

LEGISLATIVE NEWSLETTER

ACEC Kansas

No. 9 – March 16, 2012

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ACEC scored a huge victory this week when the portion of the House tax plan (SB 177) that raided T-Works funding was defeated by an overwhelming majority vote on an amendment to the bill. The tax plan itself passed, and still contains some policies which cause concern, but the worst part was definitely averted. ***Thank you*** to all who contacted their legislators over the last few weeks. Your voices made a difference! The fight is not over, as there is still plenty of time for legislators to make another run at T-Works funding. Please continue to stress the importance of maintaining the funding amount ***and*** timetable of the T-Works program when you talk to your elected officials.

ACEC testified in opposition this week to HB 2763, which was heard in House Tax. HB 2763, known as the "Fair Tax" bill, would replace sales tax with a consumption tax, and professional services would not have an exemption. It doesn't look like the bill has much momentum, but as always, vigilance is required. Taxing professional services, whether through sales tax or consumption tax, is another idea that is not going to go away quietly.

The Senate passed HB 2429 by a 40-0 vote this week, sending it to the Governor for signature. HB 2429 repealed the sunset clause on allowing certain privately funded Regents projects to be considered for alternative delivery methods. ACEC has supported this bill along with other stakeholder groups.

SB 301, which alters term durations for some Board of Technical Profession members, is still awaiting a final vote in House Commerce, but that could come as soon as today.

Committees will largely conclude their work today and most action will shift to the floor. From this point forward, most committees will not be meeting on a regular basis. As action moves to the floor of each chamber, the opportunity for mischief through amendments grows.

Stay tuned....

| Bill Number and Sponsor | Bill Subject | Current Status | Last Action |
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| 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 |
| H Sub for SB 177 Senate Utilities Committee | Taxation; income and privilege tax rates; income tax deductions and credits and income determination; distribution of sales and use tax revenue; and severance tax exemptions | Pending motion to concur or nonconcur | 03/14/2012 - House Final Action: Passed as amended; Yeas 68, Nays 56 |
| 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 |

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| 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 301 Senate Federal and State Affairs Committee | Board of Technical Professions; terms of members | In House Commerce and Economic Development | 03/13/2012 - House Scheduled Hearing in Commerce and Economic Development: Wednesday, 3/14/2012, 1:30 PM, Rm 785 DSOB |
| SB 310 Senate Natural Resources Committee | Establishing local enhanced management areas | Pending motion to concur or nonconcur | 03/15/2012 - House Final Action: Passed as amended; Yeas 122, Nays 1 |
| SB 312 Senate Ways and Means Committee | Sales and compensating use tax; rate of taxation and distribution of revenues | In Senate Assessment and Taxation | 02/15/2012 - Senate Scheduled Hearing in Assessment and Taxation: Thursday, 2/16/2012, 10:30 AM, Rm 152-S |
| SB 342 Senate Transportation Committee | Establishing a safety corridor program | In House Transportation | 03/01/2012 - House Referred to Transportation |

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| SB 375 Senate Natural Resources Committee | Adding a new exemption for solid waste permit | In House Agriculture and Natural Resources | 03/06/2012 - House Scheduled Hearing in Agriculture and Natural Resources: Thursday, 3/8/2012, 9:00 AM, Rm 783 DSOB |
| SB 387 Senate Federal and State Affairs Committee | Qualifications of the state fire marshal | In House Federal and State Affairs | 03/07/2012 - House Scheduled Hearing in Federal and State Affairs: Tuesday, 3/13/2012, 1:30 PM, Rm 346-S |
| SB 396 Senate Judiciary Committee | Lateral support of land and buildings; protections for party walls | In Senate Judiciary | 03/07/2012 - Senate Scheduled Hearing and Possible Action in Judiciary: Wednesday, 3/14/2012, 9:30 AM, Rm 548-S |
| SB 405 Ralph Ostmeyer, R-40th | Existing private wastewater systems | In Senate Natural Resources | 03/07/2012 - Senate Scheduled Hearing and Possible Action in Natural Resources: Friday, 3/16/2012, 8:30 AM, Rm 159-S |
| SB 430 Senate Ways and Means Committee | Income tax rates, adjustments, procedure and requirements; eliminate refund ability of income tax credits; presumptions relating to nexus for sales tax purposes; and severance tax exemptions | In Senate Assessment and Taxation | 03/07/2012 - Senate Scheduled Hearing in Assessment and Taxation: Tuesday, 3/13/2012, 10:30 AM, Rm 152-S |
| SB 435 Senate Ways and Means Committee | Establishing a conservation reserve enhancement program (CREP) | In Senate Ways and Means | 03/02/2012 - Senate Scheduled Possible Final Action in Ways and Means: Tuesday, 3/6/2012, 10:30 AM, Rm 548-S |
| SB 456 Senate Ways and Means Committee | Creating the municipality infrastructure improvement program | In Senate Ways and Means | 03/08/2012 - Senate Referred to Ways and Means |
| SCR 1611 Vicki Schmidt, R-20th | Constitutional amendment; creating a contingency reserve fund in the state treasury; annual transfers; withdrawals only under certain | On General Orders in Senate | 02/21/2012 - Senate Committee Report recommending resolution be adopted by Ways and Means |

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| 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 2084 House Local Government Committee | Consolidation of cities and counties by dual majority vote | In House Local Government | 03/08/2012 - House Withdrawn from Appropriations; rereferred to Local Government |
| 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 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 |

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| 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 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 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 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 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 |

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| 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 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 |
| HB 2429 Legislative Educational Planning Committee | Removal of expiration date for the State Educational Institution Project Delivery Construction Procurement Act | Pending enrollment | 03/15/2012 - Senate Final Action: Passed; Yeas 40, Nays 0 |
| HB 2442 House Social Services Budget Committee | Relating to employment of disabled individuals and competitive bids for state contracts | On General Orders in House | 02/14/2012 - House Committee Report recommending bill be passed as amended by Appropriations |
| Sub for HB 2455 House Energy and Utilities Committee | Motor fuel tax; long-term feasibility study | In Senate Assessment and Taxation | 03/01/2012 - Senate Scheduled Hearing in Assessment and Taxation: Tuesday, 3/6/2012, 10:30 AM, Rm 152-S |

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| HB 2472 House Energy and Utilities Committee | Rural water districts; definitions | On Final Action in Senate | 03/14/2012 - Senate Committee of the Whole: Be passed |
| HB 2515 House Commerce and Economic Development Committee | Competitive Bid Protection Act | In Senate Ways and Means | 03/07/2012 - Senate Scheduled Hearing in Ways and Means: Tuesday, 3/13/2012, 10:30 AM, Rm 548-S |
| HB 2516 House Agriculture and Natural Resources Committee | Allowing a water bank charter to become permanent | In Senate Agriculture | 02/29/2012 - Senate Scheduled Hearing in Agriculture: Tuesday, 3/6/2012, 8:30 AM, Rm 159-S |
| HB 2517 House Agriculture and Natural Resources Committee | Making the water transition assistance program permanent | In Senate Agriculture | 02/29/2012 - Senate Scheduled Hearing in Agriculture: Tuesday, 3/6/2012, 8:30 AM, Rm 159-S |
| HB 2628 House Taxation Committee | Reducing sales tax rate to 5.3% commencing July 1, 2012 | In House Taxation | 02/06/2012 - House Referred to Taxation |
| HB 2649 House Government Efficiency Committee | Repeal of certain water statutes | On General Orders in Senate | 03/14/2012 - Senate Committee Report recommending bill be passed as amended by Agriculture |
| HB 2667 House Taxation Committee | Comprehensive plan for reduction of sales tax rate and income tax rates, elimination of certain sales tax exemptions, imposition of sales tax on certain services and provision of sales tax exemption for certain purchases of food | In House Taxation | 02/09/2012 - House Referred to Taxation |
| HB 2685 House Energy and Utilities Committee | Allowing eligible water right holders to create reservoir improvement districts | In Senate Natural Resources | 03/01/2012 - Senate Scheduled Hearing in Natural Resources: Friday, 3/2/2012, 8:30 AM, Rm 159-S |
| HB 2687 House Government Efficiency Committee | State Building Advisory Commission, reports and recommendations on state capital improvement budget estimates | On Consent Calendar in Senate (2nd day) | 03/13/2012 - Senate Committee Report recommending bill be passed and placed on Consent Calendar by Ways and Means |

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| HB 2692 House Vision 2020 Committee | Distribution of sales and use tax revenue; funding streams to the state water plan fund | In House Taxation | 02/09/2012 - House Referred to Taxation |
| HB 2705 House Government Efficiency Committee | State building construction, monthly progress reports on capital improvement projects by secretary of administration | In Senate Ways and Means | 03/01/2012 - Senate Referred to Ways and Means |
| HB 2708 House Appropriations Committee | Renewable energy resources | In Senate Utilities | 02/29/2012 - Senate Scheduled Hearing in Utilities: Wednesday, 3/7/2012, 1:30 PM, Rm 548- S |
| HB 2747 House Taxation Committee | Taxation, rate reduction for income and privilege tax based state general fund receipts computations; income tax, deductions, credits and income determination; distribution of sales and use tax revenue; severance tax exemption; and rural opportunity zones | In House Taxation | 02/15/2012 - House Referred to Taxation; Scheduled Hearing in Taxation: Wednesday, 2/15/2012, 3:30 PM, Rm 783 DSOB; Continued - Thursday, 2/16/2012, 3:30 PM, Rm 783 DSOB |
| HB 2755 House Appropriations Committee | Allowing the Kansas fairgrounds foundation to construct a building on the state fairgrounds, using private moneys; requires state fair board approval | Passed in House | 03/15/2012 - House Final Action: Passed as amended; Yeas 122, Nays 1 |
| HB 2763 House Taxation Committee | Enacting the Kansas Economic Freedom Act of 2014 | In House Taxation | 03/07/2012 - House Scheduled Hearing (Pro) in Taxation: Wednesday, 3/14/2012, 3:30 PM, Rm 783 DSOB; Scheduled Hearing (Opp) in Taxation: Thursday, 3/15/2012, 3:30 PM, Rm 783 DSOB |
| HB 2776 House Federal and State Affairs Committee | State Fire Marshal; prohibit adoption of certain fire codes | In House Local Government | 03/12/2012 - House Scheduled Hearing in Local Government: Tuesday, 3/13/2012, 3:30 PM, Rm 144-S |
| 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 |
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