

LEGISLATIVE NEWSLETTER

ACEC Kansas

No. 1 – January 17, 2014

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The 2014 Legislative Session is underway!

Several major issues will cast a shadow over all facets of this session. The largest of these is the pending K-12 funding litigation. The Supreme Court will issue a ruling (nobody knows when), and if they uphold the lower court verdict the Legislature will have to find an extra \$440 million in an already lean budget to commit to K-12 funding. Every state-funded activity, including infrastructure, would be at risk in that scenario. Other funding priorities for Governor Brownback include all-day kindergarten, restoration of Regents funding, and rural housing. Also casting a shadow are the looming elections later this year. Every seat in the House of Representatives will be up for election, as well as the Governor, Attorney General, Insurance Commissioner, Secretary of State, and State Treasurer.

It will again be a priority of ACEC of Kansas to protect state investment and funding in infrastructure of all types, including water/wastewater, vertical construction, and transportation. We've already received one positive indicator when Speaker of the House Ray Merrick commented that he is not very interesting in making another raid on KDOT funds. We are not hearing of immediate plans to take infrastructure funds, but will have to remain vigilant.

The most immediate legislative priority is the passage of SB 54 without amendments. As we reported throughout 2013, SB 54 is an update to the state statutes that govern the Board of Technical Professions. It's an effort to modernize those statutes, and the language as proposed is not terribly controversial. However, an amendment looms on the floor of the Senate that would create exemptions in the requirements to have a licensed design professional in certain circumstances. We continue to work with the Senate to pass SB 54 without amendments. If you have not yet contacted your Senator to ask them to support this initiative, it's critical that you do so.

On the energy side, it is widely expected that legislation will be introduced which repeals the existing Renewable Portfolio Standard, or RBS. It is yet to be seen how successful this movement will be, but it is certain to be an issue that commands much time and attention this year.

The first week was relatively quiet, but that won't last long. Stay tuned.....

ACEC

Bill Number and Sponsor	Bill Subject	Current Status	Last Action
SB 5	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,

Oletha Faust-Goudeau, D-29th			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 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	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	In Senate Federal and State Affairs	03/26/2013 - Senate Withdrawn from Calendar; re-referred to 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	In Conference Committee	05/31/2013 Scheduled Meeting on all bills in Taxation Conference: Friday, 5/31/2013, 6:00 PM, Rm 159-S
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
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 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
SB 262 Senate Commerce Committee	Promoting employment across Kansas act; benefits	In Senate Commerce	01/16/2014 - Senate Scheduled Hearing in Commerce: Tuesday, 1/21/2014, 8:30 AM, Rm 548-S
SB 264 Senate Federal and State Affairs Committee	School districts; requiring storm shelters for certain construction projects	In Senate Federal and State Affairs	01/16/2014 - Senate Referred to Federal and State Affairs
SCR 1604	Joint rules for the Senate and House of	Adopted	01/29/2013 - Senate

Susan Wagle, R-30th	Representatives, 2013-2014		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
S Sub for Sub for HB 2051 House Agriculture and Natural Resources Committee	Concerning water rights	In Conference Committee	04/02/2013 Scheduled Meeting in Natural Resources Conference: Wednesday, 4/3/2013, 7:30 AM, Rm 142-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, 1:30 PM, Rm 281-N
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 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	Sunsetting the vehicle modernization	On General Orders	03/13/2013 - House

House Taxation Committee	surcharge	in 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	Approved by Governor	04/02/2013 Approved by Governor Sam Brownback
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
Sub for HB 2207 House Agriculture and Natural Resources Committee	Amending provisions relating to the regulation and certification of animal feeding facilities	Approved by Governor	04/10/2013 Approved by Governor Sam Brownback
HB 2234 House Appropriations Committee	Contracts between the Kansas turnpike authority and the Kansas department of transportation	Approved by Governor	04/19/2013 Approved by Governor Sam Brownback
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	Certain property issues; relating to historic preservation, taxation and solid waste	Approved by Governor	05/30/2013 Approved by Governor Sam Brownback
HB 2264	School districts; capital improvements	In House Education	02/08/2013 - House Referred to Education

House Education Committee			
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 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 2405 House Appropriations Committee	Sales and compensating use tax; distribution of revenues	In House Taxation	03/20/2013 - House Referred to Taxation
HB 2429 Joint Committee on Administrative Rules and Regulations	Making the water conservation program part of and supplemental to the Kansas water appropriation act	In House Agriculture and Natural Resources	01/17/2014 - House Withdrawn from Agriculture and Natural Resources Budget; referred to Agriculture and Natural Resources
HB 2430 House Commerce, Labor and Economic Development Committee	Promoting employment across Kansas act; benefits	In House Commerce, Labor and Economic Development	01/16/2014 - House Scheduled Hearing in Commerce, Labor and Economic Development: Tuesday, 1/21/2014, 1:30 PM, Rm 346-S
HB 2439 House Agriculture and	Water; creating the sustainable drinking water source protection fund and fee; authorizing Kansas water office to execute	In House Agriculture and Natural Resources	01/17/2014 - House Referred to Agriculture and Natural Resources

Natural Resources Committee	certain contracts and issue revenue bonds; repealing K.S.A. 2013 Supp. 82a-953a		
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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
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	Killed in House	06/20/2013 - House Died on Calendar