

LEGISLATIVE NEWSLETTER

ACEC Kansas

No. 9 – March 28, 2011

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

This week in session saw the end of committee work for all intents and purposes. Bills at this point (with the exception of a few that are exempt) have to be passed by both chambers or they are dead for the session. The main activity at the end of the week, and for the first few days of the coming week, will be conference committee meetings on bills that passed both chambers, but passed in different forms. The conference committees will try to reach consensus on a position and take that position back to each chamber for approval.

The key issues from this point forward will almost all be financial. The legislature has to wrap up details of the current fiscal year budget, then pass a budget for the upcoming year. There are an incredible number of moving parts on these issues, from both the spending and the taxing sides. The good news is that we have not seen any surge in progress on efforts by some to repeal the sales tax exemption for professional services, or to repeal the one cent sales tax passed last year which is so critical to infrastructure funding. However, there is plenty of time for mischief remaining.

One piece of good news this week was the passage by the Senate of SB 235, the engineering initiative. This bill would provide a progressively larger pot of state money to the three engineering colleges, but require those schools to raise non state moneys to contribute as well. It passed the Senate, but faces a much tougher challenge in the more conservative House. Here is a list of how individual Senators voted:

Every effort is made to ensure that this information is accurate. See the Journal for official record of roll call votes.							
Vote #	Date	Bill Number		Question		Result	
221	03/23/2011	S Sub for HB 2149		On final action		Passed	
		All Members		Republicans		Democrats	
	For	28	72%	20	65%	8	100%
	Against	11	28%	11	35%	0	0%
	Present	0	0%	0	0%	0	0%
	Not Voting	1	N/A	1	N/A	0	N/A
Yea (28)							
<u>Pat Apple, R-12th</u>		<u>Pete Brungardt, R-24th</u>		<u>Jay Emler, R-35th</u>			
<u>Oletha Faust-Goudeau, D-29th</u>		<u>Marci Francisco, D-2nd</u>		<u>David Haley, D-4th</u>			
<u>Anthony Hensley, D-19th</u>		<u>Tom Holland, D-3rd</u>		<u>Terrie Huntington, R-7th</u>			
<u>Laura Kelly, D-18th</u>		<u>Dick Kelsey, R-26th</u>		<u>Jeff King, R-15th</u>			
<u>Kelly Kultala, D-5th</u>		<u>Jeff Longbine, R-17th</u>		<u>Bob Marshall, R-13th</u>			
<u>Carolyn McGinn, R-31st</u>		<u>Stephen R. Morris, R-39th</u>		<u>Ralph Ostmeyer, R-40th</u>			
<u>Thomas C. (Tim) Owens, R-8th</u>		<u>Mike Petersen, R-28th</u>		<u>Roger Reitz, R-22nd</u>			
<u>Allen Schmidt, D-36th</u>		<u>Vicki Schmidt, R-20th</u>		<u>Jean Schodorf, R-25th</u>			
<u>Mark Taddiken, R-21st</u>		<u>Ruth Teichman, R-33rd</u>		<u>Dwayne Umbarger, R-14th</u>			
<u>John Vratil, R-11th</u>							

Nay (11)		
Steve Abrams, R-32nd	Terry Bruce, R-34th	Garrett Love, R-38th
Julia Lynn, R-9th	Ty Masterson, R-16th	Ray Merrick, R-37th
Rob Olson, R-23rd	Mary Pilcher Cook, R-10th	Dennis Pyle, R-1st
Chris Steineger, R-6th	Susan Wagle, R-30th	
Not voting (1)		
Les Donovan, R-27th		

H Sub for SB 101, the bill addressing codes that require fire sprinklers in single family homes, is now in conference committee. The house has now passed the bill twice, but it remains to be seen if the Senate will agree.

Stay tuned....

Displaying records 1 through 59 of the 59 bills in your tracking list			
Bill 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	03/02/2011 - Senate 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
SB 86 Senate Assessment and Taxation Committee	5 year phase out of capital gains tax	In Senate Assessment and Taxation	03/02/2011 - Senate Withdrawn from Ways and Means; rereferred to Assessment and Taxation
Sub for SB 95 Senate Assessment and Taxation Committee	Five-year phase out of income tax on corporations	In Senate Assessment and Taxation	03/09/2011 - Senate Committee Report: Substitute bill reported without recommendation by Assessment and Taxation; Withdrawn from Calendar; referred to Assessment and Taxation; Scheduled Hearing in Assessment and Taxation: Tuesday, 3/15/2011, 10:30 AM, Rm 152-S
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	In Senate Assessment and Taxation	03/04/2011 - Senate Scheduled Staff briefing in Assessment and Taxation: Tuesday, 3/8/2011, 10:30 AM, Rm 152-S; (cont'd) Wednesday, 3/9/2011, 10:30 AM, Rm 152-S

	rates		
H Sub for SB 101 Senate Ethics and Elections Committee	Municipalities; sprinkler systems, residential housing; changes	Nonconcurrent in Senate	03/23/2011 - Senate Nonconcurrent; Conference Committee requested; appointed Reitz, Brungardt and Faust-Goudeau
SB 112 Senate Federal and State Affairs Committee	Amendments to statutes pertaining to land surveyors	On General Orders in House Above the Line in House	03/23/2011 - House Scheduled for Committee of the Whole consideration - 3/23/2011
SB 115 Senate Ways and Means Committee	Concerning state agencies and other public bodies	Pending motion to concur or nonconcur	03/23/2011 - House Final Action: Passed as amended; Yeas 88, Nays 36
SB 119 Senate Ways and Means Committee	Rail service improvement program loans and grants	Pending enrollment and presentation to Governor	03/23/2011 - House Final Action: Passed; Yeas 103, Nays 21
SB 124 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	Nonconcurrent in Senate	03/23/2011 - Senate Nonconcurrent; Conference Committee requested; appointed Ostmeyer, McGinn and Francisco
SB 140 Senate Commerce Committee	Kansas small and disadvantaged business development program act	In Senate Commerce	02/14/2011 - Senate Scheduled Hearing: Thursday, 2/17/2011, 8:30 AM, Rm 548-S
SB 171 Anthony Hensley, D-19th	Reinstatement of prevailing wage for state construction projects	In Senate Commerce	02/10/2011 - Senate Referred to Commerce
SB 180 Senate Local Government Committee	Annexation procedures; deannexation; board of county commissioners duties; election required, when; homestead exemption; appeal process	In Senate Local Government	02/16/2011 - Senate Scheduled Hearing: Monday, 2/21/2011, 9:30 AM, Rm 159-S
SB 191 Senate Natural Resources Committee	Amending the water rights conservation program	In House Agriculture and Natural Resources	03/21/2011 - House Referred to Agriculture and Natural Resources
SB 208 Senate Ways and Means Committee	Long-term capital improvement program and facilities plans by public safety state agencies	In Senate Ways and Means	02/17/2011 - Senate Referred to Ways and Means
SB 220	Abolishing the office of the state	In Senate Federal	03/09/2011 - Senate

Senate Ways and Means Committee	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	and State Affairs	Scheduled Hearing in Federal and State Affairs: Tuesday, 3/15/2011, 10:30 AM, Rm 144-S
SB 223 Senate Ways and Means Committee	Public facilities; accessibility standards, disabled persons	Introduced in House	03/22/2011 - House Received and introduced
SB 229 Senate Ways and Means Committee	Fee agencies; implementing a 10% transfer for FY2012 then repealing the 20% transfer requirement	Passed in Senate	03/21/2011 - Senate Committee of the Whole: Committee Report be adopted; be passed as amended; Emergenced to Final Action: Passed as amended; Yeas 39, Nays 0
SB 232 Senate Ways and Means Committee	Reduction to state income tax rates based on selected actual state general fund receipts computations, and sales tax rates and distribution	In Senate Assessment and Taxation	03/10/2011 - Senate Referred to Assessment and Taxation
SB 235 Senate Ways and Means Committee	University engineering initiative act	In Senate Ways and Means	03/16/2011 - Senate Referred to Ways and Means; Scheduled Hearing and Possible Action in Ways and Means: Friday, 3/18/2011, 10:30 AM, Rm 548-S
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
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	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

Committee			
HB 2088 House Commerce and Economic Development Committee	Municipalities; sprinkler systems, residential housing; changes	In Senate Local Government	02/16/2011 - Senate Scheduled Hearing: Tuesday, 2/22/2011, 9:30 AM, Rm 159-S
HB 2091 Lance Kinzer, R-14th	Decreasing rate of sales and compensating use tax	On General Orders in House	03/17/2011 - House Committee of the Whole: Motion to recommend favorably for passage failed
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	02/23/2011 - House Withdrawn from Appropriations; rereferred 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 Senate Federal and State Affairs	03/03/2011 - Senate Referred to Federal and State Affairs; Scheduled Hearing in Federal and State Affairs: Thursday, 3/10/2011, 10:30 AM, Rm 144-S
HB 2127 House Federal and State Affairs Committee	Municipalities; demand coordination by federal government and state government; regulations, policies	In House Local Government	02/09/2011 - House Scheduled Hearing: Tuesday, 2/15/2011, 3:30 PM, Rm 144-S
HB 2140 Special Committee on Legislative Streamlining	Repealing certain expired committees, task forces and requests for reports to the legislators	In Senate Ways and Means	02/22/2011 - Senate Referred to Way and Means
HB 2156 Gene Suellentrop, R-105th	Five-year phase out of income tax on corporations	In House Taxation	02/07/2011 - House Referred to Taxation
HB 2160	Establishing the simplified state	In House	02/23/2011 - House

House Taxation Committee	tax structure committee	Taxation	Scheduled Discussion and Possible action: Thursday, 3/3/2011, 3:30 PM, Rm 783 DSOB
HB 2165 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	02/07/2011 - House Referred to Taxation
HB 2170 House Transportation Committee	Rail service improvement program loans and grants	In House Transportation	02/08/2011 - House Referred to Transportation
HB 2175 House Transportation Committee	Abolishing the Highway Advisory Commission	In Conference Committee	03/18/2011 - Senate Acceded; appointed Umbarger, Marshall and Kultala
HB 2183 House Agriculture and Natural Resources Committee	An act concerning environmental protection; relating to the interstate environmental freedom compact	In House Agriculture and Natural Resources	02/10/2011 - House Scheduled Hearing: Tuesday, 2/15/2011, 9:00 AM, Rm 783 DSOB
S Sub for HB 2194 House Appropriations Committee	Increased employee and employer contribution rates and benefit formula multiplier	Pending motion to concur or nonconcur	03/23/2011 - Senate Final Action: Passed; Yeas 35, Nays 4
HB 2198 House Appropriations Committee	School districts; capital improvements fund; limitation on state aid entitlement	In House Education Budget	02/09/2011 - House Referred to Education Budget
HB 2200 House Education Committee	Concerning school districts; relating to state aid for capital improvements and capital outlay	In Senate Education	03/09/2011 - Senate Scheduled Hearing in Education: Tuesday, 3/15/2011, 1:30 PM, Rm 152-S
HB 2211 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	02/09/2011 - House Referred to Commerce and Economic Development
HB 2225 House Transportation Committee	Rail service improvement loans and grants	In House Transportation	02/09/2011 - House Referred to Transportation
HB 2239 House Local Government	Providing the district court with the authority to assess damage claims for vacating roads for	In House Judiciary	02/10/2011 - House Referred to Judiciary

Committee	counties less than 30,000		
HB 2256 House Commerce and Economic Development Committee	Contracts with small minority businesses	In House Commerce and Economic Development	02/10/2011 - House Referred to Commerce and Economic Development
HB 2272 House Agriculture and Natural Resources Committee	Exempting certain minor construction projects from state and federal water regulations	In House Agriculture and Natural Resources	02/11/2011 - House Referred to Agriculture and Natural Resources; Scheduled Hearing: Thursday, 2/17/2011, 9:00 AM, Rm 783 DSOB
HB 2294 House Local Government Committee	Annexation procedures; deannexation; board of county commissioners duties; election required, when; homestead exemption; appeal process	In Senate Local Government	03/09/2011 - Senate Scheduled Hearing in Local Government: Tuesday, 3/15/2011, 9:30 AM, Rm 159-S
HB 2358 House Appropriations Committee	Decreasing sales tax rate and earned income tax credit and food sales tax refund amounts	In House Taxation	02/21/2011 - House Referred to Taxation
HB 2368 House Appropriations Committee	Concerning appropriations; deleting the 20% credit to the state general fund	On General Orders in House	03/09/2011 - House Committee Report recommending bill be passed as amended by Appropriations
HB 2369 House Appropriations Committee	Implementation of state fire marshal orders by a board of education	In House Education	03/07/2011 - House Scheduled Hearing in Education: Thursday, 3/10/2011, 9:00 AM, Rm 784 DSOB
HB 2370 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	03/07/2011 - House Scheduled Hearing in Transportation and Public Safety Budget: Thursday, 3/10/2011, 3:30 PM, Rm 142-S
HB 2379 House Taxation Committee	Reallocation of assessments after exemption of property and issuance of bonds in community improvement districts	In House Taxation	03/11/2011 - House Referred to Taxation
HB 2381 House Taxation Committee	Reduction to state income tax rates based on selected actual state general fund receipts computations, and sales tax rates and distribution	On General Orders in House	03/15/2011 - House Committee Report recommending bill be passed by Taxation

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
HCR 5009 Joint Committee on Energy and Environmental Policy	Urging the EPA to develop regulations that minimize adverse impacts	Adopted	03/17/2011 - Senate Final Action: Adopted; Yeas 38, Nays 0
HCR 5013 House Federal and State Affairs Committee	Constitutional amendment to provide revenue, expenditure and taxation limitations on state government	In House Taxation	02/11/2011 - House Referred to Taxation
HR 6008 House Energy and Utilities Committee	Opposing the Environmental Protection Agency's regulatory train wreck	On Final Action in House	03/23/2011 - House Committee of the Whole: Committee Report be adopted; be further amended; be adopted as amended
Sub for HR 6009 House Agriculture and Natural Resources Committee	A resolution to change the language of conservation easement assignments from "perpetuity" to "life of the project."	Adopted	03/10/2011 - House Committee of the Whole: Committee Report recommending substitute bill be adopted; substitute be adopted; Emergenced to Final Action: Adopted; Yeas 117, Nays 0