

LEGISLATIVE NEWSLETTER

ACEC Kansas

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Week 3 saw the continued introduction of high impact tax legislation and the start of committee debate on some of those measures previously introduced. The Governor's budget and tax plan received their first significant committee hearings this week. It remains unknown whether there is enough support in the Legislature to push along the Governor's plan to continue the gradual reduction in income tax helped in large part by the extension of 6/10 cent of sales tax and in the repeal of tax deductions for mortgage interest and home property tax.

In the meantime, there were two new bills this week which would take money from the state highway plan. HB 2136 would withdraw part of the sales tax transfer. HB 2137 would withdraw \$4 of the motor vehicle registration fee, which has been temporarily diverted the last several years, but was scheduled to start flowing back to the highway fund. No hearing has been scheduled on either bill yet.

The Senate Federal and State Affairs Committee yesterday held a hearing on SB 54 - the update to licensure statutes under the Kansas State Board of Technical Professions. ACEC and all other affected professional groups testified in support. There was opposition from the League of Kansas Municipalities, the Kansas Association of Counties, and the Kansas County Highway Association. All groups are going to continue conversations early next week in hopes of bringing a compromise supported by all parties back to the committee.

There is a hearing next Thursday in the House Agriculture Committee on HB 2051 and HB 2073, both of which cover various Kansas water policies such as streams, dam inspections, regulation of flex accounts, etc.

HB 2173 was introduced this week establishing a "state construction registry". The idea behind the bill is that companies will be able to sign up for this registry when doing work for the state and it will yield a higher level of protection for their lien rights. It was referred to House Judiciary, but no hearing is scheduled at this time.

HB 2147, a new bill in the House Transportation Committee, would repeal an entire section of statutes relating to tolls, mostly for bridges crossing state lines. It also catches a statute from a different section requiring the use of metrics. We're not sure yet if this is a simple cleanup effort, or if this is linked to the effort to fold the Kansas Turnpike Authority into KDOT.

HCR 5008 was another new bill that raised eyebrows. It calls on KDOT to make decisions based on policy instead of politics. Being a resolution as opposed to a proposed law, it doesn't necessarily have a lot of teeth, but no doubt KDOT folks have taken note.

One other hearing of note next week...Mike Johnston with the Kansas Turnpike Authority will appear before the Senate Ways & Means Committee Tuesday to discuss the proposed merger of KDOT and the KTA under one umbrella.

Stay tuned...

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 Senate Judiciary	01/18/2013 - Senate Referred to Judiciary
SB 43 Joint Committee on Energy and Environmental Policy	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: 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	01/22/2013 - Senate Referred to Commerce
SB 54 Senate Federal and State Affairs Committee	Amendments pertaining to the Board of Technical Professions	In Senate Federal and State Affairs	01/23/2013 - Senate Referred to Federal and State Affairs; Scheduled Hearing in Federal and State Affairs: Thursday, 1/31/2013, 10:30 AM, Rm 144-S
SB 84 Senate Assessment and Taxation Committee	Sales taxation; presumptions relating to nexus	In Senate Assessment and Taxation	01/30/2013 - Senate Referred to Assessment and Taxation
SB 93 Senate Commerce Committee	Civil procedure, commercial property liens; state construction registry, notice of commencement and notice of furnishings	In Senate Commerce	01/30/2013 - Senate Referred to Commerce
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
HB 2051 House Agriculture and Natural Resources Committee	Water; creating limited transfer permits; dams, inspection; multi-year flex account incentive; administrative review of certain orders of the chief engineer and repealing certain water statutes	In House Agriculture and Natural Resources	01/30/2013 - House Scheduled Hearing in Agriculture and Natural Resources: Thursday, 2/7/2013, 3:30 PM, Rm 346-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	01/24/2013 - House Referred to Local Government
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	01/30/2013 - House Scheduled Hearing in Agriculture and Natural Resources: Thursday, 2/7/2013, 3:30 PM, Rm 346-S
HB 2074 House Local Government Committee	Cities and counties; solid waste disposal areas; restrictions	In House Local Government	01/24/2013 - House Referred to Local Government
HB 2077 House Veterans, Military and Homeland Security Committee	Granting professional licenses to military service members	In House Veterans, Military and Homeland Security In House Commerce, Labor and Economic Development	01/28/2013 - House Scheduled Hearing in Veterans, Military and Homeland Security: Thursday, 1/31/2013, 9:00 AM, Rm 152-S
HB 2136 House Taxation Committee	Sales and compensating use tax; distribution of revenues	In House Taxation	01/31/2013 - House Referred to Taxation
HB 2137	Sunsetting the vehicle modernization surcharge	In House Transportation and	01/31/2013 - House Referred to Transportation and

House Taxation Committee		Public Safety Budget	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	In House Transportation	01/31/2013 - House Referred to Transportation
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	01/31/2013 - House Referred to Agriculture and Natural Resources
HB 2173 House Commerce, Labor and Economic Development Committee	Civil Procedure: remote claims on commercial property; state construction registry	In House Judiciary	01/31/2013 - House Referred to Judiciary
HB 2193 House Federal and State Affairs Committee	Public facilities; accessibility standards for disabled persons	Introduced	01/31/2013 - House Introduced
HCR 5008 House Transportation Committee	Encouraging KDOT to make engineering decisions based upon professional findings	Introduced	01/31/2013 - House Introduced
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