 minutes 36 seconds east a distance of 410.00 feet; thence south
13 0 degrees 06 minutes 24 seconds east a distance of 264.38 feet to the true
14 point of beginning and containing 2.49 acres, more or less.

15 (b) Conveyance of such rights, title and interest in such real estate
16 shall be in accordance with the procedures prescribed therefor by the state
17 board of regents and shall be executed in the name of the state board of
18 regents by its chairperson and executive officer. Any proceeds from sale of
19 such real estate shall be deposited in the state treasury to the credit of an
20 appropriate account of the restricted fees fund of Kansas state university of
21 agriculture and applied science. Such proceeds shall be applied to or
22 utilized for the repair, remodeling, construction or reconstruction of
23 institutional facilities, the acquisition of equipment, and the financing of
24 student scholarships at the Kansas state university—~~Salina, college of~~
25 ~~technology polytechnic~~ **{university polytechnic campus}**, or for the
26 purchase of property adjacent thereto.

27 (c) No exchange and conveyance of real estate authorized by this
28 section shall be made or accepted by the state board of regents until the
29 deeds, titles and conveyances have been reviewed and approved by the
30 attorney general.

31 Sec. 9. K.S.A. 76-223 is hereby amended to read as follows: 76-223.

32 (a) The state board of regents is hereby authorized and empowered, in its
33 discretion, for and on behalf of Kansas state university of agriculture and
34 applied science, to sell and convey or exchange and convey for other real
35 estate of similar value all of the rights, title and interest in any part or parts
36 or all of the following described real estate located in Saline county,
37 Kansas: A tract of land, identified as the "Aircraft Engine Test Facility",
38 lying in the Northwest Quarter (NW/4) of Section Four (4), Township
39 Fifteen (15) South, Range Three (3) West of the Sixth (6th) Principal
40 Meridian in the Schilling Subdivision of Saline county, Kansas, more
41 particularly described as follows: Commencing at the Northeast corner of
42 the Northwest Quarter (NW/4) of Section Four (4), Township Fifteen (15)
43 South, Range Three (3) West; thence South 00°06'18" E, along the East

1 line of said Northwest Quarter (NW/4) a distance of 598.41 feet to the
2 centerline of existing Taxiway No. 11; thence South 89°53'26" W along
3 the centerline of said Taxiway No. 11, a distance of 562.05 feet, thence
4 South 00°06'34" E, a distance of 50.00 feet to the true point of beginning,
5 said point being on the south edge of Taxiway No. 11; thence South
6 89°53'26" W, along the south edge of Taxiway No. 11, a distance of
7 600.00 feet; thence South 00°06'34" E, a distance of 500.00 feet; thence
8 North 89°53'26" E, a distance of 600.00 feet; thence North 00°06'34" W, a
9 distance of 500.00 feet to the true point of beginning and containing 6.89
10 acres, more or less, together with certain improvements thereon, but
11 reserving therefrom the facilities and easements for the existing electrical
12 and gas distribution systems as now in place.

13 (b) Conveyance of such rights, title and interest in such real estate shall
14 be in accordance with the procedures prescribed therefor by the state board
15 of regents and shall be executed in the name of the state board of regents
16 by its chairperson and executive officer. Any proceeds from sale of such
17 real estate shall be deposited in the state treasury to the credit of an
18 appropriate account of the restricted fees fund of Kansas state university of
19 agriculture and applied science. Such proceeds shall be applied to or
20 utilized for the repair, remodeling, construction or reconstruction of
21 institutional facilities, the acquisition of equipment, and the financing of
22 student scholarships at the Kansas state university—~~Salina, college of~~
23 ~~technology~~ *polytechnic {university polytechnic campus}*, or for the
24 purchase of property adjacent thereto.

25 (c) No exchange and conveyance of real estate authorized by this
26 section shall be made or accepted by the state board of regents until the
27 deeds, titles and conveyances have been reviewed and approved by the
28 attorney general.

29 Sec. 10. K.S.A. 76-751 is hereby amended to read as follows: 76-751.
30 As used in this act, "state educational institution" means Fort Hays state
31 university, Kansas state university of agriculture and applied science,
32 Kansas state university veterinary medical center, Emporia state university,
33 Pittsburg state university, university of Kansas, university of Kansas
34 medical center, Wichita state university, and Kansas state ~~university—~~
35 ~~Salina, college of technology~~ *polytechnic {university polytechnic*
36 *campus}*.

37 Sec. 11. K.S.A. 76-754 is hereby amended to read as follows: 76-754.
38 As used in this act, "state educational institution" means Fort Hays state
39 university, Kansas state university of agriculture and applied science,
40 Kansas state university veterinary medical center, Emporia state university,
41 Pittsburg state university, university of Kansas, university of Kansas
42 medical center, Wichita state university, and Kansas state ~~university—~~
43 ~~Salina, college of technology~~ *polytechnic {university polytechnic*

1 *campus*}.

2 Sec. 12. K.S.A. 2015 Supp. 76-756 is hereby amended to read as
3 follows: 76-756. As used in this act:

4 (a) "State educational institution" means Fort Hays state university,
5 Kansas state university of agriculture and applied science, Kansas state
6 university veterinary medical center, Emporia state university, Pittsburg
7 state university, university of Kansas, university of Kansas medical center,
8 Wichita state university and Kansas state ~~university, college of technology~~
9 ~~at Salina polytechnic~~ *{university polytechnic campus}*.

10 (b) "Endowment association" means:

11 (1) For the Fort Hays state university, the Fort Hays state university
12 foundation;

13 (2) for the Kansas state university of agriculture and applied science,
14 the Kansas state university veterinary medical center, and the Kansas state
15 ~~university-Salina, college of technology~~ *polytechnic {university*
16 *polytechnic campus}*, the Kansas state university foundation;

17 (3) for the Emporia state university, the Emporia state university
18 foundation;

19 (4) for the Pittsburg state university, the Pittsburg state university
20 foundation;

21 (5) for the university of Kansas and the university of Kansas medical
22 center, the Kansas university endowment association; and

23 (6) for the Wichita state university, the Wichita state university board
24 of trustees and the Wichita state university foundation.

25 Sec. 13. K.S.A. 2015 Supp. 76-7,126 is hereby amended to read as
26 follows: 76-7,126. As used in this act, unless the context expressly
27 provides otherwise:

28 (a) "State educational institution" or "institution" means Fort Hays
29 state university, Kansas state university of agriculture and applied science,
30 Kansas state university veterinary medical center, Emporia state university,
31 Pittsburg state university, university of Kansas, university of Kansas
32 medical center, Wichita state university and Kansas state ~~university,~~
33 ~~college of technology at Salina polytechnic~~ *{university polytechnic*
34 *campus}*.

35 (b) "Alternative project delivery" means an integrated comprehensive
36 building design and construction process, including all procedures, actions,
37 sequences of events, contractual relations, obligations, interrelations and
38 various forms of agreement all aimed at the successful completion of the
39 design and construction of buildings and other structures whereby a
40 construction manager or general contractor team is selected based on a
41 qualifications and best value approach.

42 (c) "Ancillary technical services" include, but shall not be limited to,
43 geology services and other soil or subsurface investigation and testing

1 services, surveying, adjusting and balancing air conditioning, ventilating,
2 heating and other mechanical building systems and testing and consultant
3 services that are determined by the institution to be required for the
4 project.

5 (d) "Architectural services" means those services described as the
6 "practice of architecture," as defined in K.S.A. 74-7003, and amendments
7 thereto.

8 (e) "Best value selection" means a selection based upon project cost,
9 qualifications and other factors.

10 (f) (1) "Building construction" means furnishing labor, equipment,
11 material or supplies used or consumed for the design, construction,
12 alteration, renovation, repair or maintenance of a building or structure.

13 (2) "Building construction" does not include highways, roads,
14 bridges, dams, turnpikes or related structures or stand-alone parking lots.

15 (g) "Construction project services" means the process of planning,
16 acquiring, building, equipping, altering, repairing, improving, or
17 demolishing any structure or appurtenance thereto, including facilities,
18 utilities or other improvements to any real property, excluding highways,
19 roads, bridges, dams, turnpikes or related structures or stand-alone parking
20 lots.

21 (h) "Construction management at-risk services" means the services
22 provided by a firm which has entered into a contract with the institution to
23 be the construction manager or general contractor for the value and
24 schedule of the contract for a project, which is to hold the trade contracts
25 and execute the work for a project in a manner similar to a general
26 contractor, and which is required to solicit competitive bids for the trade
27 packages developed for the project and to enter into the trade contracts for
28 a project with the lowest responsible bidder therefor. Construction
29 management at-risk services may include, but are not limited to
30 scheduling, value analysis, system analysis, constructability reviews,
31 progress document reviews, subcontractor involvement and
32 prequalification, subcontractor bonding policy, budgeting and price
33 guarantees and construction coordination.

34 (i) "Construction management at-risk contract" means a contract
35 under which an institution acquires from a construction manager or
36 general contractor a series of preconstruction services and an at-risk
37 financial obligation to carry out construction under a specified cost
38 agreement.

39 (j) "Construction manager or general contractor" means any
40 individual, partnership, joint venture, corporation, or other legal entity who
41 is a member of the integrated project team with the institution, design
42 professional and other consultants that may be required for the project,
43 who utilizes skill and knowledge of general contracting to perform

1 preconstruction services and competitively procures and contracts with
2 specialty contractors assuming the responsibility and the risk for
3 construction delivery within a specified cost and schedule terms including
4 a guaranteed maximum price.

5 (k) "Design criteria consultant" means a person, corporation,
6 partnership, or other legal entity duly registered and authorized to practice
7 architecture or professional engineering in this state pursuant to K.S.A. 74-
8 7003, and amendments thereto, and who is employed by contract to the
9 institution to provide professional design and administrative services in
10 connection with the preparation of the design criteria package.

11 (l) "Engineering services" means those services described as the
12 "practice of engineering," as defined in K.S.A. 74-7003, and amendments
13 thereto.

14 (m) "Guaranteed maximum price" means the cost of the work as
15 defined in the contract.

16 (n) "Non-state moneys" means any funds received by a state
17 educational institution from any source other than the state of Kansas or
18 any agency thereof.

19 (o) "Parking lot" means a designated area constructed on the ground
20 surface for parking motor vehicles. A parking lot included as part of a
21 building construction project shall be subject to the provisions of this act.
22 A parking lot designed and constructed as a stand-alone project shall not
23 be subject to the provisions of this act.

24 (p) "Preconstruction services" means a series of services including,
25 but not limited to: Design review, scheduling, cost control, value
26 engineering, constructability evaluation and preparation and coordination
27 of bid packages.

28 (q) (1) "Construction project" or "project" means the process of
29 designing, constructing, reconstructing, altering or renovating a building or
30 other structure.

31 (2) "Construction project" or "project" does not mean the process of
32 designing, constructing, altering or repairing a public highway, road,
33 bridge, dam, turnpike or related structure.

34 (r) "Procurement committee" means the state educational institution
35 procurement committee established by K.S.A. 2015 Supp. 76-7,131, and
36 amendments thereto.

37 (s) "State board" means the state board of regents.

38 Sec. 14. K.S.A. 74-3209, 74-3229, 76-205, 76-213, 76-220, 76-221,
39 76-222, 76-223, 76-751 and 76-754 and K.S.A. 2015 Supp. 76-156a, 76-
40 756 and 76-7,126 are hereby repealed.

41 Sec. 15. This act shall take effect and be in force from and after its
42 publication in the statute book.