

LEGISLATIVE NEWSLETTER

ACEC Kansas

No. 10 – March 22, 2013

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Week 10 didn't see much action on ACEC Kansas bills, but that small amount of action was incredibly important...and thanks to the efforts from members of ACEC Kansas and other stakeholder groups contacting their elected officials, the results were outstanding!

The big news was the fight over transportation funding that evolved around House Sub for SB 84. The House Tax Committee passed out House Sub for 84 with a provision to sweep the entire 4/10 cent sales tax that is currently scheduled to provide the bulk of the funding for the T-Works program and redirect that revenue to the state general fund. ACEC Kansas and other stakeholder groups put on a full court press, lobbying House members to amend the bill on the floor to restore the entire 4/10 cent sales tax to the T-Works program. After a very lengthy debate, it became clear that a majority of the House was committed to restoring the funding to T-Works.

House Tax Committee Chairman Richard Carlson ended up offering an amendment to restore the full funding to T-Works, and the amendment passed with a strong margin.

It was a great win, but this fight is far from over. The Legislature is just beginning the truly hard work of crafting a budget and setting tax policy. As the debate rages on and the never-ending search for money continues, infrastructure funding of all kind will continue to be at risk.

We still desperately need help with SB 54, the updates to licensure statutes under the Board of Technical Professions. Please see the action alert at the end of this e-mail and contact your Senator if you have not already done so.

HB 2234, the bill merging KTA and KDOT (at least to some degree), was heard this week in the Senate Ways & Means Committee. The House watered the bill down quite a bit, but the Senate appears to have more appetite to go back to the original bill which creates a more complete merger of the two agencies. There is much work yet to be done on this issue.

Stay tuned....

SB 54: Statehouse ACTION ALERT!

Contact your state senator and ask them to oppose any Senate floor amendments to Senate Bill 54, the State Board of Technical Professions licensure bill.

Senate Bill 54 was worked a second time in Senate Federal and State Affairs Committee this week and sent to the full Senate for consideration. There were no amendments offered in committee to expand any of the exemptions to licensure for design of commercial or religious buildings. However, we are expecting such amendments will be offered when the bill is worked by the full Senate. The bill will not be worked until we generate enough confirmed support.

It is essential we secure commitments from as many senators as possible that they will oppose efforts to broaden licensure exemptions. We have to have confidence that at least 21 senators are firmly committed to supporting SB 54 WITHOUT amendments that increase licensure exemptions.

Please contact your State Senator ASAP and ask for their commitment to oppose any amendments creating exemptions to Senate Bill, your licensure law. Here are the major points to make:

- Senate Bill 54 is needed to update and modernize the licensure laws for all five technical professions regulated by the State Board of Technical Professions: professional engineers, architects, landscape architects, land surveyors and geologists
- The Mission of the State Board of Technical Professions is to protect the public health, safety and welfare from the risks associated with the malpractice of technical professions by licensees and non-licensees
- We expect efforts to approve amendments that would exempt from licensure requirements:
 - The design of all commercial buildings designed by the owner of the land on which the buildings are constructed
 - The design of religious facilities
- Please commit to vote NO on these amendments

Please send me an email to Ron@kansasengineer.org and report the results of your phone call. We won't ask Senate leadership to run Senate Bill 54 in the full Senate until we have confidence that we can defeat any adverse amendments on the Senate floor. The KSPE Executive Committee has taken the position that defeating further exemptions to our licensure statutes is more important than passing the updates to our licensure law. We will oppose passage of SB 54 IF the adverse amendments are approved. Please help us defeat exemptions to licensure.

| Bill Number and Sponsor | Bill Subject | Current Status | Last Action |
|---|---|-----------------------------------|---|
| SB 5 Oletha Faust-Goudeau, D-29th | Business entities; restricting the use of an acquired entity's name by an acquiring entity | In Senate Commerce | 01/17/2013 - Senate Scheduled Hearing and Possible Action in Commerce: Thursday, 1/24/2013, 8:30 AM, Rm 548-S |
| SB 15 Anthony Hensley, D-19th | Local ad valorem tax reduction fund; transfers to; distributions to political subdivisions | In Senate Assessment and Taxation | 01/15/2013 - Senate Referred to Assessment and Taxation |
| SB 42 Senate Federal and State Affairs Committee | Architects and engineers; immunity from liability in negligence under certain circumstances | In House Judiciary | 03/18/2013 - House Referred to Judiciary |
| SB 43 Joint Committee on Energy and | Requiring the Kansas Water Office to formulate a plan to address water-related issues | In Senate Natural Resources | 01/23/2013 - Senate Scheduled Hearing and Possible Action in Natural Resources: |

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| Environmental Policy | | | Thursday, 1/31/2013, 8:30 AM, Rm 159-S |
| SB 48 Senate Federal and State Affairs Committee | Kansas Employer E-verify Accountability Act | In Senate Commerce | 02/28/2013 - Senate Motion to withdraw from Committee failed: Yeas 6, Nays 34 |
| SB 54 Senate Federal and State Affairs Committee | Amendments pertaining to the Board of Technical Professions | On General Orders in Senate | 02/26/2013 - Senate Committee Report recommending bill be passed as amended by Federal and State Affairs |
| H Sub for SB 84 Senate Assessment and Taxation Committee | Reduction to state income tax rates based on selected actual state general fund receipts computations; distribution of revenues from sales and compensating use tax; reduction of itemized deductions | Nonconcurrent in Senate | 03/21/2013 - Senate Nonconcurrent; Conference Committee requested; appointed Donovan, Tyson and Hensley |
| SB 93 Senate Commerce Committee | Civil procedure, commercial property liens; state construction registry, notice of commencement and notice of furnishings | In Senate Commerce | 02/06/2013 - Senate Scheduled Hearings in Commerce: Proponents - Monday, 2/11/2013, 8:30 AM, Rm 548-S; Opponents - Tuesday, 2/12/2013, 8:30 AM, Rm 548-S |
| SB 109 Senate Federal and State Affairs Committee | Lobbying; use of public funds prohibited | In Senate Ethics, Elections and Local Government | 02/08/2013 - Senate Scheduled Hearing in Ethics, Elections and Local Government: Monday, 2/11/2013, 9:30 AM, Rm 159-S |
| SB 131 Senate Ways and Means Committee | School finance; use of capital outlay funds | In Senate Education | 02/20/2013 - Senate Scheduled Possible Action in Education: Monday, 2/25/2013, 12:30 PM, Rm 144-S; Tuesday, 2/26/2013, 2:30 PM, Rm 144-S |
| SB 132 Senate Ways and Means Committee | School finance; amount of tax levy authorized to finance ancillary school facilities | In Senate Education | 02/06/2013 - Senate Referred to Education |
| SB 150 Senate Ethics, Elections and Local Government Committee | State, municipalities; contracts for construction materials and other goods and merchandise; specification limitations | In Senate Ethics, Elections and Local Government | 03/01/2013 - Senate Scheduled Hearing in Ethics, Elections and Local Government: Thursday, 3/7/2013, 9:30 AM, Rm 159-S |
| SB 153 Senate Ways and Means Committee | Water; dams; definition; exemption from permit requirements; inspection costs and penalties | In Senate Natural Resources | 02/12/2013 - Senate Scheduled Hearing and Possible Action in Natural Resources: Friday, 2/15/2013, 8:30 AM, Rm 159-S |

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| SB 155 Senate Federal and State Affairs Committee | Technical professions; ethical marketing of profession services; state, local government clients | In Senate Federal and State Affairs | 02/11/2013 - Senate Referred to Federal and State Affairs |
| SB 179 Anthony Hensley, D-19th | Requiring employment of Kansas workers for certain state contracts and tax benefits | In Senate Commerce | 02/20/2013 - Senate Scheduled Hearing in Commerce: Tuesday, 2/26/2013, 10:30 AM, Rm 548-S |
| SB 179 Anthony Hensley, D-19th | Requiring employment of Kansas workers for certain state contracts and tax benefits | In Senate Commerce | 02/20/2013 - Senate Scheduled Hearing in Commerce: Tuesday, 2/26/2013, 10:30 AM, Rm 548-S |
| SB 195 Senate Ways and Means Committee | Kansas Employment First Initiative Act amendments | In Senate Commerce | 03/13/2013 - Senate Scheduled Final Action in Commerce: Monday, 3/18/2013, 8:30 AM, Rm 548-S |
| SB 198 Anthony Hensley, D-19th | Kansas Buy American Act | In Senate Commerce | 02/14/2013 - Senate Referred to Commerce |
| SB 209 Senate Ways and Means Committee | Providing for public disclosure and economic efficiency in publicly funded contracts and economic development agreements | In Senate Federal and State Affairs | 02/19/2013 - Senate Referred to Federal and State Affairs |
| SCR 1604 Susan Wagle, R-30th | Joint rules for the Senate and House of Representatives, 2013-2014 | Adopted | 01/29/2013 - Senate Concurred; Yeas 28, Nays 12 |
| HB 2005 Steve Huebert, R-90th | State aid for capital improvements and capital outlay for school districts | In House Education | 01/14/2013 - House Introduced; Referred to Education |
| HB 2010 Gail Finney, D-84th | Business entities; restricting the use of an acquired entity's name by an acquiring entity | In House Commerce, Labor and Economic Development | 01/14/2013 - House Introduced; Referred to Commerce, Labor and Economic Development |
| HB 2031 House Agriculture and Natural Resources Committee | Distribution of sales and use tax revenue; funding streams to the state water plan fund | In House Agriculture and Natural Resources | 01/18/2013 - House Referred to Agriculture and Natural Resources |
| Sub for HB 2051 House Agriculture and Natural Resources Committee | Amending provisions relating to dams, obstructions, streams and water flex accounts and transfer permits | In Senate Natural Resources | 03/19/2013 - Senate Scheduled Possible Action in Natural Resources: Thursday, 3/21/2013, 7:30 AM, Rm 159-S |
| HB 2053 House Federal and State Affairs Committee | Amendments pertaining to the Board of Technical Professions | In House Commerce, Labor and Economic Development | 01/24/2013 - House Referred to Commerce, Labor and Economic Development |
| HB 2072 House Local Government Committee | Municipalities; solid waste collection; limitations | In House Local Government | 02/06/2013 - House Scheduled Hearing in Local Government: Tuesday, 2/12/2013, |

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| HB 2073 House Local Government Committee | Streams, dams and obstructions; chief engineer, division of water resources duties; counties, authority | In House Agriculture and Natural Resources | 02/15/2013 - House Scheduled Discussion and Possible Action in Agriculture and Natural Resources: Monday, 2/18/2013, 3:30 PM, Rm 346-S |
| HB 2074 House Local Government Committee | Cities and counties; solid waste disposal areas; restrictions | In Senate Ethics, Elections and Local Government | 03/07/2013 - Senate Referred to Ethics, Elections and Local Government |
| HB 2077 House Veterans, Military and Homeland Security Committee | Granting professional licenses to military service members | On General Orders in Senate | 03/19/2013 - Senate Committee Report recommending bill be passed as amended by Federal and State Affairs |
| HB 2136 House Taxation Committee | Sales and compensating use tax; distribution of revenues | In House Taxation | 02/06/2013 - House Scheduled Hearing in Taxation: Thursday, 2/14/2013, 3:30 PM, Rm 582-N |
| HB 2137 House Taxation Committee | Sunsetting the vehicle modernization surcharge | On General Orders in House | 03/13/2013 - House Committee Report recommending bill be passed as amended by Transportation and Public Safety Budget |
| HB 2147 House General Government Budget Committee | Repealer; use of metric system on certain road signs and markers, moving of heavy vehicles on bridges or culverts, interstate bridges | Pending enrollment | 03/20/2013 - Senate Final Action: Passed; Yeas 40, Nays 0 |
| HB 2158 House Veterans, Military and Homeland Security Committee | Creating a preference to businesses owned by disabled veterans for state contracts | In House Commerce, Labor and Economic Development | 01/31/2013 - House Referred to Commerce, Labor and Economic Development |
| HB 2171 House Agriculture and Natural Resources Committee | Establishing agreed local management areas | In House Agriculture and Natural Resources | 02/06/2013 - House Scheduled Hearing in Agriculture and Natural Resources: Tuesday, 2/12/2013, 3:30 PM, Rm 346-S |
| HB 2173 House Commerce, Labor and Economic Development Committee | Civil Procedure: remote claims on commercial property; state construction registry | In House Judiciary | 03/13/2013 - House Scheduled Hearing in Judiciary: Tuesday, 3/19/2013, 3:30 PM, Rm 112-N |
| HB 2193 House Federal and State Affairs Committee | Public facilities; accessibility standards for disabled persons | Pending enrollment | 03/20/2013 - Senate Final Action: Passed; Yeas 40, Nays 0 |
| Sub for HB 2207 | Amending provisions relating to the | In Senate Natural | 03/19/2013 - Senate |

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| House Agriculture and Natural Resources Committee | regulation and certification of animal feeding facilities | Resources | Scheduled Possible Action in Natural Resources: Thursday, 3/21/2013, 7:30 AM, Rm 159-S |
| HB 2234 House Appropriations Committee | Naming the Secretary of Transportation as the chairperson and chief executive officer of the Kansas Turnpike authority; contracts between the authority and the Kansas Department of Transportation | In Senate Ways and Means | 03/18/2013 - Senate Scheduled Hearing in Ways and Means: Wednesday, 3/20/2013, 11:00 AM, Rm 548-S |
| HB 2246 House Commerce, Labor and Economic Development Committee | Peer review for certain licensed technical professionals | In House Commerce, Labor and Economic Development | 02/13/2013 - House Scheduled Hearing in Commerce, Labor and Economic Development: Wednesday, 2/20/2013, 1:30 PM, Rm 346-S |
| HB 2249 House Local Government Committee | City annexation of fire district land; double taxation; refund | On General Orders in Senate | 03/20/2013 - Senate Committee Report recommending bill be passed as amended by Ethics, Elections and Local Government |
| HB 2264 House Education Committee | School districts; capital improvements | In House Education | 02/08/2013 - House Referred to Education |
| HB 2273 Annie Tietze, D-53rd | Requiring employment of Kansas workers for certain state contracts and tax benefits | In House Commerce, Labor and Economic Development | 02/11/2013 - House Referred to Commerce, Labor and Economic Development |
| HB 2279 Paul T. Davis, D-46th | Kansas Buy American Act | In House Commerce, Labor and Economic Development | 02/11/2013 - House Referred to Commerce, Labor and Economic Development |
| HB 2295 House Energy and Environment Committee | Water pollution control permits and creating the water program management fund | In House Agriculture and Natural Resources | 02/15/2013 - House Scheduled Hearing in Agriculture and Natural Resources: Tuesday, 2/19/2013, 3:30 PM, Rm 346-S |
| HB 2334 Paul T. Davis, D-46th | Requiring prevailing wage for public works projects | In House Appropriations | 02/14/2013 - House Referred to Appropriations |
| HB 2355 House Taxation Committee | Kansas Fair Tax Act of 2013 | In House Taxation | 02/15/2013 - House Referred to Taxation |
| HB 2366 House Energy and Environment Committee | Use of public funds to promote sustainable development | In House Energy and Environment | 02/18/2013 - House Referred to Energy and Environment |
| HB 2392 House Appropriations Committee | School finance; use of capital outlay funds | In House Appropriations | 03/08/2013 - House Referred to Appropriations |

| HB 2392 House Appropriations Committee | School finance; use of capital outlay funds | In House Appropriations | 03/08/2013 - House Referred to Appropriations |
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| HCR 5008 House Transportation Committee | Encouraging KDOT to make engineering decisions based upon professional findings | In House Transportation | 02/01/2013 - House Referred to Transportation |
| Bill Number and Sponsor | Bill Subject | Current Status | Last Action |
| HR 6004 Ray Merrick, R-27th | Rules of House of Representatives, permanent rules of the 2013-2014 biennium | Adopted | 01/28/2013 - House Final Action: Adopted as amended; Yeas 82, Nays 40 |
| HR 6015 House Transportation Committee | Studying the viability of compressed natural gas as an alternative vehicle fuel | On General Orders in House | 03/18/2013 - House Committee Report recommending resolution be adopted as amended by Energy and Environment |