

LEGISLATIVE NEWSLETTER

ACEC Kansas

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Activity under the dome has already picked up significantly in week two. There are a few new bills out that grabbed our attention this week.

Senate Resolution 1804 asks the federal government to pass a multi-year federal transportation funding program at current funding levels. While Kansas resolutions are obviously not binding on the federal government, these are often useful as a way to show the Kansas Congressional delegation the desires of state leaders back home. This bill has a hearing scheduled Wednesday in the Senate Transportation Committee. ACEC will submit testimony in support.

Economic Lifelines has reported that Representative Tom Sloan asked for introduction of a bill this week that would take 0.1% of the sales tax currently slated for T-Works and use it to fund the State Water Plan. All water fees that currently flow into the State Water Plan Fund would then sunset. Economic Lifelines intends to oppose this legislation if it garners a hearing.

Senate Bill 301 was released this week and would alter the duration of terms on the Kansas Board of Technical Professions. The goal of the bill, which the Board requested, is to avoid situations where multiple Board members leave simultaneously, which could potentially leave the Board short on experience. No opposition to the bill is expected.

We have also seen a large number of bills which would legislate preferences in state contracts for different groups, including veterans, the disabled, small businesses, and MBE/WBE firms. Many of these bills don't apply to professional services, and therefore are not high impact to ACEC Kansas firms. The only one on which ACEC Kansas expects to take a position at this time would be opposition to HB 2463. HB 2463 would require many state contracts for professional services to be awarded to only companies where at least 70% of employees working on the project are Kansas residents. While the principle of creating Kansas jobs is certainly laudable, the devil is in the details in this case. It would hamper firms that may be located in Kansas but have employees who live across the border. It might also result in retaliatory legislation from surrounding states. This bill is not scheduled for a hearing at this time.

Looking ahead to next week, there are two items that stand out.

Tuesday there will be an update on the Engineering Initiatives Act of 2011 in the Senate Ways & Means Committee.

Monday, the House Education Budget Committee will have a hearing on HB 2429. HB 2429 makes permanent a temporary change to procurement for certain Board of Regents projects. Three years ago, ACEC Kansas and other stakeholder groups worked with the Board of Regents to give the Regents institutions the power to use CM at risk in certain tightly proscribed circumstances. Any project using state dollars would not be eligible. One of the checks put in place was a panel which must approve the use of CM at risk. ACEC Kansas has a seat on that

panel, and the consensus is that the panel has worked well. The original language was scheduled to sunset this July....HB 2429 would make it permanent. ACEC Kansas will testify in support of this bill.

Stay tuned...

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 rates	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
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
H Sub for SB 191 Senate Natural Resources Committee	Appropriations; department of agriculture; laboratory testing	On General Orders in House	05/06/2011 - House Committee of the Whole: Be passed over and retain a place on the Calendar
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 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 Federal and State Affairs	03/09/2011 - Senate 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	In House Federal and State Affairs	01/19/2012 - House Scheduled Hearing in Federal and State Affairs: Monday, 1/23/2012, 1:30 PM, Rm 346-S
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
SB 268 Senate Commerce Committee	Enacting the Kansas Small and Disadvantaged Business Development Act	In Senate Commerce	01/12/2012 - Senate Referred to Commerce
SB 301 Senate Federal and State	Board of Technical Professions; terms of members	In Senate Federal and State Affairs	01/20/2012 - Senate Referred to Federal and State Affairs

Affairs Committee			
SR 1804 Senate Transportation Committee	Requesting a long-term transportation funding plan	In Senate Transportation	01/19/2012 - Senate Referred to Transportation; Scheduled Hearing in Transportation: Wednesday, 1/25/2012, 8:30 AM, Rm 152-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 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	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 Agriculture and Natural Resources	01/20/2012 - House Committee Report recommending bill be passed as amended by Vision 2020; bill remains in 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
S Sub for HB 2149 House Agriculture and Natural Resources Committee	University Engineering Initiative Act	In House Appropriations	04/27/2011 - House Scheduled Hearing (cont'd) and Possible Action in Appropriations: Thursday, 4/28/2011, 9:00 AM, Rm 346-S
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 House Taxation Committee	Establishing the simplified state tax structure committee	In House Taxation	02/23/2011 - House Scheduled Discussion and Possible action: Thursday, 3/3/2011, 3:30 PM, Rm 783 DSOB
HB 2165 House Taxation	Elimination of certain sales tax exemptions, imposition of sales tax on certain services, provision of sales tax	In House Taxation	02/07/2011 - House Referred to Taxation

Committee	exemption for certain purchases of food, and reduction of sales tax and certain income tax rates		
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	05/12/2011 Scheduled Meeting in Conference Committee: Thursday, 5/12/2011, 1st recess of 2nd chamber, Rm 159-S
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
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	03/28/2011 - Senate Withdrawn from Ways and Means; rereferred to Education
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	01/18/2012 - House Scheduled Hearing in Commerce and Economic Development: Monday, 1/23/2012, 1:30 PM, Rm 785 DSOB
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 Committee	Providing the district court with the authority to assess damage claims for vacating roads for counties less than 30,000	In House Judiciary	02/10/2011 - House Referred to Judiciary

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	Reduction to state income tax rates based on selected actual state general fund receipts computations, and sales	On General Orders in House	03/15/2011 - House Committee Report recommending bill be passed by Taxation

House Taxation Committee	tax rates and distribution		
HB 2429 Legislative Educational Planning Committee	Removal of expiration date for the State Educational Institution Project Delivery Construction Procurement Act	In House Education Budget	01/18/2012 - House Scheduled Hearing in Education Budget: Monday, 1/23/2012, 3:30 PM, Rm 159-S
HB 2442 House Social Services Budget Committee	Relating to employment of disabled individuals and competitive bids for state contracts	In House Appropriations	01/18/2012 - House Withdrawn from Social Services Budget; referred to Appropriations; Scheduled Hearing in Appropriations: Thursday, 1/26/2012, 9:00 AM, Rm 346-S
HB 2450 House Commerce and Economic Development Committee	Enacting the Kansas Small and Disadvantaged Business Development Act	In House Commerce and Economic Development	01/13/2012 - House Commerce and Economic Development
HB 2463 House Commerce and Economic Development Committee	Requiring employment of Kansas workers for certain state contracts and tax benefits	In House Commerce and Economic Development	01/18/2012 - House Referred to Commerce and Economic Development
HB 2472 House Energy and Utilities Committee	Rural water districts; definitions	In House Energy and Utilities	01/19/2012 - House Referred to Energy and Utilities
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 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