

LEGISLATIVE NEWSLETTER

ACEC Kansas

No. 4 – February 4, 2011

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Week 4 was fairly quiet at the Capitol. Committee activity was supposed to intensify this week, but Mother Nature had other plans. The Capitol was completely shut down Tuesday and Wednesday of this week, wreaking havoc with the legislative schedule. Fridays are always quiet early in the session, so activity this week was minimal.

The biggest headlines this week were made by the hearings in the House Tax Committee on HB 2091. HB 2091 would repeal the one cent sales tax that was passed last year, effectively wiping out the next ten year transportation plan. ACEC submitted testimony in opposition to this bill. Several of the usual suspects lined up on their respective sides of the debate. One point of interest was the position of the State Chamber. After vehemently opposing the one cent sales tax last year, the Chamber this year opposes its repeal. They would propose using the proceeds of that sales tax to help eliminate the corporate income tax. The Chamber proposal would retain the funding for the ten year transportation plan. It will be very interesting to see whether or not the House Tax Committee considers adopting the Chamber proposal.

HB 2036 was heard in House Judiciary Thursday. HB 2036 would require Kansas to use the least restrictive interpretation of federal regulations as defined by any state in the country. There were several committee members that said they supported the spirit of the bill, but feared the devil would be in the details. House Judiciary Chairman Lance Kinzer has not indicated if or when he will call for a committee vote on the bill.

HB 2088, which would prohibit local units of government from adopting codes that require sprinkler systems in homes with single family zoning, was debated on the floor of the House today. Despite a very spirited plea to oppose the bill by Representative Ron Worley, the House passed the bill by voice vote. It will await final action next week on the House floor, which will be a recorded vote.

HB 2072, which would set up a state lien registry, will be heard Thursday in House Judiciary. This bill seems to be a dispute between different groups of contractors. We'll know more after Thursday's hearing.

Several bills of note were introduced this week. SB 70 would remove state funding to school capital improvement projects that are funded by bonds and approved by a vote of the people. This prohibition would be in place for any such project passed starting January 1 of this year. SB 86 would phase out capital gains tax over the next four years. SB 95 would phase out corporate income tax over the next four years. SB 98 would make many alterations to the tax code, but most ominous is a significant decrease in funding for the state highway fund. HB 2116 would add one mill statewide on tangible property with the revenue to be used on water infrastructure. HB 2120 establishes the Kansas streamlining government commission, and gives the commission a broad mandate. HB 2127 is similar to HB 2036 discussed above. It would require any municipality interpreting a federal regulation in a way less restrictive than the federal

government to hold a hearing on the issue and debate whether or not to pursue litigation against the appropriate federal agency. HB 2140 would eliminate the surface water quality standards commission and would revert all stream designations and criteria to what was contained in the 1994 surface water quality standards.

Not sure which of the new bills will receive hearings in committee, but we'll know soon. Stay tuned....

Join us for Engineer Day at the Statehouse on March 2nd

ACEC Kansas and the Kansas Society of Professional Engineers (KSPE) are jointly sponsoring an **Engineers Day at the Statehouse** on Wednesday, March 2 to provide our members with an opportunity to hear from key policy makers and visit with their legislators about the many issues important to PEs in this critical legislative session.

Protecting the future stream of revenue for the State Highway Fund is just one of the major challenges confronting Kansas Professional Engineers. Others key issues include:

- Funding expansion of the state's engineering colleges
- Supporting the sales tax exemption for professional services
- Protection of our water resources
- Funding for university deferred maintenance
- Investments in other critical infrastructure
- Protection of PE licensees scope of practice

Our agenda for March 2

10:00 a.m. – Briefing by Ron Gaches (KSPE) and Scott Heidner (ACEC Kansas)
825 S. Kansas Avenue, Suite 500 Topeka, KS 66612

10:30 a.m. to Noon – Meeting with your individual legislators
(Note: House goes into session at 11 a.m.)

Noon to 1:30 p.m. – Lunch at the Celtic Fox with special guests:

- Secretary of Transportation Deb Miller
- Senate Majority Leader Jay Emler
- House Majority Leader Arlen Siegfried

1:30 p.m. to 5:00 p.m. – Additional time to meet with your legislators
(Note: Senate goes into session at 2:30 p.m.)

Please RSVP to Judy Swanson at 785-357-1824 or email judy@acecks.org if you are planning to join us on March 2. A sandwich bar will be available at the Celtic Fox for lunch, at a price of \$15 per person (this will include the sandwich bar, a drink, tax and gratuities). Please RSVP so that we will have an accurate count for lunch.

We're hoping for a great turnout at this event!

How to contact your legislators to set an appointment

We encourage all PEs participating in the March 2nd event to schedule a short meeting with their

state representative and senator while you are in Topeka.

The Kansas Legislature's website has been completely redesigned, much to the chagrin of those of us who were comfortable with the old site. The new site can be reached at

<http://www.kslegislature.org/li/>

For information about your House member and their Statehouse phone number go to

<http://www.kslegislature.org/li/chamber/house/>

For information about your Senate member and their Statehouse phone number go to

<http://www.kslegislature.org/li/chamber/senate/>

| Displaying records 1 through 20 of the 20 bills in your tracking list | | | |
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| commiBill Number and Sponsor | Bill Subject | Current Status | Last Action |
| SB 3 Legislative Post Audit Committee | Concerning water; establishing the Kansas natural resources subcabinet | In Senate Ways and Means | 01/11/2011 - Senate Referred to Ways and Means |
| SB 70 Senate Ways and Means Committee | Limitation on entitlement to capital improvement state aid | In Senate Education | 01/28/2011 - Senate Referred to Education |
| SB 86 Senate Assessment and Taxation Committee | 5 year phase out of capital gains tax | In Senate Assessment and Taxation | 02/04/2011 - Senate Referred to Assessment and Taxation |
| SB 95 Senate Assessment and Taxation Committee | Five-year phase out of income tax on corporations | In Senate Assessment and Taxation | 02/04/2011 - Senate Referred to Assessment and Taxation |
| SB 98 Senate Assessment and Taxation Committee | Elimination of certain sales tax exemptions, imposition of sales tax on certain services, provision of sales tax exemption for certain purchases of food, and reduction of sales tax and certain income tax rates | In Senate Assessment and Taxation | 02/04/2011 - Senate Referred to Assessment and Taxation |
| HB 2026 House Federal and State Affairs Committee | Kansas immigration accountability act | In House Federal and State Affairs | 01/19/2011 - House Referred to Federal and State Affairs |
| HB 2036 Bill Otto, R-9th | Interpretation of federal statutes; regulations and national codes | In House Judiciary | 01/26/2011 - House Scheduled Hearing: Thursday, 2/3/2011, 3:30 PM, Rm 346-S |

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| HB 2065 House Local Government Committee | Cities annexation; deannexation; changes | In House Local Government | 02/03/2011 - House Scheduled Hearing: Thursday, 2/10/2011, 3:30 PM, Rm 144-S |
| HB 2072 House Judiciary Committee | Civil procedure, commercial property liens; state construction registry, notice of commencement and notice of furnishings | In House Judiciary | 02/03/2011 - House Scheduled Hearing: Thursday, 2/10/2011, 3:30 PM, Rm 346-S |
| HB 2084 House Local Government Committee | Consolidation of cities and counties by dual majority vote | In House Local Government | 02/03/2011 - House Scheduled Hearing: Thursday, 2/10/2011, 3:30 PM, Rm 144-S |
| HB 2088 House Commerce and Economic Development Committee | Municipalities; sprinkler systems, residential housing; changes | On General Orders in House | 01/28/2011 - House Committee Report recommending bill be passed as amended by Commerce and Economic Development |
| HB 2091 Lance Kinzer, R-14th | Decreasing rate of sales and compensating use tax | In House Taxation | 01/26/2011 - House Referred to Taxation; Scheduled Hearing: Monday, 1/31/2011, 3:30 PM, Rm 783 DSOB |
| HB 2096 House Vision 2020 Committee | Providing for a coordinated water data repository system; granting preservation easements; drinking water costs in water plan storage rates | In House Vision 2020 In House Agriculture and Natural Resources | 01/27/2011 - House Referred separately to Vision 2020 and Agriculture and Natural Resources |
| HB 2109 House Agriculture and Natural Resources Committee | Creating the Kansas dam rehabilitation program | In House Agriculture and Natural Resources | 01/27/2011 - House Referred to Agriculture and Natural Resources |
| HB 2116 House Vision 2020 Committee | Establishing state property tax levy for state water infrastructure maintenance, construction, renovation and acquisition | In House Taxation | 01/28/2011 - House Referred to Taxation |
| HB 2120 House Government Efficiency Committee | Kansas government effectiveness and efficiency commission act | In House Government Efficiency | 01/31/2011 - House Referred to Government Efficiency |
| HB 2127 House Federal and State Affairs Committee | Municipalities; demand coordination by federal government and state government; regulations, policies | In House Local Government | 01/31/2011 - House Referred to Local Government |

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| HB 2140 Special Committee on Legislative Streamlining | Repealing certain expired committees, task forces and requests for reports to the legislators | In House Government Efficiency | 02/04/2011 - House Referred to Government Efficiency |
| HCR 5005 House Energy and Utilities Committee | Establishing targets for energy development, consumption and costs | In House Energy and Utilities | 01/21/2011 - House Referred to Energy and Utilities; Scheduled Hearing: Thursday, 1/27/2011, 9:00 AM, Rm 785 DSOB |
| HR 6008 House Energy and Utilities Committee | Opposing the Environmental Protection Agency's regulatory train wreck | In House Energy and Utilities | 01/27/2011 - House Referred to Energy and Utilities |