

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~~ {2017} Supp. 75-37,128
5 and 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~~ {2017} Supp. 75-37,128 is hereby amended to
13 read as follows: 75-37,128. (a) The secretary of administration shall adopt
14 rules and regulations, within 18 months of the effective date of this act, for
15 state agencies for the conduct of an energy audit at least every five years
16 on all state-owned real property. On or before the first day of the 2010
17 regular session of the legislature and on or before the first day of each
18 ensuing regular session of the legislature, the secretary of administration
19 shall submit a written report to the joint committee on state building
20 construction, the house committee on energy—~~and~~, utilities *and*
21 ~~communications~~ {telecommunications} and the senate committee on
22 utilities, or their successors, and an electronic copy to the legislature,
23 identifying state-owned real property locations in which an excessive
24 amount of energy is being used in accordance with rules and regulations
25 adopted, within 18 months after the effective date of this act, by the
26 secretary of administration concerning energy efficiency performance
27 standards for state-owned real property.

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

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

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

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

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

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

29 Sec. 5. K.S.A. 75-3743 and 75-3744 and K.S.A. ~~2016~~ {2017} Supp.
30 75-37,128 are hereby repealed.

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