

Senate Substitute for HOUSE BILL No. 2129

By Committee on Ways and Means

4-5

1 AN ACT concerning the department of administration; relating to
2 exemption from monumental building surcharge for the division of post
3 audit; energy audits, requirements; certain state contracts; amending
4 K.S.A. 75-3743 and 75-3744 and K.S.A. 2016 Supp. 75-37,128 and
5 repealing the existing sections.
6

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

8 New Section 1. The division of post audit is hereby exempt from
9 paying any monumental building surcharge charged and collected by the
10 department of administration or any other state agency that is levied
11 against all state agency-leased square footage in Shawnee county.

12 Sec. 2. K.S.A. 2016 Supp. 75-37,128 is hereby amended to read as
13 follows: 75-37,128. (a) The secretary of administration shall adopt rules
14 and regulations, within 18 months of the effective date of this act, for state
15 agencies for the conduct of an energy audit at least every five years on all
16 state-owned real property. On or before the first day of the 2010 regular
17 session of the legislature and on or before the first day of each ensuing
18 regular session of the legislature, the secretary of administration shall
19 submit a written report to the joint committee on state building
20 construction, the house committee on energy—~~and~~, utilities *and*
21 *communications* and the senate committee on utilities, or their successors,
22 and an electronic copy to the legislature, identifying state-owned real
23 property locations in which an excessive amount of energy is being used in
24 accordance with rules and regulations adopted, within 18 months after the
25 effective date of this act, by the secretary of administration concerning
26 energy efficiency performance standards for state-owned real property.

27 (b) (1) *Except as provided in subsection (b)(2)*, the secretary of
28 administration shall not approve a new lease or a renewal or extension of
29 an existing lease of non-state owned real property unless the lessor has
30 submitted an energy audit for such real property that is the subject of such
31 lease. Within 18 months after the effective date of this act, the secretary of
32 administration shall adopt rules and regulations establishing energy
33 efficiency performance standards which shall apply to leased space and
34 improvements which the lessor shall be required to address based on such
35 energy audit.

36 (2) *An energy audit shall not be required if the secretary of*

1 *administration determines that it is not economically feasible to conduct*
2 *such energy audit, and the secretary of administration provides the*
3 *rationale for that determination in written form to the joint committee on*
4 *state building construction.*

5 Sec. 3. K.S.A. 75-3743 is hereby amended to read as follows: 75-
6 3743. Whenever the secretary of administration or any division head of the
7 department of administration shall so require, certain specified contracts
8 and leases of any state agency shall be approved as to form or execution
9 by the attorney general. ~~A copy of every contract or lease extending for a~~
10 ~~term longer than one year shall be filed with the director of accounts and~~
11 ~~reports.~~ All orders or requisitions for supplies, materials, *and* equipment
12 ~~and contractual services~~ shall be made on forms prescribed by the director
13 of accounts and reports, *unless a purchase order is required for each*
14 *payment against a contract.*

15 Sec. 4. K.S.A. 75-3744 is hereby amended to read as follows: 75-
16 3744. Except as otherwise provided in this act and rules and regulations
17 adopted thereunder:

18 ~~(+)(a)~~ Every contract subject to the approval of the attorney general
19 shall be signed by the administrative head of the affected state agency. No
20 such contract shall be valid or effective without the approval and signature
21 of the director of purchases ~~and the countersignature of the director of~~
22 ~~accounts and reports.~~

23 ~~(-)(b)~~ All other purchase orders and contracts issued or entered into
24 by the division of purchases shall be signed by the director of purchases.
25 Such purchase orders ~~or contracts~~ shall show on their face that an
26 appropriation fund or allotment has been encumbered for the full amount
27 of the liability.

28 Sec. 5. K.S.A. 75-3743 and 75-3744 and K.S.A. 2016 Supp. 75-
29 37,128 are hereby repealed.

30 Sec. 6. This act shall take effect and be in force from and after its
31 publication in the statute book.