

# LEGISLATIVE NEWSLETTER

ACEC of Kansas

No. 11 – March 28, 2014

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The Legislature is racing towards First Adjournment, which will happen next Friday. Committee work had mostly concluded coming into this week, and each chamber spent Monday through Wednesday debating bills on the floor. There were a couple brief meetings of conference committees on Thursday, after which most legislators headed home for an early start to their weekend.

The best news of the week is the continued success of SB 54, our update to statutes governing the Board of Technical Professions. SB 54 passed the House Wednesday on a vote of 95-28. The House made a minor amendment to the bill, so it now heads to Senate for a motion to concur or non-concur in the changes made by the House. If the House votes to concur, the bill will be on its way to the Governor for signature. This is the approach we're advocating. If the House votes to non-concur, a conference committee will be appointed and three conferees each from the House and Senate will sit down and sort through the differences. We remain cautiously optimistic that, after a multi-year struggle, we are very close to seeing these changes become law.

We had additional good news with Sub for HB 2246, which provides liability protection for firms doing peer review work. The Senate voted to pass the bill Monday on a vote of 39-1. There were minor amendments on the Senate side, so it now passes to the House for a motion to concur/non-concur. The process will be the same as SB 54 above, but with the Chambers reversed. We are cautiously optimistic about passage of this bill as well.

A third piece of good news is that we are still not hearing about any plans to take additional money from infrastructure funding to put towards other general fund obligations. This could change in the blink of an eye, but so far, so good.

There was a rapid series of action on the state renewable portfolio standards, or "RPS". The RPS was adopted several years ago as part of a package deal which gave the green light to construction of the coal fired power plant in Holcomb. We've been hearing for some time that an effort would be made to repeal the RPS, but there was no movement on this issue throughout the Session. The Senate late last week dumped language repealing the RPS into S Sub for HB 2014. Tuesday, the Senate debated and passed this bill on a vote of 25-15. In an unusually fast response, the House debated and voted on the bill the very next day, and rejected it on a vote of 44-77. It is far from certain the issue is dead, however. Several groups in favor of repealing the RPS have indicated they are going to work hard over the weekend lobbying House members to change their votes.

Next week is the last prior to first adjournment. Committee activity is over, and they will spend the week alternating between floor debates/votes and conference committee activity. Stay tuned...

Bill Number and Sponsor	Bill Subject	Current Status	Last Action
<a href="#">SB 42</a>	Architects and engineers; immunity from liability in negligence under certain	In House Judiciary	<b>03/18/2013 - House</b> Referred to Judiciary

Senate Federal and State Affairs Committee	circumstances		
<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	Pending motion to concur or nonconcur	<b>03/26/2014 - House</b> Committee of the Whole: Committee Report be adopted; be passed as amended; Emergencied to Final Action: Passed as amended; Yeas 95, Nays 28
<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 and Elections	<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 and Elections	<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>	Water; dams; definition; exemption from permit requirements; inspection costs and	In Senate Natural Resources	<b>02/12/2013 - Senate</b> Scheduled Hearing and Possible

Senate Ways and Means Committee	penalties		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>02/26/2014 - Senate</b> Scheduled Informational Briefing in Agriculture: Wednesday, 3/5/2014, 8:30 AM, Rm 159-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="#">SB 262</a> Senate Commerce Committee	Promoting employment across Kansas act; benefits	In Senate Commerce	<b>02/28/2014 - Senate</b> Withdrawn from Ways and Means; rereferred to Commerce
<a href="#">SB 293</a> Senate Commerce Committee	Municipalities; solid waste collection; limitations	In Senate Commerce	<b>02/11/2014 - Senate</b> Scheduled Hearing (cont'd) in Commerce: Wednesday, 2/12/2014, 8:30 AM, Rm 548-S
<a href="#">SB 305</a> Senate Education Committee	School districts; transfer of funds from capital improvement state aid to supplemental general state aid	In Senate Ways and Means	<b>02/26/2014 - Senate</b> Scheduled Hearing in Ways and Means: Wednesday, 3/5/2014, 10:30 AM, Rm 548-S
<a href="#">SB 319</a> Senate Commerce Committee	Protecting surface property owners' rights	In Senate Natural Resources	<b>01/29/2014 - Senate</b> Referred to Natural Resources
<a href="#">SB 374</a> Senate Utilities Committee	Enacting the energy efficiency investment act	In Senate Utilities	<b>02/26/2014 - Senate</b> Withdrawn from Ways and Means; rereferred to Utilities
<a href="#">SB 395</a> Senate Ways and Means	Educational building fund; regents bonding authority	In Senate Ways and Means	<b>02/18/2014 - Senate</b> Scheduled Hearing in Ways and Means: Wednesday, 2/19/2014, 10:30 AM, Rm 548-S

Committee			
<a href="#">SB 396</a> Senate Ways and Means Committee	State building projects; negotiating committees; alternative procurement	In House Appropriations	<b>03/21/2014 - House</b> Referred to Appropriations
<a href="#">SB 412</a> Senate Ways and Means Committee	Authorizing the Kansas development finance authority to issue bonds for water projects instead of the Kansas water office; state finance council approval required	On General Orders in Senate	<b>03/20/2014 - Senate</b> Committee Report recommending bill be passed by Natural Resources
<a href="#">SB 433</a> Senate Ways and Means Committee	Repealing the renewable energy standards act	In Senate Utilities	<b>03/12/2014 - Senate</b> Scheduled Hearing in Utilities: Wednesday, 3/19/2014, 1:00 PM, Rm 548-S
<a href="#">SB 443</a> Senate Ways and Means Committee	Education; funding for capital outlay and supplemental general state aid	In Senate Ways and Means	<b>03/18/2014 - Senate</b> Referred to Ways and Means
<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="#">S Sub for HB 2014</a> House Judiciary Committee	Repealing the renewable energy act	Killed in House	<b>03/26/2014 - House</b> Substitute motion to nonconcur failed; Yeas 51, Nays 71; Motion to concur failed; Yeas 44, Nays 77
<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="#">S Sub for Sub for HB 2051</a> House Agriculture and Natural Resources Committee	Concerning water rights	In Conference Committee	<b>04/02/2013</b> Scheduled Meeting in Natural Resources Conference: Wednesday, 4/3/2013, 7:30 AM, Rm 142-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 Local Government	<b>01/23/2014 - Senate</b> Withdrawn from Ethics and Elections; referred to Local Government
<a href="#">S Sub for HB 2101</a> House Energy and Environment Committee	Renewable energy; excess energy credits	Pending motion to concur or nonconcur	<b>03/25/2014 - Senate</b> Final Action: Passed as amended; Yeas 39, Nays 0
<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 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	Approved by Governor	<b>04/02/2013</b> Approved by Governor Sam Brownback
<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="#">Sub for HB 2207</a> House Agriculture and	Amending provisions relating to the regulation and certification of animal feeding facilities	Approved by Governor	<b>04/10/2013</b> Approved by Governor Sam Brownback

Natural Resources Committee			
<a href="#">HB 2241</a> House Energy and Environment Committee	Renewable energy portfolio standards	In House Energy and Environment	<b>03/13/2013 - House</b> Scheduled Reconsideration and Possible Final Action in Energy and Environment: Tuesday, 3/19/2013, 9:00 AM, Rm 582-N
<a href="#">Sub for HB 2246</a> House Commerce, Labor and Economic Development Committee	Peer review for certain licensed technical professionals	Pending motion to concur or nonconcur	<b>03/25/2014 - Senate</b> Final Action: Passed as amended; Yeas 39, Nays 1
<a href="#">HB 2249</a> House Local Government Committee	Certain property issues; relating to historic preservation, taxation and solid waste	Approved by Governor	<b>05/30/2013</b> Approved by Governor Sam Brownback
<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>02/06/2014 - House</b> Scheduled Hearing in Commerce, Labor and Economic Development: Wednesday, 2/12/2014, 1:30 PM, Rm 346-S
<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 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

Bill Number and Sponsor	Bill Subject	Current Status	Last Action
<a href="#">HB 2405</a> House Appropriations Committee	Sales and compensating use tax; distribution of revenues	In House Taxation	<b>03/20/2013 - House Referred to Taxation</b>
<a href="#">HB 2429</a> Joint Committee on Administrative Rules and Regulations	Making the water conservation program part of and supplemental to the Kansas water appropriation act	In Senate Natural Resources	<b>03/11/2014 - Senate Scheduled Hearing in Natural Resources: Friday, 3/14/2014, 8:30 AM, Rm 159-S</b>
<a href="#">Sub for HB 2430</a> House Commerce, Labor and Economic Development Committee	Promoting employment across Kansas act; benefits	Pending motion to concur or nonconcur	<b>03/25/2014 - Senate Committee of the Whole: Committee Report be adopted; be further amended; be passed as amended; Emergencied to Final Action: Passed as amended; Yeas 35, Nays 4</b>
<a href="#">HB 2439</a> House Agriculture and Natural Resources Committee	Water; creating the sustainable drinking water source protection fund and fee; authorizing Kansas water office to execute certain contracts and issue revenue bonds; repealing K.S.A. 2013 Supp. 82a-953a	In House Agriculture and Natural Resources	<b>02/06/2014 - House Scheduled Hearing in Agriculture and Natural Resources: Tuesday, 2/11/2014, 3:30 PM, Rm 346-S</b>
<a href="#">HB 2465</a> House Energy and Utilities Committee	Utilities and generation of electricity	In House Utilities and Telecommunications	<b>02/12/2014 - House Scheduled Hearing in Utilities and Telecommunications: Wednesday, 2/19/2014, 9:00 AM, Rm 582-N</b>
<a href="#">Sub for HB 2529</a> House Appropriations Committee	Appropriations for FY 2014, FY 2015, FY 2016, FY 2017 and FY 2018 for various state agencies; capital improvement projects	In House Appropriations	<b>03/25/2014 - House Scheduled Discussion and Possible Action in Appropriations: Wednesday, 3/26/2014, 9:00 AM, Rm 112-N</b>
<a href="#">HB 2543</a> House Federal and State Affairs Committee	Prohibiting the Kansas turnpike authority from charging tolls to persons on motorcycles	In House Transportation	<b>02/06/2014 - House Scheduled Hearing in Transportation: Tuesday, 2/11/2014, 1:30 PM, Rm 582-N (REMOVED FROM AGENDA)</b>
<a href="#">HB 2548</a> House Agriculture and Natural Resources Committee	Creating the water program management fund and transferring the air quality fee fund	Pending enrollment	<b>03/25/2014 - Senate Final Action: Passed; Yeas 40, Nays 0</b>
<a href="#">HB 2549</a>	Allowing burial of hazardous waste on-site	Pending enrollment	<b>03/25/2014 - Senate Final Action: Passed; Yeas 40, Nays 0</b>

House Agriculture and Natural Resources Committee			
<a href="#">HB 2559</a> House Commerce, Labor and Economic Development Committee	Discrimination based on employment status prohibited	In House Commerce, Labor and Economic Development	<b>02/03/2014 - House</b> Referred to Commerce, Labor and Economic Development
<a href="#">HB 2560</a> House Commerce, Labor and Economic Development Committee	Kansas minimum wage law; minimum wage increase	In House Commerce, Labor and Economic Development	<b>02/05/2014 - House</b> Referred to Commerce, Labor and Economic Development
<a href="#">HB 2573</a> House Transportation Committee	Creating the airport development revolving fund	In House Transportation and Public Safety Budget	<b>03/18/2014 - House</b> Withdrawn from Taxation; rereferred to Transportation and Public Safety Budget
<a href="#">HB 2575</a> House Taxation Committee	Disabled access tax credit	In House Taxation	<b>02/10/2014 - House</b> Referred to Taxation
<a href="#">HB 2597</a> House Appropriations Committee	Municipal recycling services	Pending action by Governor	<b>03/25/2014 - House</b> Enrolled and presented to the Governor
<a href="#">HB 2608</a> House Taxation Committee	County special road and bridge fund mill levy; rate increase; protect petition	In House Taxation	<b>02/26/2014 - House</b> Scheduled Hearing in Taxation: Thursday, 3/6/2014, 3:30 PM, Rm 582-N
<a href="#">S Sub for HB 2616</a> House Commerce, Labor and Economic Development Committee	Secretary of labor directed to study state enforcement of OSHA standards	Pending motion to concur or nonconcur	<b>03/25/2014 - Senate</b> Final Action: Passed; Yeas 32, Nays 8
<a href="#">HB 2623</a> House Veterans, Military and Homeland Security Committee	School districts; requiring storm shelters for certain construction projects	In House Education Budget	<b>02/20/2014 - House</b> Scheduled Hearing in Education Budget: Monday, 2/24/2014, 3:30 PM, Rm 281-N; Possible Action: Tuesday, 2/25/2014, 3:30 PM, Rm 281-N
<a href="#">HB 2636</a> House Energy and	Secretary of health and environment and air quality standards	Pending motion to concur or nonconcur	<b>03/25/2014 - Senate</b> Committee of the Whole: Be amended; be passed as amended; Emergenced to Final Action:



Environment Committee			Passed as amended; Yeas 37, Nays 3
<a href="#">HB 2652</a> House Judiciary Committee	Relating to zoning of county airports	In House Judiciary	<b>02/25/2014 - House</b> Withdrawn from Taxation; rereferred to Judiciary
<a href="#">HB 2654</a> House Agriculture and Natural Resources Committee	Amending the powers and duties of the Kansas department of agriculture division of conservation and the state conservation commission	In House Agriculture and Natural Resources	<b>03/06/2014 - House</b> Scheduled Discussion in Agriculture and Natural Resources: Thursday, 3/13/2014, 3:30 PM, Rm 346-S
<a href="#">HB 2723</a> House Appropriations Committee	Taxpayer empowerment, accountability and transparency in state contracting act	In House Appropriations	<b>02/18/2014 - House</b> Referred to Appropriations
<a href="#">HB 2768</a> House Appropriations Committee	Education; funding for capital outlay and supplemental general state aid	In House Appropriations	<b>03/18/2014 - 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
<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	Killed in House	<b>06/20/2013 - House</b> Died on Calendar