

LEGISLATIVE NEWSLETTER

ACEC Kansas

No. 4 – February 19, 2010

825 S Kansas Ave, Suite 500 Topeka, KS 66612 Phone (785)357-1824 Fax(785)233-2206 e-mail scott@acecks.org

Today is “turnaround day” in the legislature, the day by which most bills have to be passed in their chamber of origin or they die for the session. Certain committees are exempt from this deadline, however. The House has already adjourned and gone home for the weekend, and the Senate is right behind them.

Both chambers have passed the first major piece of legislation this year, a rescission bill that pares the FY 2010 budget back of by \$92 million dollars. Unfortunately, almost half of that savings came via a raid on the state highway fund. Attention will soon turn to the FY 2011 budget, where they face another \$400 million dollar shortfall.

On the ACEC front, while we haven’t had any major bills signed into law yet, there is movement in several areas.

The bills containing funding for a new comprehensive transportation plans are dormant for the moment. Legislative leadership wants to wait until some of the budget dust settles before they begin consideration of commitments towards a transportation plan. It looks like we are still a few weeks away from action on those bills.

As of this afternoon, the Senate had not taken action on Senate Substitute for SB 513, which would expand the number of public owner groups that can use alternative delivery methods on public projects. This is an amendment to language ACEC Kansas agreed to that passed a few years ago. This bill was introduced in a committee that is exempt from normal deadlines and will likely still come to a vote in the Senate.

Several bills impacting passenger rail are all alive and moving as well, including SB 409, HB 2552, and HB 2681. HB 2681 is new and has received no action, but both other bills have passed their chamber of origin with almost unanimous support.

HB 2403, the “council on efficient government bill”, was debated on the House floor this week and sent back to committee for more discussion. This is a bill from Representative Marvin Kleeb that would encourage outsourcing of work and change state procurement to a low bid scenario. Initially the low bid language would have applied to design services, but we have worked with Representative Kleeb and amended the bill to maintain the current qualifications based selection process for design services. It remains to be seen if it will be reworked in committee and sent back to the House floor.

In a very unusual series of events, a fire code bill died in the House this week, was resurrected, then died again. HB 2515 would prohibit municipalities from adopting codes that require sprinkler systems for residential construction. The bill was heard on “general orders”, which is the last step before final action. It failed on a vote of 59-59. Votes that close are unusual. Then

the next day, a motion was made to reconsider, and this time it was approved on a vote of 64-55. This took the bill to a final action vote, where it ultimately failed on a vote of 60-62.

We are keeping our eye on a new bill as well. HB 2690 would give an “in state preference” of 5% on bids for state projects. This does not apply to design services, but we’re keeping an eye on it to make sure it is not amended along the way.

The legislature will take Monday off, have a handful of committee meetings Tuesday, then get back to a full slate of work on Wednesday. Stay tuned....

Displaying records 1 through 65 of the 65 bills in your tracking list			
Bill Number and Sponsor	Bill Subject	Current Status	Last Action
SB 36 Senate Commerce Committee	Cities and counties; relating to the Transportation Development District Act; special assessments	In Senate Commerce	01/21/2009 - Senate Scheduled Hearing: Wednesday, 1/28/2009, 8:30 AM, Rm 545-N
SB 52 Senate Federal and State Affairs Committee	Cities and counties; relating to special benefit districts therein; relating to costs of improvements	In Senate Federal and State Affairs	01/22/2009 - Senate Referred to Federal and State Affairs
SB 65 Special Committee on Eminent Domain in Condemnation of Water Rights	Eminent domain; relating to water rights	In Senate Natural Resources	01/23/2009 - Senate Scheduled Hearing: Thursday, 1/29/2009, 8:30 AM, Rm 446-N
SB 112 Senate Judiciary Committee	Kansas Act Against Discrimination; relating to disability	In Senate Judiciary	02/18/2009 - Senate Withdrawn from Ways and Means; rereferred to Judiciary
SB 165 Senate Ways and Means Committee	State water plan fund; relating to increasing fees that contribute to the fund	In Senate Ways and Means	02/18/2009 - Senate Scheduled Hearing: Tuesday, 2/24/2009, 10:30 AM, Rm 545-N
SB 229 Senate Federal and State Affairs Committee	Employment; relating to misclassification of employees	In Senate Federal and State Affairs	02/06/2009 - Senate Referred to Federal and State Affairs
SB 271 Senate Federal and State Affairs Committee	Counties; relating to bidding requirements on certain contracts	In Senate Local Government	02/25/2009 - Senate Scheduled Hearing: Tuesday, 3/3/2009, 9:30 AM, Rm 446-N

Sub for SB 301 Senate Ways and Means Committee	Land surveys; relating to monumentation of corners and recording of surveys	On General Orders in Senate	02/17/2010 - Senate Committee Report: Substitute be passed by Federal and State Affairs
SB 302 Senate Ways and Means Committee	Transportation; relating to intermodal transportation projects, and providing for the financing thereof	In House Transportation	03/24/2009 - House Referred to Transportation
SB 315 Senate Ways and Means Committee	Water; relating to tax exemptions; notification to water rights holders; review of water development projects	In Senate Natural Resources	03/17/2009 - Senate Referred to Natural Resources
SB 323 Senate Ways and Means Committee	Transportation; providing for a transportation program; concerning the financing thereof; creating the Joint Committee on Multimodal Transportation	In Senate Transportation	03/18/2009 - Senate Referred to Transportation
SB 383 Senate Education Committee	Fire safety and fire prevention; relating to school buildings	In Senate Education	02/03/2010 - Senate Scheduled Hearing: Monday, 2/8/2010, 1:30 PM, Rm 152-S
SB 409 Senate Ways and Means Committee	Establishing the passenger rail service program; providing for powers and duties of the Secretary of Transportation; establishing the passenger rail service revolving fund	In House Transportation	02/19/2010 - House Referred to Transportation
SB 469 Senate Ways and Means Committee	Civil procedure; relating to remote claim liens on commercial property; establishing the state construction registry	In Senate Judiciary	01/28/2010 - Senate Referred to Judiciary
SB 498 Senate Ways and Means Committee	Transportation; providing for a transportation works for Kansas program; relating to the financing thereof	In Senate Transportation	02/02/2010 - Senate Referred to Transportation
SB 502 Senate Transportation Committee	Department of Transportation; concerning railroad programs	In Senate Transportation	02/03/2010 - Senate Referred to Transportation; Scheduled Hearing: Friday, 2/12/2010, 8:30 AM, Rm 152-S
SB 510 Senate Agriculture Committee	Water; relating to the beneficial use of water	In Senate Natural Resources	02/15/2010 - Senate Withdrawn from Ways and Means; rereferred to Natural Resources
Sub for SB 513 Senate Ways and Means Committee	Alternative project delivery building construction	On General Orders in Senate	02/16/2010 - Senate Committee Report: Substitute be passed by Federal and State Affairs

Sub for SB 514 Senate Ways and Means Committee	Alcoholic beverages; eligibility for license for club and drinking establishments; public venues	Passed in Senate	02/18/2010 - Senate Committee of the Whole: Committee Report recommending substitute bill be adopted; substitute be adopted; Emergenced to Final Action: Passed; Yeas 40, Nays 0
SB 515 Senate Ways and Means Committee	Transportation; providing for a transportation works for Kansas program; relating to the financing thereof	In Senate Transportation	02/03/2010 - Senate Referred to Transportation
SB 526 Senate Ways and Means Committee	Department of Administration; concerning competitive bids; preferring bids from within the state	In Senate Ways and Means	02/04/2010 - Senate Referred to Ways and Means
SB 530 Senate Assessment and Taxation Committee	Sales taxation; relating to exemptions; repealing all sales tax exemptions	In Senate Assessment and Taxation	02/05/2010 - Senate Referred to Assessment and Taxation
HB 2015 House Energy and Utilities Committee	Energy efficiency; relating to standards for certain owned or leased property, equipment or vehicles	In House Energy and Utilities	01/15/2009 - House Scheduled Hearing: Thursday, 1/22/2009, 9:00 AM, Rm 783 Docking
HB 2016 House Energy and Utilities Committee	Utilities; relating to emissions	In House Energy and Utilities	01/15/2009 - House Scheduled Hearing: Thursday, 1/22/2009, 9:00 AM, Rm 783 Docking
Sub for HB 2029 Special Committee on Eminent Domain in Condemnation of Water Rights	Cities; relating to annexation	In Senate Local Government	03/13/2009 - Senate Referred to Local Government
HB 2030 Special Committee on Eminent Domain in Condemnation of Water Rights	Cities; relating to annexation	In House Local Government	01/28/2009 - House Scheduled Hearing: Thursday, 2/5/2009, 3:30 PM, Rm 446-N
HB 2065 Joint Committee on Administrative Rules and Regulations	Intensive Groundwater Control Areas	In House Agriculture and Natural Resources	01/23/2009 - House Referred to Agriculture and Natural Resources
HB 2083 House Local	Historic preservation; pertaining to environs review	In House Local Government	02/24/2009 - House Withdrawn from

Government Committee			Appropriations; rereferred to Local Government
HB 2084 Vincent Wetta, D-80th	Cities; relating to annexation of territory	In Senate Judiciary	03/17/2009 - Senate Referred to Judiciary
HB 2178 House Appropriations Committee	Abolishing the Kansas Turnpike Authority; transferring powers, duties and functions to the Kansas Department of Transportation	In House Transportation	02/04/2009 - House Scheduled Hearing: Thursday, 2/12/2009, 1:30 PM, Rm 783 DSOB
HB 2182 House Energy and Utilities Committee	Department of Health and Environment; requiring the Kansas Air Quality Act be consistent and uniform with the Federal Clean Air Act	In House Energy and Utilities	02/04/2009 - House Scheduled Hearing: Thursday, 2/5/2009, 9:00 AM, Rm 783 DSOB
HB 2216 House Elections Committee	Contracts with state agencies	In House Elections	02/04/2009 - House Referred to Elections
S Sub for HB 2222 House Government Efficiency and Fiscal Oversight Committee	Making and concerning appropriations for the fiscal years ending June 30, 2010, and June 30, 2011, for state agencies; authorizing certain transfers, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements and acts incidental to the foregoing	Pending enrollment and presentation to Governor	02/18/2010 - House Adopted Conference Committee Report on House bill: Yeas 114, Nays 5
Sub for HB 2238 House Commerce and Labor Committee	Construction contracts; relating to retention in public and private construction contracts	On Final Action in House	02/18/2010 - House Committee of the Whole: Committee Report recommending substitute bill be adopted; substitute be passed
HB 2272 House Appropriations Committee	Intensive groundwater use control areas	On General Orders in House	03/24/2009 - House Committee of the Whole: Be amended; motion to recommend for passage, failed
HB 2273 House Government Efficiency and Fiscal Oversight Committee	State agencies; providing for the development and implementation of a zero-based budget process	In House General Government Budget	03/04/2009 - House Scheduled Hearing: Wednesday, 3/11/2009, 1:30 PM, Rm 531-N
HB 2277 House Appropriations Committee	Public works projects for state agencies; prescribing payment of minimum wages for work thereon and preferences for certain employees to work thereon	In House Commerce and Labor	02/06/2009 - House Referred to Commerce and Labor

HB 2281 House Federal and State Affairs Committee	Employment; relating to misclassification of employees	In House Taxation	02/06/2009 - House Referred to Taxation
HB 2282 House Energy and Utilities Committee	Water districts; relating to lands annexed by cities	In House Local Government	02/18/2009 - House Withdrawn from Appropriations; rereferred to Local Government
HB 2283 House Energy and Utilities Committee	Water	In Conference Committee	01/28/2010 - Senate Acceded; appointed McGinn, Teichman and Francisco
HB 2284 House Energy and Utilities Committee	Water; relating to rural water districts; concerning transfer of certain property funds and records of such districts	In House Agriculture and Natural Resources	02/06/2009 - House Referred to Agriculture and Natural Resources
HB 2294 House Appropriations Committee	Minimum wage and maximum hours law	In House Commerce and Labor	02/06/2009 - House Referred to Commerce and Labor
HB 2309 House Federal and State Affairs Committee	Appropriation of water	In House Agriculture and Natural Resources	02/09/2009 - House Referred to Agriculture and Natural Resources
HB 2318 House Energy and Utilities Committee	Rural water districts	In House Agriculture and Natural Resources	02/09/2009 - House Referred to Agriculture and Natural Resources
HB 2326 House Taxation Committee	Transportation Development District Act; relating to creation of district; requirements	In House Taxation	02/12/2009 - House Referred to Taxation
HB 2348 House Taxation Committee	Sales taxation; relating to the imposition of tax on rendering or furnishing of services; rate of tax	In House Taxation	02/18/2009 - House Referred to Taxation
HB 2372 House Appropriations Committee	Contracts with state agencies for certain professional services; relating to competitive bidding procedures	In House Appropriations	03/10/2009 - House Referred to Appropriations
HB 2382 House Taxation Committee	Transportation; providing for a transportation program	On General Orders in House	03/20/2009 - House Committee Report: Be passed as amended by Transportation
HB 2392 House Federal and State Affairs Committee	Contracts; relating to requests for proposals issued by state agencies	In House Judiciary	03/23/2009 - House Referred to Judiciary

Sub for HB 2403 House Appropriations Committee	Creating the council on efficient government	In House Appropriations	02/16/2010 - House Committee of the Whole: Committee Report recommending substitute bill be adopted; be amended; motion to refer to committee, adopted; rereferred to Appropriations
HB 2421 House Energy and Utilities Committee	Energy; requiring schools of engineering to evaluate renewable, distributive generation and transmission technology upon request	In House Energy and Utilities	01/13/2010 - House Referred to Energy and Utilities
HB 2433 Legislative Educational Planning Committee	State agencies; relating to the acquisition and disposal of certain property; relating to the acquisition of certain services	In Senate Education	02/11/2010 - Senate Referred to Education
HB 2442 House Appropriations Committee	Establishing the Kansas Streamlining Government Commission; providing for an independent review of state agencies of the executive branch of state government; prescribing powers, duties and functions for the commission and certain other state agencies	In Senate Ways and Means	02/18/2010 - Senate Referred to Ways and Means
HB 2444 House Federal and State Affairs Committee	Transfer of the Office of State Fire Marshal to the Insurance Department	In House Federal and State Affairs	01/27/2010 - House Scheduled Hearing: Tuesday, 2/2/2010, 1:30 PM, Rm 346-S
HB 2493 House Appropriations Committee	Classifications of dams and water obstructions	In House Agriculture and Natural Resources	01/29/2010 - House Scheduled Hearing: Monday, 2/1/2010, 3:30 PM, Rm 783 DSOB
HB 2515 House Commerce and Labor Committee	Cities and counties; relating to residential fire protection sprinkler systems	On Final Action in House	02/18/2010 - House Motion to reconsider adopted; Committee of the Whole: Be passed as amended
HB 2552 Jo Ann Pottorff, R-83rd	Enacting the midwest interstate passenger rail compact	On Final Action in House	02/18/2010 - House Committee of the Whole: Be passed
HB 2565 House Agriculture and Natural Resources Committee	Water rights; relating to abandonment and termination; creating a water conservation exception	In House Agriculture and Natural Resources	02/05/2010 - House Scheduled Hearing: Thursday, 2/11/2010, 3:30 PM, Rm 783 DSOB

HB 2617 House Transportation Committee	Transportation; providing for a transportation works for Kansas program; relating to the financing thereof	In House Transportation In House Taxation	02/03/2010 - House Referred separately to Transportation and Taxation
HB 2618 House Transportation Committee	Transportation; providing for a transportation works for Kansas program; relating to the financing thereof	In House Transportation In House Taxation	02/03/2010 - House Referred separately to Transportation and Taxation
HB 2624 House Energy and Utilities Committee	Construction of new buildings; relating to schools, colleges and universities; relating to energy efficiency	In House Energy and Utilities	02/04/2010 - House Referred to Energy and Utilities; Scheduled Hearing: Tuesday, 2/9/2010, 9:00 AM, Rm 785 DSOB
HB 2625 House Energy and Utilities Committee	Energy conservation measures	In House Energy and Utilities	02/04/2010 - House Referred to Energy and Utilities; Scheduled Hearing: Wednesday, 2/10/2010, 9:00 AM, Rm 785 DSOB
HB 2632 Jim Morrison, R-121st	State finance; relating to the state's ability to sweep moneys from fee funds above the statutory 20%;	In House Government Efficiency and Fiscal Oversight	02/04/2010 - House Referred to Government Efficiency and Fiscal Oversight
HB 2681 House Appropriations Committee	Establishing the passenger rail service program; providing for powers and duties of the Secretary of Transportation; establishing the passenger rail service revolving fund	In House Transportation	02/10/2010 - House Referred to Transportation
HB 2690 House Appropriations Committee	Department of Administration; concerning competitive bids; preferring bids from within the state	In House General Government Budget	02/12/2010 - House Referred to General Government Budget