

LEGISLATIVE NEWSLETTER

ACEC Kansas

No. 6 – February 21, 2014

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Week six saw the most action so far this Session. Many deadlines for filing of bills have already passed, and next Friday is "turnaround" day. That is the day by which a bill must be passed by the Chamber in which it was introduced or die for the session. There are a few committees that are exempt from this deadline. Committee activity will wrap up by Wednesday morning of next week and the balance of the week will be spent with each Chamber debating bills on the floor.

Two new bills were published at the very end of last week and already had hearings this week. Those bills were SB 395 and SB 396, both introduced by the Kansas Board of Regents.

SB 395 would allow the Regents to issue bonds based on an annual funding stream they currently receive each year. The annual allotment of funds is insufficient for larger projects, and the Regents have feared that not using the money each year in order to let it accumulate might lead legislators to believe they actually don't have a good place to spend the funds and consider cutting them back. Ideally, this bonding authority would allow the Regents to proceed with larger projects and make more efficient use of the annual funding stream.

SB 396 would raise the threshold at which projects must go through the full state procurement process versus use of an on-call list. Currently the threshold is \$500,000 for engineering and \$750,000 for architecture. The bill would change those to \$1,000,000 each. Firms from the on-call list are pre qualified using a pure QBS approach, so this change is not problematic. The bill also eliminates a requirement for a public hearing when alternative delivery is being considered. According to the Regents, no person or entity has ever showed up at such a hearing in opposition, and the hearings add cost and several weeks of delay.

SB 395 and SB 396 were introduced and heard in the Senate Ways and Means Committee, which is exempt from the normal legislative deadlines. Therefore, these bills will still be alive whether they are acted on next week or not.

There was no action this week on SB 54, our Board of Technical Professions bill, but leadership from ACEC of Kansas and AIA met with Representative Steve Brunk this week to discuss the bill. Representative Brunk is the Chairman of the House Federal and State Affairs Committee, where SB 54 will be heard. We are anticipating the first or second week of March for that hearing.

Sub for HB 2246, which would provide liability limitations for firms doing peer review, was passed favorably by the House Commerce Committee, and was scheduled for debate at the very time of this writing.

HB 2273, the bill requiring 70% of employees on state contracts over \$100,000 be Kansas residents, looks dead for the session. We'll keep our eye on it, however, and if it shows signs of life, we will move to kill it.

HB 2616, which basically authorizes the State of Kansas to create a state OSHA, will have a hearing in the House Commerce Committee next Monday. The Committee will have to turn around and act on the bill almost immediately if it is to move forward this session.

Lots of action to come next week. 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 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 House Federal and State Affairs	02/14/2014 - House 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 and Elections	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 and Elections	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 293 Senate Commerce Committee	Municipalities; solid waste collection; limitations	In Senate Commerce	02/11/2014 - Senate Scheduled Hearing (cont'd) in Commerce: Wednesday, 2/12/2014, 8:30 AM, Rm 548-S
SB 305 Senate Education Committee	School districts; transfer of funds from capital improvement state aid to supplemental general state aid	In Senate Education	01/28/2014 - Senate Referred to Education
SB 319 Senate Commerce Committee	Protecting surface property owners' rights	In Senate Natural Resources	01/29/2014 - Senate Referred to Natural Resources
SB 374 Senate Utilities Committee	Enacting the energy efficiency investment act	In Senate Utilities	02/12/2014 - Senate Scheduled Hearing in Utilities: Thursday, 2/20/2014, 1:30 PM, Rm 548-S
SB 395 Senate Ways and Means Committee	Educational building fund; regents bonding authority	In Senate Ways and Means	02/18/2014 - Senate Scheduled Hearing in Ways and Means: Wednesday, 2/19/2014, 10:30 AM, Rm 548-S
SB 396 Senate Ways and Means Committee	State building projects; negotiating committees; alternative procurement	In Senate Ways and Means	02/18/2014 - Senate Scheduled Hearing in Ways and Means: Wednesday, 2/19/2014, 10:30 AM, Rm 548-S
SB 412 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	In Senate Natural Resources	02/21/2014 - Senate Referred to Natural Resources
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
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 Local Government	01/23/2014 - Senate Withdrawn from Ethics and Elections; referred to 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 House Taxation	Sunsetting the vehicle modernization surcharge	Stricken from Calendar	01/30/2014 - House Stricken from Calendar

Committee			
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 2241 House Energy and Environment Committee	Renewable energy portfolio standards	In House Energy and Environment	03/13/2013 - House Scheduled Reconsideration and Possible Final Action in Energy and Environment: Tuesday, 3/19/2013, 9:00 AM, Rm 582-N
Sub for HB 2246 House Commerce, Labor and Economic Development Committee	Peer review for certain licensed technical professionals	On General Orders in House Above the Line in House	02/13/2014 - House Committee Report recommending substitute bill be passed by Commerce, Labor and Economic Development
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 House Education	School districts; capital improvements	In House Education	02/08/2013 - House Referred to 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	02/06/2014 - House Scheduled Hearing in Commerce, Labor and Economic Development: Wednesday, 2/12/2014, 1:30 PM, Rm 346-S
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
Bill Number and Sponsor	Bill Subject	Current Status	Last Action
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 Senate Natural Resources	02/13/2014 - Senate Referred to Natural Resources
HB 2430 House Commerce, Labor and Economic Development Committee	Promoting employment across Kansas act; benefits	In House Commerce, Labor and Economic Development	01/22/2014 - House Scheduled Hearing in Commerce, Labor and Economic Development: Tuesday, 1/28/2014, 1:30 PM, Rm 346-S; Wednesday, 1/29/2014, 1:30 PM, Rm 346-

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HB 2439 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	02/06/2014 - House Scheduled Hearing in Agriculture and Natural Resources: Tuesday, 2/11/2014, 3:30 PM, Rm 346-S
HB 2465 House Energy and Utilities Committee	Utilities and generation of electricity	In House Utilities and Telecommunications	02/12/2014 - House Scheduled Hearing in Utilities and Telecommunications: Wednesday, 2/19/2014, 9:00 AM, Rm 582-N
HB 2543 House Federal and State Affairs Committee	Prohibiting the Kansas turnpike authority from charging tolls to persons on motorcycles	In House Transportation	02/06/2014 - House Scheduled Hearing in Transportation: Tuesday, 2/11/2014, 1:30 PM, Rm 582-N (REMOVED FROM AGENDA)
HB 2548 House Agriculture and Natural Resources Committee	Creating the water program management fund and transferring the air quality fee fund	On General Orders in House Above the Line in House	02/19/2014 - House Committee Report recommending bill be passed by Agriculture and Natural Resources
HB 2549 House Agriculture and Natural Resources Committee	Allowing burial of hazardous waste on-site	On General Orders in House	02/19/2014 - House Committee Report recommending bill be passed by Agriculture and Natural Resources
HB 2559 House Commerce, Labor and Economic Development Committee	Discrimination based on employment status prohibited	In House Commerce, Labor and Economic Development	02/03/2014 - House Referred to Commerce, Labor and Economic Development
HB 2560 House Commerce, Labor and Economic Development Committee	Kansas minimum wage law; minimum wage increase	In House Commerce, Labor and Economic Development	02/05/2014 - House Referred to Commerce, Labor and Economic Development
HB 2573 House Transportation Committee	Creating the airport development revolving fund	In House Transportation and Public Safety Budget	02/12/2014 - House Scheduled Hearing in Transportation and Public Safety Budget: Thursday, 2/20/2014, 3:30 PM, Rm 142-S

HB 2575 House Taxation Committee	Disabled access tax credit	In House Taxation	02/10/2014 - House Referred to Taxation
HB 2597 House Appropriations Committee	Municipal recycling services	In House Local Government	02/12/2014 - House Scheduled Hearing in Local Government: Tuesday, 2/18/2014, 1:30 PM, Rm 281- N
HB 2608 House Taxation Committee	County special road and bridge fund mill levy; rate increase; protect petition	In House Taxation	02/12/2014 - House Referred to Taxation
HB 2615 House Commerce, Labor and Economic Development Committee	Workers compensation assigned risk pool	In House Commerce, Labor and Economic Development	02/12/2014 - House Scheduled Hearing in Commerce, Labor and Economic Development: Thursday, 2/20/2014, 1:30 PM, Rm 346-S
HB 2616 House Commerce, Labor and Economic Development Committee	Secretary of labor; explore agreement to allow state of Kansas to enforce OSHA standards	In House Commerce, Labor and Economic Development	02/19/2014 - House Scheduled Hearing in Commerce, Labor and Economic Development: Monday, 2/24/2014, 1:30 PM, Rm 346-S
HB 2623 House Veterans, Military and Homeland Security Committee	School districts; requiring storm shelters for certain construction projects	In House Education Budget	02/20/2014 - House 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
HB 2636 House Energy and Environment Committee	Secretary of health and environment and air quality standards	On General Orders in House Above the Line in House	02/18/2014 - House Committee Report recommending bill be passed as amended by Energy and Environment
HB 2652 House Judiciary Committee	Relating to zoning of county airports	In House Judiciary	02/13/2014 - House Scheduled Hearing in Judiciary: Thursday, 2/20/2014, 3:30 PM, Rm 112- N
HB 2654 House Agriculture and Natural Resources	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	02/17/2014 - House Scheduled Hearing in Agriculture and Natural Resources: Thursday, 2/20/2014, 3:30 PM, Rm 346-

Committee			S
HB 2723 House Appropriations Committee	Taxpayer empowerment, accountability and transparency in state contracting act	In House Appropriations	02/18/2014 - House Referred to Appropriations
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