

# LEGISLATIVE NEWSLETTER

ACEC Kansas

No. 9 – March 15, 2013

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Week 9 brought the beginning of the truly detailed discussions on tax and budget policy, and the first round of substantive amendments that are always part of that process. As usual, infrastructure funding is in the crosshairs when funds are short.

We have previously reported our efforts and testimony in fighting off bills that would take away the 4/10 cent sales tax and \$4 motor vehicle registration fee that goes to the highway fund. We now have another threat to highway funding, and **we need your help to defeat it!** H Sub for SB 84 is one of the new budget proposals, and it would take \$380 million from KDOT over the next two years. Please read the action alert from Economic Lifelines below and contact your legislators today! To find your legislator please visit <http://www.openkansas.org/>

## **Economic Lifelines Update**

Economic Lifelines Members & Friends-

### **Tax Bill Passes House Committee**

This week the House Tax Committee passed their tax plan which garners most of its funding from diverting the 4/10 sales tax dedicated to KDOT to the State General Fund for the next two years. The House Tax Committee gutted the Governor's tax plan and forwarded to the full House of Representatives a plan that would take \$380 million from KDOT. House Substitute for SB 84 takes \$179 million in FY 2014 and \$202.7 million in FY 2015 by diverting the 4/10 cent sales tax originally allocated to the T-WORKS program. **This plan decimates the T-WORKS program.** It is vital we remind legislators of the economic impact it has to Kansas, the jobs it will create and the importance of T-WORKS projects to our Kansas communities.

This bill, House Substitute for SB 84, will likely be heard on the House Floor on Wednesday or Thursday of next week. **Should this bill pass, it is highly unlikely future T-WORKS projects will be completed after 2014.** Click [here](#) to contact your legislator through CapWiz and let them know you are opposed to taking money from the T-WORKS program. Also, please feel free to include the link to CapWiz in any communications to your membership.

<http://www.capwiz.com/economiclifelines/home/>

Click [here](#) for a list of projects by county set to be let after FY 2014. Should this bill pass, these projects will not be put out for bid and most likely not completed. It is important that we remind legislators that in 2010 all 105 counties passed resolutions in support of the passage of the T-WORKS program.

### **Message from KDOT Secretary**

"Maintaining and improving our state's infrastructure are core responsibilities. Completing the T-WORKS transportation program is a priority for the state of Kansas. If

lawmakers decide to take away the sales tax revenue, KDOT will not be able to complete all of the highway projects planned across the state," Secretary Mike King.

According to KDOT, they will have to reduce \$500-\$600 million in projects to come up with the funding the House plan calls for in Fiscal Years 2014 and 2015. The reason it is not a dollar for dollar reduction is due to the cash flow and how projects are paid out over several years.

### **Next Week at the Capitol**

#### ***House Transportation***

***Tuesday, March 19th***

Possible action of bills previously heard

#### ***Senate Transportation***

***Tuesday, March 19th***

Hearings on:

**HB 2269**--John Bowers memorial highway

**HB 2357**--242nd engineer company - KS army national guard - memorial highway

Possible action on bills previously heard

#### ***Wednesday, March 20th***

Hearing on:

**HB 2318**--Authorizing use of motorcycle headlamp modulation systems and side lamps

Possible action on bills previously heard

#### ***On the House Floor***

***Thursday, March 21st***

Action on House Tax Bill - H Sub for SB 84

### **Transportation in the News**

<http://www2.ljworld.com/news/2013/mar/12/rhoades-apologizes-allegation-against-cta-chief-sa/>

<http://www.kansas.com/2013/03/13/2713208/eagle-editorial-turnpike-bill.html>

<http://cjonline.com/news/2013-03-12/house-panels-tax-plan-drops-govs-key-components>

We also continue to need your help on SB 54, the update to the licensure statutes under the Board of Technical Professions. As we have reported the last two weeks, we are *still* needing to get 21 Senators to commit to voting "no" on amendments to this bill before Senate leadership will run it for a vote. We've once again included a copy of the KSPE action alert at the bottom of this report. Thank you so much to those that have already contacted your Senators, your efforts are more appreciated than you know!

One piece of good news this week was the passage in the Senate of SB 42, which provides liability coverage for designers who work on school emergency shelters in a volunteer capacity. That bill passed 40-0 and now heads to the House.

We are truly down to crunch time this session, and we need your help in communicating with legislators. Good luck with your contacts on these issues, and we'll keep you updated as more information becomes available.

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](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	Passed in Senate	<b>03/14/2013 - Senate</b> Final Action: Passed; Yeas 40, Nays 0
<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="#">H Sub for SB 84</a> 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	On General Orders in House	<b>03/13/2013 - House</b> Committee Report recommending substitute bill be passed by 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 Committee	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, 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>03/13/2013 - Senate</b> Scheduled Final Action in Commerce: Monday, 3/18/2013, 8:30 AM, Rm 548-S

<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> House Agriculture and Natural Resources Committee	Amending provisions relating to dams, obstructions, streams and water flex accounts and transfer permits	In Senate Natural Resources	<b>03/06/2013 - Senate</b> Scheduled Hearing and Possible Action in Natural Resources: Thursday, 3/14/2013, 8:30 AM, Rm 159-S
<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	In Senate Ethics, Elections and Local Government	<b>03/07/2013 - Senate</b> Referred to Ethics, Elections and 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	On General Orders in House	<b>03/13/2013 - House</b> Committee Report recommending bill be passed as amended by Transportation and Public Safety Budget
<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 Senate (2nd day)	<b>03/13/2013 - Senate</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>03/13/2013 - House</b> Scheduled Hearing in Judiciary: Tuesday, 3/19/2013, 3:30 PM, Rm 112-N
<a href="#">HB 2193</a> House Federal and State	Public facilities; accessibility standards for disabled persons	On Consent Calendar in Senate (2nd day)	<b>03/13/2013 - Senate</b> Committee Report recommending bill be passed

Affairs Committee			and placed on Consent Calendar 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>03/12/2013 - Senate</b> Scheduled Hearing and Possible Action in Natural Resources: Wednesday, 3/13/2013, 8:30 AM, Rm 159-S
<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	In Senate Ways and Means	<b>03/12/2013 - Senate</b> Referred to Ways and Means
<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	In Senate Ethics, Elections and Local Government	<b>03/13/2013 - Senate</b> Scheduled Hearing in Ethics, Elections and Local Government: Tuesday, 3/19/2013, 9:30 AM, Rm 159-S
<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> Annie Tietze, D-53rd	Requiring employment of Kansas workers for certain state contracts and tax benefits	In House Commerce, Labor and Economic Development	<b>02/11/2013 - House</b> 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>	Requiring prevailing wage for public works projects	In House Appropriations	<b>02/14/2013 - House</b> Referred to Appropriations



Paul T. Davis, D-46th			
<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="#">HB 2392</a> House Appropriations Committee	School finance; use of capital outlay funds	In House Appropriations	<b>03/08/2013 - House</b> Referred to Appropriations
<a href="#">HB 2392</a> House Appropriations Committee	School finance; use of capital outlay funds	In House Appropriations	<b>03/08/2013 - House</b> Referred to Appropriations
<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
<b>Bill Number and Sponsor</b>	<b>Bill Subject</b>	<b>Current Status</b>	<b>Last Action</b>
<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>03/11/2013 - House</b> Scheduled Hearing in Energy and Environment: Thursday, 3/14/2013, 9:00 AM, Rm 582-N