

SENATE BILL No. 481

By Committee on Ways and Means

2-7

1 AN ACT concerning Kansas state university; renaming Kansas state
2 university polytechnic campus as Kansas state university - Salina;
3 requirements for admission and credential and degree programs;
4 amending K.S.A. 74-3209, 76-156a, 76-205, 76-213, 76-218, 76-751,
5 76-754, 76-756 and 76-7,126 and repealing the existing sections.
6

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

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

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

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

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

22 Sec. 2. K.S.A. 76-156a is hereby amended to read as follows: 76-
23 156a. The Kansas university endowment association is hereby authorized
24 to act as the investing agent for any endowment or bequest to the
25 university of Kansas. The Kansas state university foundation is hereby
26 authorized to act as the investing agent for any endowment or bequest to
27 Kansas state university of agriculture and applied science or to Kansas
28 state university ~~polytechnic campus~~ – *Salina*. The Wichita state university
29 foundation is hereby authorized to act as the investing agent for any
30 endowment or bequest to Wichita state university. The Fort Hays state
31 university foundation is hereby authorized to act as the investing agent for
32 any endowment or bequest to Fort Hays state university. The Emporia state
33 university foundation, inc., is hereby authorized to act as the investing
34 agent for any endowment or bequest to Emporia state university. The
35 Pittsburg state university foundation, inc., is hereby authorized to act as the
36 investing agent for any endowment or bequest to Pittsburg state university.

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

7 Sec. 3. K.S.A. 76-205 is hereby amended to read as follows: 76-205.

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

25 (b) *Commencing in fiscal year 2025, Kansas state university – Salina*
26 *shall be considered a separate line item and state general fund account in*
27 *the budget documents and bills concerning Kansas state university. The*
28 *merger effected by this act shall not affect any contract, agreement or*
29 *assurance in effect on the effective date of this act. All lawful debts of the*
30 *Kansas college of technology shall be assumed and paid by the Kansas*
31 *state university of agriculture and applied science.*

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

41 (d) (1) *No suit, action or other proceeding, judicial or administrative,*
42 *lawfully commenced, or which could have been commenced, by or against*
43 *the Kansas college of technology, or by or against any personnel of the*

1 Kansas college of technology, shall abate by reason of the merger effected
2 by operation of this act. The court may allow any such suit, action or other
3 proceeding to be maintained by or against the Kansas state university of
4 agriculture and applied science.

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

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

19 Sec. 4. K.S.A. 76-213 is hereby amended to read as follows: 76-213.

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

22 (1) To determine the programs of technical education and other
23 programs which shall be offered and the certificates of completion of
24 courses or curriculum and degrees , *including credential and degree*
25 *programs ranging from industry certifications to associate, bachelor and*
26 *graduate degrees*, which may be granted by the Kansas state university
27 ~~polytechnic campus – Salina;~~

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

34 (3) to use the proceeds of the retailers' sales tax levied by the city of
35 Salina for purposes benefiting the Kansas state university ~~polytechnic~~
36 ~~campus – Salina~~, which purposes shall include, but not by way of
37 limitation, site preparation, buildings, campus improvements, equipment,
38 and the financing of capital improvements; and

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

42 (b) (1) *Except as otherwise provided in this subsection, the following*
43 *persons admitted by Kansas state university into Kansas state university –*

1 *Salina shall not be subject to the admission requirements set forth in*
2 *K.S.A. 76-717, and amendments thereto:*

3 (A) *Persons admitted as degree-seeking students in career technical*
4 *education courses or programs terminating with an associate of applied*
5 *studies degree; and*

6 (B) *persons admitted as nondegree-seeking students in career technical*
7 *education certificate programs.*

8 (2) *Persons admitted into Kansas state university – Salina who*
9 *subsequently seek to transfer into another school within Kansas state*
10 *university, or into a bachelor's, master's, doctorate or non-technical*
11 *associate degree or certificate program offered at Kansas state university,*
12 *shall, at the time of such transfer, be subject to the admission requirements*
13 *set forth in K.S.A. 76-717, and amendments thereto.*

14 (3) *Persons admitted by Kansas state university seeking a non-*
15 *technical certificate, non-technical associate degree or any bachelor's,*
16 *master's or doctorate degree shall be subject to the admission*
17 *requirements set forth in K.S.A. 76-717, and amendments thereto.*

18 (c) *As used in this section, the term "technical education" means*
19 *vocational or technical education and training or retraining which is given*
20 *at Kansas state university polytechnic campus, and which is conducted as*
21 *a program of education designed to educate and train individuals as*
22 *technicians in recognized fields – Salina. Programs of technical education*
23 *include, but not by way of limitation, aeronautical technology inclusive of*
24 *professional pilot training, construction technology, drafting and design*
25 *technology, electrical technology, electronic technology, mechanical*
26 *technology, automatic data processing and computer technology, industrial*
27 *technology, metals technology, safety technology, tool design technology,*
28 *cost control technology, surveying technology, industrial production*
29 *technology, sales service technology, industrial writing technology,*
30 *communications technology, chemical control technology, quality control*
31 *technology and such additional programs of technical education which*
32 *may be specified from time to time by the board of regents are not limited*
33 *to, programs that advance the aerospace, technology and advanced*
34 *manufacturing industries of the state.*

35 Sec. 5. K.S.A. 76-218 is hereby amended to read as follows: 76-218.
36 Within the limits of appropriations therefor, Kansas state university of
37 agriculture and applied science may purchase insurance for operation and
38 testing of completed project aircraft ~~and for operation of aircraft used in~~
39 ~~professional pilot training used in education, training and research.~~ The
40 insurance may include public liability, physical damage, medical payments
41 and voluntary settlement coverages.

42 Sec. 6. K.S.A. 76-751 is hereby amended to read as follows: 76-751.
43 As used in this act, "state educational institution" means Fort Hays state

1 university, Kansas state university of agriculture and applied science,
2 Kansas state university veterinary medical center, Emporia state university,
3 Pittsburg state university, university of Kansas, university of Kansas
4 medical center, Wichita state university, and Kansas state university
5 ~~polytechnic campus~~ – *Salina*.

6 Sec. 7. K.S.A. 76-754 is hereby amended to read as follows: 76-754.
7 As used in this act, "state educational institution" means Fort Hays state
8 university, Kansas state university of agriculture and applied science,
9 Kansas state university veterinary medical center, Emporia state university,
10 Pittsburg state university, university of Kansas, university of Kansas
11 medical center, Wichita state university, and Kansas state university
12 ~~polytechnic campus~~ – *Salina*.

13 Sec. 8. K.S.A. 76-756 is hereby amended to read as follows: 76-756.
14 As used in this act:

15 (a) "State educational institution" means Fort Hays state university,
16 Kansas state university of agriculture and applied science, Kansas state
17 university veterinary medical center, Emporia state university, Pittsburg
18 state university, university of Kansas, university of Kansas medical center,
19 Wichita state university and Kansas state university ~~polytechnic campus~~ –
20 *Salina*.

21 (b) "Endowment association" means:

22 (1) For the Fort Hays state university, the Fort Hays state university
23 foundation;

24 (2) for the Kansas state university of agriculture and applied science,
25 the Kansas state university veterinary medical center, and the Kansas state
26 university ~~polytechnic campus~~ – *Salina*, the Kansas state university
27 foundation;

28 (3) for the Emporia state university, the Emporia state university
29 foundation;

30 (4) for the Pittsburg state university, the Pittsburg state university
31 foundation;

32 (5) for the university of Kansas and the university of Kansas medical
33 center, the Kansas university endowment association; and

34 (6) for the Wichita state university, the Wichita state university board
35 of trustees and the Wichita state university foundation.

36 Sec. 9. K.S.A. 76-7,126 is hereby amended to read as follows: 76-
37 7,126. As used in this act, unless the context expressly provides otherwise:

38 (a) "State educational institution" or "institution" means Fort Hays
39 state 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 ~~polytechnic campus~~ – *Salina*.

1 (b) "Alternative project delivery" means an integrated comprehensive
2 building design and construction process, including all procedures, actions,
3 sequences of events, contractual relations, obligations, interrelations and
4 various forms of agreement all aimed at the successful completion of the
5 design and construction of buildings and other structures whereby a
6 construction manager or general contractor team is selected based on a
7 qualifications and best value approach.

8 (c) "Ancillary technical services" include, but shall not be limited to,
9 geology services and other soil or subsurface investigation and testing
10 services, surveying, adjusting and balancing air conditioning, ventilating,
11 heating and other mechanical building systems and testing and consultant
12 services that are determined by the institution to be required for the
13 project.

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

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

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

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

24 (g) "Construction project services" means the process of planning,
25 acquiring, building, equipping, altering, repairing, improving, or
26 demolishing any structure or appurtenance thereto, including facilities,
27 utilities or other improvements to any real property, excluding highways,
28 roads, bridges, dams, turnpikes or related structures or stand-alone parking
29 lots.

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

43 (i) "Construction management at-risk contract" means a contract

1 under which an institution acquires from a construction manager or
2 general contractor a series of preconstruction services and an at-risk
3 financial obligation to carry out construction under a specified cost
4 agreement.

5 (j) "Construction manager or general contractor" means any
6 individual, partnership, joint venture, corporation, or other legal entity who
7 is a member of the integrated project team with the institution, design
8 professional and other consultants that may be required for the project,
9 who utilizes skill and knowledge of general contracting to perform
10 preconstruction services and competitively procures and contracts with
11 specialty contractors assuming the responsibility and the risk for
12 construction delivery within a specified cost and schedule terms including
13 a guaranteed maximum price.

14 (k) "Design criteria consultant" means a person, corporation,
15 partnership, or other legal entity duly registered and authorized to practice
16 architecture or professional engineering in this state pursuant to K.S.A. 74-
17 7003, and amendments thereto, and who is employed by contract to the
18 institution to provide professional design and administrative services in
19 connection with the preparation of the design criteria package.

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

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

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

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

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

37 (q) (1) "Construction project" or "project" means the process of
38 designing, constructing, reconstructing, altering or renovating a building or
39 other structure.

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

43 (r) "Procurement committee" means the state educational institution

1 procurement committee established by K.S.A. 76-7,131, and amendments
2 thereto.

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

4 Sec. 10. K.S.A. 74-3209, 76-156a, 76-205, 76-213, 76-218, 76-751,
5 76-754, 76-756 and 76-7,126 are hereby repealed.

6 Sec. 11. This act shall take effect and be in force from and after its
7 publication in the statute book.