

# LEGISLATIVE NEWSLETTER

ACEC Kansas

No. 7 – March 1, 2013

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Week 7 is over and “turnaround” is here. This is the date by which most bills (some committee bills are exempt) must have passed the chamber in which they were introduced or they are dead for the session. While nothing is ever truly “final” at the Capitol, this does help identify which bills have momentum and which are likely to be disregarded.

The most pressing priority right now is SB 54, updating licensure statutes for the Kansas Board of Technical Professions. We have been assisting KSPE in pushing for passage of this bill, and in fighting off several amendments that are looming that would dramatically expand exemptions to the need for a licensed design professional. At the end of this summary, I have copied a message sent by KSPE asking members to contact Senators about this bill. Please read that message and take action as soon as possible. KSPE is actively trying to determine the position of each Senator on this issue, and we need the help of all our members.

HB 2137, which would sunset the \$4 vehicle modernization surcharge currently slated to go the state highway fund, will have a hearing in the House Transportation and Public Safety Budget Committee next Wednesday at 3:30. While this is not nearly as damaging as previous attempts to take away the 4/10 cent sales tax for transportation, it would add up to \$112 million over the life of the T-Works program. ACEC Kansas will appear at the hearing and testify in strong opposition to this bill.

ACEC Kansas will also give testimony Wednesday on SB 42, this time in support. SB 42 provides relief from liability to engineers and architects who volunteer their services to schools to design emergency shelters.

This past week, ACEC Kansas testified against SB 179, which would require 70% of all workers on any state contract over \$100,000 to be Kansas residents. This creates significant problems for firms near a state line or firms with multiple offices that share work to capture efficiencies. While nothing is final, as we mentioned before, it looks like this bill will not advance this session.

Below is the action alert from KSPE. Thanks for any efforts in making these contacts. 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 won't be scheduled for Senate work until after March 6.

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 prior to Wednesday, March 6 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](mailto: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
<a href="#">SB 5</a> Oletha Faust-Goudeau, D-29th	Business entities; restricting the use of an acquired entity's name by an acquiring entity	In Senate Commerce	<b>01/17/2013 - Senate</b> Scheduled Hearing and Possible Action in Commerce: Thursday, 1/24/2013, 8:30 AM, Rm 548-S
<a href="#">SB 15</a> Anthony Hensley, D-19th	Local ad valorem tax reduction fund; transfers to; distributions to political subdivisions	In Senate Assessment and Taxation	<b>01/15/2013 - Senate</b> Referred to Assessment and Taxation
<a href="#">SB 42</a> Senate Federal and State Affairs Committee	Architects and engineers; immunity from liability in negligence under certain circumstances	In Senate Judiciary	<b>02/27/2013 - Senate</b> Scheduled Hearing in Judiciary: Wednesday, 3/6/2013, 10:30 AM, Rm 346-S

<a href="#">SB 43</a> 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	<b>01/23/2013 - Senate</b> Scheduled Hearing and Possible Action in Natural Resources: Thursday, 1/31/2013, 8:30 AM, Rm 159-S
<a href="#">SB 48</a> Senate Federal and State Affairs Committee	Kansas Employer E-verify Accountability Act	In Senate Commerce	<b>02/28/2013 - Senate</b> Motion to withdraw from Committee failed: Yeas 6, Nays 34
<a href="#">SB 54</a> Senate Federal and State Affairs Committee	Amendments pertaining to the Board of Technical Professions	On General Orders in Senate	<b>02/26/2013 - Senate</b> Committee Report recommending bill be passed as amended by Federal and State Affairs
<a href="#">SB 84</a> Senate Assessment and Taxation Committee	Sales taxation; presumptions relating to nexus	In House Taxation	<b>02/25/2013 - House</b> Referred to Taxation
<a href="#">SB 93</a> Senate Commerce Committee	Civil procedure, commercial property liens; state construction registry, notice of commencement and notice of furnishings	In Senate Commerce	<b>02/06/2013 - Senate</b> 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
<a href="#">SB 109</a> Senate Federal and State Affairs Committee	Lobbying; use of public funds prohibited	In Senate Ethics, Elections and Local Government	<b>02/08/2013 - Senate</b> Scheduled Hearing in Ethics, Elections and Local Government: Monday, 2/11/2013, 9:30 AM, Rm 159-S
<a href="#">SB 131</a> Senate Ways and Means Committee	School finance; use of capital outlay funds	In Senate Education	<b>02/20/2013 - Senate</b> 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
<a href="#">SB 132</a> Senate Ways and Means Committee	School finance; amount of tax levy authorized to finance ancillary school facilities	In Senate Education	<b>02/06/2013 - Senate</b> Referred to Education
<a href="#">SB 150</a> 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	<b>03/01/2013 - Senate</b> Scheduled Hearing in Ethics, Elections and Local Government: Thursday, 3/7/2013, 9:30 AM, Rm 159-S
<a href="#">SB 153</a> Senate Ways and Means	Water; dams; definition; exemption from permit requirements; inspection costs and penalties	In Senate Natural Resources	<b>02/12/2013 - Senate</b> Scheduled Hearing and Possible Action in Natural Resources: Friday,

Committee			2/15/2013, 8:30 AM, Rm 159-S
<a href="#">SB 155</a> Senate Federal and State Affairs Committee	Technical professions; ethical marketing of profession services; state, local government clients	In Senate Federal and State Affairs	<b>02/11/2013 - Senate</b> Referred to Federal and State Affairs
<a href="#">SB 179</a> Anthony Hensley, D-19th	Requiring employment of Kansas workers for certain state contracts and tax benefits	In Senate Commerce	<b>02/20/2013 - Senate</b> Scheduled Hearing in Commerce: Tuesday, 2/26/2013, 10:30 AM, Rm 548-S
<a href="#">SB 179</a> Anthony Hensley, D-19th	Requiring employment of Kansas workers for certain state contracts and tax benefits	In Senate Commerce	<b>02/20/2013 - Senate</b> Scheduled Hearing in Commerce: Tuesday, 2/26/2013, 10:30 AM, Rm 548-S
<a href="#">SB 195</a> Senate Ways and Means Committee	Kansas Employment First Initiative Act amendments	In Senate Commerce	<b>02/14/2013 - Senate</b> Referred to Commerce
<a href="#">SB 198</a> Anthony Hensley, D-19th	Kansas Buy American Act	In Senate Commerce	<b>02/14/2013 - Senate</b> Referred to Commerce
<a href="#">SB 209</a> 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	<b>02/19/2013 - Senate</b> Referred to Federal and State Affairs
<a href="#">SCR 1604</a> Susan Wagle, R-30th	Joint rules for the Senate and House of Representatives, 2013-2014	Adopted	<b>01/29/2013 - Senate</b> Concurred; Yeas 28, Nays 12
<a href="#">HB 2005</a> Steve Huebert, R-90th	State aid for capital improvements and capital outlay for school districts	In House Education	<b>01/14/2013 - House</b> Introduced; Referred to Education
<a href="#">HB 2010</a> 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	<b>01/14/2013 - House</b> Introduced; Referred to Commerce, Labor and Economic Development
<a href="#">HB 2031</a> 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	<b>01/18/2013 - House</b> Referred to Agriculture and Natural Resources
<a href="#">Sub for HB 2051</a>	Amending provisions relating to dams, obstructions, streams and water flex	In Senate Natural Resources	<b>02/27/2013 - Senate</b> Referred to Natural Resources

House Agriculture and Natural Resources Committee	accounts and transfer permits		
<a href="#">HB 2053</a> House Federal and State Affairs Committee	Amendments pertaining to the Board of Technical Professions	In House Commerce, Labor and Economic Development	<b>01/24/2013 - House</b> Referred to Commerce, Labor and Economic Development
<a href="#">HB 2072</a> House Local Government Committee	Municipalities; solid waste collection; limitations	In House Local Government	<b>02/06/2013 - House</b> Scheduled Hearing in Local Government: Tuesday, 2/12/2013, 1:30 PM, Rm 281-N
<a href="#">HB 2073</a> House Local Government Committee	Streams, dams and obstructions; chief engineer, division of water resources duties; counties, authority	In House Agriculture and Natural Resources	<b>02/15/2013 - House</b> Scheduled Discussion and Possible Action in Agriculture and Natural Resources: Monday, 2/18/2013, 3:30 PM, Rm 346-S
<a href="#">HB 2074</a> House Local Government Committee	Cities and counties; solid waste disposal areas; restrictions	On General Orders in House  Above the Line in House	<b>02/27/2013 - House</b> Committee Report recommending bill be passed as amended by Local Government
<a href="#">HB 2077</a> House Veterans, Military and Homeland Security Committee	Granting professional licenses to military service members	In Senate Federal and State Affairs	<b>02/27/2013 - Senate</b> Referred to Federal and State Affairs; Scheduled Hearing: Thursday, 3/7/2013, 10:30 AM, Rm 144-S
<a href="#">HB 2136</a> House Taxation Committee	Sales and compensating use tax; distribution of revenues	In House Taxation	<b>02/06/2013 - House</b> Scheduled Hearing in Taxation: Thursday, 2/14/2013, 3:30 PM, Rm 582-N
<a href="#">HB 2137</a> House Taxation Committee	Sunsetting the vehicle modernization surcharge	In House Transportation and Public Safety Budget	<b>02/27/2013 - House</b> Scheduled Hearing in Transportation and Public Safety Budget: Wednesday, 3/6/2013, 3:30 PM, Rm 142-S; Scheduled Possible Final Action: Thursday, 3/7/2013, 3:30 PM, Rm 142-S
<a href="#">HB 2147</a> 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	On Consent Calendar in House (3rd day)	<b>02/26/2013 - House</b> Committee Report recommending bill be passed and placed on Consent Calendar by Transportation

<a href="#">HB 2158</a> 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	<b>01/31/2013 - House</b> Referred to Commerce, Labor and Economic Development
<a href="#">HB 2171</a> House Agriculture and Natural Resources Committee	Establishing agreed local management areas	In House Agriculture and Natural Resources	<b>02/06/2013 - House</b> Scheduled Hearing in Agriculture and Natural Resources: Tuesday, 2/12/2013, 3:30 PM, Rm 346-S
<a href="#">HB 2173</a> House Commerce, Labor and Economic Development Committee	Civil Procedure: remote claims on commercial property; state construction registry	In House Judiciary	<b>01/31/2013 - House</b> Referred to Judiciary
<a href="#">HB 2193</a> House Federal and State Affairs Committee	Public facilities; accessibility standards for disabled persons	On General Orders in House	<b>02/26/2013 - House</b> Committee Report recommending bill be passed by Federal and State Affairs
<a href="#">Sub for HB 2207</a> House Agriculture and Natural Resources Committee	Amending provisions relating to the regulation and certification of animal feeding facilities	In Senate Natural Resources	<b>02/27/2013 - Senate</b> Referred to Natural Resources
<a href="#">HB 2234</a> 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	On General Orders in House	<b>02/26/2013 - House</b> Committee Report recommending bill be passed as amended by Transportation
<a href="#">HB 2246</a> House Commerce, Labor and Economic Development Committee	Peer review for certain licensed technical professionals	In House Commerce, Labor and Economic Development	<b>02/13/2013 - House</b> Scheduled Hearing in Commerce, Labor and Economic Development: Wednesday, 2/20/2013, 1:30 PM, Rm 346-S
<a href="#">HB 2249</a> House Local Government Committee	City annexation of fire district land; double taxation; refund	On Final Action in House	<b>02/28/2013 - House</b> Committee of the Whole: Be amended; be passed as amended
<a href="#">HB 2264</a> House Education Committee	School districts; capital improvements	In House Education	<b>02/08/2013 - House</b> Referred to Education
<a href="#">HB 2273</a>	Requiring employment of Kansas workers	In House Commerce,	<b>02/11/2013 - House</b>

Annie Tietze, D-53rd	for certain state contracts and tax benefits	Labor and Economic Development	Referred to Commerce, Labor and Economic Development
<a href="#">HB 2279</a> Paul T. Davis, D-46th	Kansas Buy American Act	In House Commerce, Labor and Economic Development	<b>02/11/2013 - House</b> Referred to Commerce, Labor and Economic Development
<a href="#">HB 2295</a> House Energy and Environment Committee	Water pollution control permits and creating the water program management fund	In House Agriculture and Natural Resources	<b>02/15/2013 - House</b> Scheduled Hearing in Agriculture and Natural Resources: Tuesday, 2/19/2013, 3:30 PM, Rm 346-S
<a href="#">HB 2334</a> Paul T. Davis, D-46th	Requiring prevailing wage for public works projects	In House Appropriations	<b>02/14/2013 - House</b> Referred to Appropriations
<a href="#">HB 2355</a> House Taxation Committee	Kansas Fair Tax Act of 2013	In House Taxation	<b>02/15/2013 - House</b> Referred to Taxation
<a href="#">HB 2366</a> House Energy and Environment Committee	Use of public funds to promote sustainable development	In House Energy and Environment	<b>02/18/2013 - House</b> Referred to Energy and Environment
<a href="#">HCR 5008</a> House Transportation Committee	Encouraging KDOT to make engineering decisions based upon professional findings	In House Transportation	<b>02/01/2013 - House</b> Referred to Transportation
<a href="#">HR 6004</a> Ray Merrick, R-27th	Rules of House of Representatives, permanent rules of the 2013-2014 biennium	Adopted	<b>01/28/2013 - House</b> Final Action: Adopted as amended; Yeas 82, Nays 40
<a href="#">HR 6015</a> House Transportation Committee	Studying the viability of compressed natural gas as an alternative vehicle fuel	In House Energy and Environment	<b>02/15/2013 - House</b> Referred to Energy and Environment