

# LEGISLATIVE NEWSLETTER

ACEC Kansas

No. 6 – March 4, 2011

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We have passed “turnaround day”, the date by which most bills must have been passed by their chamber of origin. While certain committees are exempt from this deadline, and bills can always come back to life as amendments to other bills, this date does effectively mark the end for many bills in the 2011 session. It is worth noting, however, that all bills will have new life in the 2012 session.

The biggest news this week was a vote in the House Tax Committee to pass HB 2091, which would repeal the \$.01 cent sales tax passed in the 2010 session. That sales tax money is an integral part of the highway funding package passed last year, and the money dedicated to the highway fund would be lost. The political dynamics are very intense on this issue. Moderate Republicans and Democrats don't support the repeal philosophically, but they're tempted to let the bill's promoters pass the bill and thereby inherit responsibility for the more than \$300 million in lost revenues that would have to be cut from state budgets. The Governor has said he does not favor a repeal, but would be under intense pressure if he were forced to make a veto decision. It is not yet known when (if) the bill will receive a vote in the full House. (ACEC testified in opposition to HB 2091 at the Committee hearings.)

SB 70, which would remove state funding of capital improvement projects for education, will be heard Monday in Senate Education, with a possible vote on Tuesday. The bill applies to projects which have been supported by local election, and applies to any project where such election was held on or before January 1, 2011.

HB 2194, which has already passed the House on a vote of 68-51, is scheduled for a hearing in Senate Federal and State Affairs Committee Thursday. This bill would promote outsourcing of government work, and also change the procurement process for state agencies to a straight lowest-responsible-bidder process. ACEC was able to work with the bill's author, Representative Marvin Kleeb, and exempt design services from this change. The bill faces longer odds in the Senate.

SB 112, the land surveyor bill, has passed the Senate 39-0 and is headed to the House Local Government Committee. There doesn't seem to be any serious opposition to the bill.

It was a rough week for the State Fire Marshal's office. There were three new bills introduced that adversely affect the agency. Two of the bills (SB 220 and HB 2370) would abolish the agency and split its responsibilities between other government entities. HB 2369 would amend the Fire Marshal's authority regarding inspections of state school buildings. Currently, the Fire Marshal can mandate action to correct problems identified by agency officials. HB 2360 would say, unless those problems posed an immediate threat to the public health, safety, and welfare, the state is not required to correct the problems until/unless it receives more than \$4,492 in base state aid per pupil from the state. In short, it's a way for the state to say as long as money is tight, the fixes can be delayed. None of these bills has yet been scheduled for a hearing.

HB 2368, new this week, would change the current requirement on many state fee funded agencies that 20% of the fees they collect be sent back to the state general fund (SGF). It would allow them to keep all that revenue. The purpose behind the 20% transfer to the SGF is to pay for the services other state agencies perform on behalf of the fee funded agency, such as accounting, auditing, budgeting, legal, payroll, personnel, and purchasing. HB 2368 would end that 20% transfer, and then ask fee funded agencies to contract independently with state agencies or outside contractors for those services. Among the agencies impacted would be the Kansas Board of Technical Professions. This bill has not yet been scheduled for hearing.

Hearings will intensify next week as the legislature moves toward the next big deadline, which is first adjournment on April 2. Most bills will die at that time if they have not been passed by both chambers.

Stay tuned...

Displaying records 1 through 52 of the 52 bills in your tracking list			
Bill Number and Sponsor	Bill Subject	Current Status	Last Action
<a href="#">SB 3</a> Legislative Post Audit Committee	Concerning water; establishing the Kansas natural resources subcabinet	In Senate Ways and Means	<b>01/11/2011 - Senate</b> Referred to Ways and Means
<a href="#">SB 70</a> Senate Ways and Means Committee	Limitation on entitlement to capital improvement state aid	In Senate Education	<b>03/02/2011 - Senate</b> Scheduled Hearing in Education: Monday, 3/7/2011, 1:30 PM, Rm 152-S; Possible Action: Tuesday, 3/8/2011, 1:30 PM, Rm 152-S
<a href="#">SB 86</a> Senate Assessment and Taxation Committee	5 year phase out of capital gains tax	In Senate Assessment and Taxation	<b>03/02/2011 - Senate</b> Withdrawn from Ways and Means; rereferred to Assessment and Taxation
<a href="#">SB 95</a> Senate Assessment and Taxation Committee	Five-year phase out of income tax on corporations	In Senate Assessment and Taxation	<b>03/02/2011 - Senate</b> Withdrawn from Ways and Means; rereferred to Assessment and Taxation
<a href="#">SB 98</a> 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	<b>03/02/2011 - Senate</b> Withdrawn from Ways and Means; rereferred to Assessment and Taxation
<a href="#">SB 112</a> Senate Federal and	Amendments to statutes pertaining to land surveyors	In House Local Government	<b>03/02/2011 - House</b> Referred to Local Government

State Affairs Committee			
<a href="#">SB 115</a> Senate Ways and Means Committee	Abolishing the highway advisory commission	In House Government Efficiency	<b>02/24/2011 - House</b> Referred to Government Efficiency
<a href="#">SB 119</a> Senate Ways and Means Committee	Rail service improvement program loans and grants	In House Local Government	<b>03/02/2011 - House</b> Scheduled Hearing: Tuesday, 3/8/2011, 3:30 PM, Rm 144-S
<a href="#">SB 124</a> Senate Natural Resources Committee	Concerning the Kansas Water Office; relating to water supply storage access and creating the Lower smoky hill water supply access program	In House Agriculture and Natural Resources	<b>03/02/2011 - House</b> Referred to Agriculture and Natural Resources; Scheduled Hearing: Wednesday, 3/9/2011, 9:00 AM, Rm 783 DSOB
<a href="#">SB 140</a> Senate Commerce Committee	Kansas small and disadvantaged business development program act	In Senate Commerce	<b>02/14/2011 - Senate</b> Scheduled Hearing: Thursday, 2/17/2011, 8:30 AM, Rm 548-S
<a href="#">SB 171</a> Anthony Hensley, D-19th	Reinstatement of prevailing wage for state construction projects	In Senate Commerce	<b>02/10/2011 - Senate</b> Referred to Commerce
<a href="#">SB 180</a> Senate Local Government Committee	Annexation procedures; deannexation; board of county commissioners duties; election required, when; homestead exemption; appeal process	In Senate Local Government	<b>02/16/2011 - Senate</b> Scheduled Hearing: Monday, 2/21/2011, 9:30 AM, Rm 159-S
<a href="#">SB 191</a> Senate Natural Resources Committee	Amending the water rights conservation program	In Senate Natural Resources	<b>03/02/2011 - Senate</b> Scheduled Hearing: Thursday, 3/10/2011, 8:30 AM, Rm 159-S
<a href="#">SB 208</a> Senate Ways and Means Committee	Long-term capital improvement program and facilities plans by public safety state agencies	In Senate Ways and Means	<b>02/17/2011 - Senate</b> Referred to Ways and Means
<a href="#">SB 220</a> Senate Ways and Means Committee	Abolishing the office of the state fire marshal and transferring the duties and functions thereof to the division of facilities management, the Kansas bureau of investigation and the division of emergency management	In Senate Ways and Means	<b>03/04/2011 - Senate</b> Referred to Ways and Means
<a href="#">HB 2026</a> House Federal and State Affairs	Kansas immigration accountability act	In House Federal and State Affairs	<b>01/19/2011 - House</b> Referred to Federal and State Affairs

Committee			
<a href="#">HB 2036</a> Bill Otto, R-9th	Interpretation of federal statutes; regulations and national codes	In House Judiciary	<b>01/26/2011 - House</b> Scheduled Hearing: Thursday, 2/3/2011, 3:30 PM, Rm 346-S
<a href="#">HB 2065</a> House Local Government Committee	Cities annexation; deannexation; changes	In House Local Government	<b>02/03/2011 - House</b> Scheduled Hearing: Thursday, 2/10/2011, 3:30 PM, Rm 144-S
<a href="#">HB 2072</a> House Judiciary Committee	Civil procedure, commercial property liens; state construction registry, notice of commencement and notice of furnishings	In House Judiciary	<b>02/03/2011 - House</b> Scheduled Hearing: Thursday, 2/10/2011, 3:30 PM, Rm 346-S
<a href="#">HB 2084</a> House Local Government Committee	Consolidation of cities and counties by dual majority vote	In House Local Government	<b>02/03/2011 - House</b> Scheduled Hearing: Thursday, 2/10/2011, 3:30 PM, Rm 144-S
<a href="#">HB 2088</a> House Commerce and Economic Development Committee	Municipalities; sprinkler systems, residential housing; changes	In Senate Local Government	<b>02/16/2011 - Senate</b> Scheduled Hearing: Tuesday, 2/22/2011, 9:30 AM, Rm 159-S
<a href="#">HB 2091</a> Lance Kinzer, R-14th	Decreasing rate of sales and compensating use tax	In House Taxation	<b>02/23/2011 - House</b> Scheduled Discussion and Possible action: Thursday, 3/3/2011, 3:30 PM, Rm 783 DSOB
<a href="#">HB 2096</a> 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	<b>01/27/2011 - House</b> Referred separately to Vision 2020 and Agriculture and Natural Resources
<a href="#">HB 2109</a> House Agriculture and Natural Resources Committee	Creating the Kansas dam rehabilitation program	In House Agriculture and Natural Resources	<b>02/23/2011 - House</b> Withdrawn from Appropriations; rereferred to Agriculture and Natural Resources
<a href="#">HB 2116</a> House Vision 2020 Committee	Establishing state property tax levy for state water infrastructure maintenance, construction, renovation and acquisition	In House Taxation	<b>01/28/2011 - House</b> Referred to Taxation
<a href="#">HB 2120</a> House Government	Kansas government effectiveness and efficiency commission act	In Senate Federal and State Affairs	<b>03/03/2011 - Senate</b> Referred to Federal and State

Efficiency Committee			Affairs; Scheduled Hearing in Federal and State Affairs: Thursday, 3/10/2011, 10:30 AM, Rm 144-S
<a href="#">HB 2127</a> House Federal and State Affairs Committee	Municipalities; demand coordination by federal government and state government; regulations, policies	In House Local Government	<b>02/09/2011 - House</b> Scheduled Hearing: Tuesday, 2/15/2011, 3:30 PM, Rm 144-S
<a href="#">HB 2140</a> Special Committee on Legislative Streamlining	Repealing certain expired committees, task forces and requests for reports to the legislators	In Senate Ways and Means	<b>02/22/2011 - Senate</b> Referred to Way and Means
<a href="#">HB 2156</a> Gene Suellentrop, R-105th	Five-year phase out of income tax on corporations	In House Taxation	<b>02/07/2011 - House</b> Referred to Taxation
<a href="#">HB 2160</a> House Taxation Committee	Establishing the simplified state tax structure committee	In House Taxation	<b>02/23/2011 - House</b> Scheduled Discussion and Possible action: Thursday, 3/3/2011, 3:30 PM, Rm 783 DSOB
<a href="#">HB 2165</a> House 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 House Taxation	<b>02/07/2011 - House</b> Referred to Taxation
<a href="#">HB 2170</a> House Transportation Committee	Rail service improvement program loans and grants	In House Transportation	<b>02/08/2011 - House</b> Referred to Transportation
<a href="#">HB 2175</a> House Transportation Committee	Abolishing the Highway Advisory Commission	On General Orders in Senate	<b>03/03/2011 - Senate</b> Committee Report recommending bill be passed as amended by Transportation
<a href="#">HB 2183</a> House Agriculture and Natural Resources Committee	An act concerning environmental protection; relating to the interstate environmental freedom compact	In House Agriculture and Natural Resources	<b>02/10/2011 - House</b> Scheduled Hearing: Tuesday, 2/15/2011, 9:00 AM, Rm 783 DSOB
<a href="#">HB 2194</a> House Appropriations Committee	Creating the council on efficient government; requirements concerning state contractors	In Senate Federal and State Affairs	<b>03/03/2011 - Senate</b> Referred to Federal and State Affairs; Scheduled Hearing in Federal and State Affairs: Thursday, 3/10/2011, 10:30 AM, Rm 144-S

<a href="#">HB 2198</a> House Appropriations Committee	School districts; capital improvements fund; limitation on state aid entitlement	In House Education Budget	<b>02/09/2011 - House</b> Referred to Education Budget
<a href="#">HB 2200</a> House Education Committee	Concerning school districts; relating to state aid for capital improvements and capital outlay	In Senate Education	<b>02/25/2011 - Senate</b> Referred to Education
<a href="#">HB 2211</a> House Veterans, Military and Homeland Security Committee	Creating a preference for contracts for the performance of any job or service by a disabled veteran business	In House Commerce and Economic Development	<b>02/09/2011 - House</b> Referred to Commerce and Economic Development
<a href="#">HB 2225</a> House Transportation Committee	Rail service improvement loans and grants	In House Transportation	<b>02/09/2011 - House</b> Referred to Transportation
<a href="#">HB 2239</a> House Local Government Committee	Providing the district court with the authority to assess damage claims for vacating roads for counties less than 30,000	In House Judiciary	<b>02/10/2011 - House</b> Referred to Judiciary
<a href="#">HB 2256</a> House Commerce and Economic Development Committee	Contracts with small minority businesses	In House Commerce and Economic Development	<b>02/10/2011 - House</b> Referred to Commerce and Economic Development
<a href="#">HB 2272</a> House Agriculture and Natural Resources Committee	Exempting certain minor construction projects from state and federal water regulations	In House Agriculture and Natural Resources	<b>02/11/2011 - House</b> Referred to Agriculture and Natural Resources; Scheduled Hearing: Thursday, 2/17/2011, 9:00 AM, Rm 783 DSOB
<a href="#">HB 2294</a> House Local Government Committee	Annexation procedures; deannexation; board of county commissioners duties; election required, when; homestead exemption; appeal process	In Senate Local Government	<b>02/25/2011 - Senate</b> Referred to Local Government
<a href="#">HB 2358</a> House Appropriations Committee	Decreasing sales tax rate and earned income tax credit and food sales tax refund amounts	In House Taxation	<b>02/21/2011 - House</b> Referred to Taxation
<a href="#">HB 2368</a> House Appropriations Committee	Concerning appropriations; deleting the 20% credit to the state general fund	In House Appropriations	<b>03/04/2011 - House</b> Referred to Appropriations
<a href="#">HB 2369</a> House Appropriations	Implementation of state fire marshal orders by a board of education	In House Education	<b>03/04/2011 - House</b> Referred to Education

Committee			
<a href="#">HB 2370</a> House Appropriations Committee	Abolishing the office of the state fire marshal and transferring the duties and functions thereof to the division of facilities management, the Kansas bureau of investigation and the division of emergency management	In House Transportation and Public Safety Budget	<b>03/04/2011 - House</b> Referred to Transportation and Public Safety Budget
<a href="#">HCR 5005</a> House Energy and Utilities Committee	Establishing targets for energy development, consumption and costs	In House Energy and Utilities	<b>01/21/2011 - House</b> Referred to Energy and Utilities; Scheduled Hearing: Thursday, 1/27/2011, 9:00 AM, Rm 785 DSOB
<a href="#">HCR 5009</a> Joint Committee on Energy and Environmental Policy	Urging the EPA to develop regulations that minimize adverse impacts	In Senate Utilities	<b>02/25/2011 - Senate</b> Referred to Utilities
<a href="#">HCR 5013</a> House Federal and State Affairs Committee	Constitutional amendment to provide revenue, expenditure and taxation limitations on state government	In House Taxation	<b>02/11/2011 - House</b> Referred to Taxation
<a href="#">HR 6008</a> House Energy and Utilities Committee	Opposing the Environmental Protection Agency's regulatory train wreck	In House Energy and Utilities	<b>02/16/2011 - House</b> Scheduled Hearing: Tuesday, 2/22/2011, 9:00 AM, Rm 785 DSOB
<a href="#">HR 6009</a> House Agriculture and Natural Resources Committee	A resolution to change the language of conservation easement assignments from "perpetuity" to "life of the project."	In House Agriculture and Natural Resources	<b>02/23/2011 - House</b> Scheduled Hearing: Thursday, 3/3/2011, 9:00 AM, Rm 783 DSOB