

LEGISLATIVE NEWSLETTER

ACEC of Kansas

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The 2016 Kansas Legislature is off and running! Week 1 saw the usual starting traditions of each session: the Governor's State of the State address, lots of agencies delivering general briefings to legislative committees, and lots of new legislation. As a reminder, 2016 is the second year of a two-year session. All bills that were introduced in 2015 are alive and available for consideration in 2016, along with new legislation.

The two biggest pieces of news from the first week came not from legislation, but from reports. First, Governor Brownback delivered his State of the State address and his proposed budget for the balance of FY 16 and all of FY 17. Second, Alvarez & Marsal, a firm hired last year to do an efficiency audit of state government brought their first report to the Legislature.

The Governor's State of the State was high level and did not delve into many specific state policies. On a very positive note, he specifically mentioned the increasing number of graduates from Kansas engineering colleges. This is a product of the Engineering Initiative Act passed several years ago, led by KSPE and supported by ACEC of Kansas. It was great to hear the Governor single that success out for recognition. The Governor's budget was required to once again come up with new revenue and/or cut expenditures to meet the requirement to have a balanced budget. Among other agencies likely on the chopping block (again), KDOT is scheduled for another \$25 million hit in FY17. However, there is much more to come on budget discussions and it's impossible to know yet what the final product will look like.

Of ***very significant concern*** to ACEC of Kansas were a couple pieces of the efficiency study report. The document in its entirety brings some very positive policy questions to the table. It claims to be able to bring \$20 million in savings in this fiscal year, and \$2 billion in savings over the next five years. ACEC of Kansas firms not working in the transportation field, at least at first blush, do not appear to have been impacted very much by most of the study. Even under the "Transportation and Turnpike" section there are some very strong suggestions, such as outsourcing material labs and testing to the private sector more aggressively. However, there are two very concerning recommendations:

First, adding 20 design engineers to KDOT staffing levels under the assumption that KDOT can do the work cheaper and more efficiently than the private sector.

Second, eliminating the use of Qualifications Based Selection (QBS) at the state level.

Obviously these are both very concerning to ACEC of Kansas interests. We have already started the process of meeting with policy makers to discuss these recommendations and bring the facts to the table. It is very possible at some point we may need to put out an "action alert" to our membership calling on you to contact your legislators. I hope you will keep your eyes out for such a notice and make those calls if needed.

We have a large percentage of our membership that does little or no KDOT work, but all firms should be invested in this policy debate. If it happens at KDOT, it's going to be much more like to happen at other agencies and owner groups.

There were a couple of new bills of interest introduced. HB 2444 would restore some businesses to the tax rolls that were removed under the tax reform of recent years, while also lowering the state sales tax on food to 2.6%. Combined, the entire bill is intended to be revenue neutral. SB 316 deals with local property tax. In 2015, the legislature passed a bill which would put restrictions on local units of

government ability to raise taxes without a vote of the people. It was set to come into force in 2018. SB 316 would bring that implementation date forward to July 1, 2016 and remove some of the exemptions that exist currently.

This week was much busier and contained much more high impact policy discussion than most opening weeks. There is already much work to be done. Stay tuned...

Bill Number and Sponsor	Bill Subject	Current Status	Last Action
H Sub for SB 4 Legislative Post Audit Committee	Appropriation revisions and supplementals for FY 2015 and FY 2016 for various state agencies	Approved by Governor	02/10/2015 Approved by Governor Sam Brownback
H Sub for SB 7 Legislative Post Audit Committee	Creating the classroom learning assuring student success act; making and concerning appropriations for fiscal years ending June 30, 2015, June 30, 2016, and June 30, 2017, for the department of education	Approved by Governor	03/25/2015 Approved by Governor Sam Brownback
SB 24 Senate Federal and State Affairs Committee	Technical professions act; definitions clarification	In House Federal and State Affairs	03/04/2015 - House Scheduled Hearing in Federal and State Affairs: Tuesday, 3/10, 9:00 AM, Rm 346-S
H Sub for SB 29 Senate Assessment and Taxation Committee	Concerning taxation; relating to income tax, rates, itemized deductions, credits, income modifications and rural opportunity zones; tax amnesty; sales and compensating use tax, rates, food and distribution thereof; sales tax authority for Bourbon, Douglas and Thomas counties; cigarettes, rates; property taxation, consolidated fire districts	On General Orders in House	05/28/2015 - House Not subject to limitations of Joint Rule 4(k); Motion to emergency to Final Action, amendment and debate, failed
SB 35 Senate Ways and Means Committee	Appropriation revisions for FY 2015, FY 2016, FY 2017, and FY 2018 for various state agencies	In Senate Ways and Means	01/20/2015 - Senate Scheduled Hearing in Ways and Means: Thursday, 1/22/2015, 10:30 AM, Rm 548-S
H Sub for SB 36 Senate Natural Resources Committee	Creating the local conservation lending program	Approved by Governor	04/16/2015 Approved by Governor Sam Brownback
SB 52 Senate Natural Resources Committee	Authorizing chief engineer to allow augmentation to secure water	Approved by Governor	05/19/2015 Approved by Governor Sam Brownback
SB 64 Senate Federal and State Affairs Committee	Public water supply storage; interest rate change	In House Agriculture and Natural Resources	03/31/2015 - House Referred to Agriculture and Natural Resources

SB 80 Anthony Hensley, D-19th	Enacting the Kansas working families pay raise act	In Senate Commerce	01/27/2015 - Senate Referred to Commerce
SB 81 Senate Ways and Means Committee	Appropriation revisions and supplementals for FY 2015 and FY 2016 for various state agencies	In Senate Ways and Means	01/28/2015 - Senate Scheduled Hearing in Ways and Means: Wednesday, 1/28/2015, 10:30 AM, Rm 548-S
SB 107 Senate Commerce Committee	Public entities expenditures for energy projects intended to reduce energy costs	In Senate Commerce	02/11/2015 - Senate Scheduled Hearing in Commerce: Tuesday, 2/17, 8:30 AM, Rm 548-S
SB 118 Senate Natural Resources Committee	Amending the powers and duties of the Kansas department of agriculture division of conservation and the state conservation commission	In Senate Natural Resources	02/02/2015 - Senate Scheduled Hearing in Natural Resources: Thursday, 2/5/2015, 8:30 AM, Rm 159-S
SB 124 Senate Natural Resources Committee	Eliminating the sunset on landspreading of oil and gas drilling waste	Approved by Governor	04/16/2015 Approved by Governor Sam Brownback
SB 138 Senate Ways and Means Committee	Prohibiting the secretary of health and environment from adopting rules and regulations relating to confined feeding facilities that are more restrictive than federal law	In Senate Natural Resources	02/04/2015 - Senate Referred to Natural Resources
SB 209 Anthony Hensley, D-19th	Repealing the prohibition against agencies and municipalities requiring contractors to enter into certain labor agreements for public works construction projects	In Senate Commerce	02/12/2015 - Senate Referred to Commerce
SB 210 Anthony Hensley, D-19th	Requiring employment of Kansas workers for certain state contracts and tax incentives	In Senate Commerce	02/12/2015 - Senate Referred to Commerce
SB 211 Senate Federal and State Affairs Committee	Technical professions; scope of practice	In Senate Federal and State Affairs	02/12/2015 - Senate Referred to Federal and State Affairs
SB 227 Senate Natural Resources Committee	Local enhanced management areas; due consideration; corrective control measures	In House Agriculture and Natural Resources	03/16/2015 - House Scheduled Hearing in Agriculture and Natural Resources: Monday, 3/16, 3:30 PM, Rm 346-S
SB 245	Repealer; certain bridge inspections	In House Transportation	03/31/2015 - House Referred to Transportation

Senate Ways and Means Committee			
SB 246 Senate Ways and Means Committee	Exempting certain state leases from energy audit requirements when such energy audit is not economically feasible	In House Energy and Environment	03/24/2015 - House Referred to Energy and Environment
SB 250 Senate Ways and Means Committee	Joint committee on state building construction; reports of the secretary of administration	In House Appropriations	01/13/2016 - House Scheduled Hearing and Possible Action in Appropriations: Wednesday, 1/20, 9:00 AM, Rm 112-N
SB 253 Senate Federal and State Affairs Committee	Renewable energy standards act sunset	In Senate Utilities	03/04/2015 - Senate Scheduled Hearing in Utilities: Tuesday, 3/10, 1:30 PM, Rm 548-S
SB 268 Senate Ways and Means Committee	Changes to stream maintenance and obstruction requirements	In Senate Natural Resources	03/17/2015 - Senate Scheduled Hearing in Natural Resources: Thursday, 3/19, 8:30 AM, Rm 159-S
SB 275 Senate Ways and Means Committee	Establishing water conservation areas	In Senate Natural Resources	03/11/2015 - Senate Scheduled Hearing in Natural Resources: Wednesday, 3/18, 8:30 AM, Rm 159-S
SB 316 Jacob LaTurner, R-13th	Property tax lid; effective date; exemptions	In Senate Assessment and Taxation	01/12/2016 - Senate Referred to Assessment and Taxation
SB 322 Senate Ways and Means Committee	Creating application requirement and fee to appropriate surface water that otherwise leaves the state	In Senate Natural Resources	01/15/2016 - Senate Scheduled Hearing in Natural Resources: Wednesday, 1/20, 8:30 AM, Rm 159-S
SB 329 Senate Natural Resources Committee	Clarifying approval of a change application for place of use for multi-year flex accounts	In Senate Natural Resources	01/15/2016 - Senate Scheduled Hearing in Natural Resources: Wednesday, 1/20, 8:30 AM, Rm 159-S
SB 330 Senate Natural Resources Committee	Establishing the Kansas conservation reserve enhancement program	In Senate Natural Resources	01/15/2016 - Senate Scheduled Hearing in Natural Resources: Wednesday, 1/20, 8:30 AM, Rm 159-S

HB 2003 Michael Houser, R-1st	Cities; annexation of non-adjoining land	Approved by Governor	06/08/2015 Approved by Governor Sam Brownback
HB 2012 Jim Ward, D-86th	Enacting the Kansas working families pay raise act	In House Appropriations	01/13/2015 - House Referred to Appropriations
HB 2014 Tom Sloan, R-45th	Authorizing the Kansas water office, with approval of the Kansas water authority, to establish the clean drinking water fee by rules and regulations and imposing a cap on such fee	In House Agriculture and Natural Resources Budget	02/13/2015 - House Scheduled Hearing in Agriculture and Natural Resources Budget: Thursday, 2/19, 1:30 PM, Rm 142-S
HB 2015 Joint Committee on Corrections and Juvenile Justice Oversight	Juvenile offenders; prohibiting placement in a juvenile correctional facility for a current misdemeanor adjudication	In House Appropriations	02/20/2015 - House Withdrawn from Corrections and Juvenile Justice; referred to Appropriations
HB 2019 House Vision 2020 Committee	Property tax levy for the Kansas educational building fund	In House Taxation	01/28/2015 - House Scheduled Hearing in Taxation: Wednesday, 2/4/2015, 3:30 PM, Rm 582-N
HB 2023 House Judiciary Committee	Legislative review of exceptions to disclosure of public records	Approved by Governor	03/30/2015 Approved by Governor Sam Brownback
HB 2035 House Education Committee	Amending the tax credit for low income students scholarship program act	In House Education	01/20/2015 - House Referred to Education
HB 2036 House Vision 2020 Committee	Electricity and the sale of renewable energy	In House Energy and Environment	01/20/2015 - House Referred to Energy and Environment
HB 2037 House Vision 2020 Committee	Renewable energy generation and tax exempt entities	In House Energy and Environment	01/20/2015 - House Referred to Energy and Environment
HB 2038 House Appropriations Committee	Appropriation revisions for FY 2015, FY 2016, FY 2017, and FY 2018 for various state agencies	In House Appropriations	01/20/2015 - House Scheduled Hearing in Appropriations: Wednesday, 1/21/2015, 9:00 AM, Rm 112-N

HB 2039 House Judiciary Committee	Domestic case management	In House Judiciary	01/21/2015 - House Scheduled Hearing in Judiciary: Wednesday, 1/28/2015, 3:30 PM, Rm 112-N
HB 2059 House Agriculture and Natural Resources Committee	Authorizing chief engineer to allow augmentation to secure water	In Senate Natural Resources	03/09/2015 - Senate Scheduled Hearing in Natural Resources: Thursday, 3/12, 8:30 AM, Rm 159-S
HB 2063 House Agriculture and Natural Resources Committee	Amending the definition of project in the public water supply project loan program	In Senate Natural Resources	03/11/2015 - Senate Scheduled Hearing in Natural Resources: Thursday, 3/19, 8:30 AM, Rm 159-S
HB 2068 House Transportation Committee	Removing requirement that bicycles use path	In House Transportation	01/28/2015 - House Scheduled Hearing in Transportation: Thursday, 2/5/2015, 1:30 PM, Rm 582-N
HB 2069 House Agriculture and Natural Resources Committee	Allowing carryover and a change application for place of use for multi-year flex accounts	Stricken from House calendar	03/04/2015 - House Stricken from Calendar, House Rule 1507
HB 2085 House Appropriations Committee	Contracts between the secretary of transportation and the Kansas Turnpike Authority; annual reports from the authority; director of operations	Approved by Governor	03/30/2015 Approved by Governor Sam Brownback
HB 2133 House Appropriations Committee	Appropriation revisions and supplementals for FY 2015 and FY 2016 for various state agencies	In House Appropriations	01/29/2015 - House Scheduled Discussion and Possible Action in Appropriations: Monday, 2/2/2015, 9:00 AM, Rm 112-N
HB 2153 House Appropriations Committee	Taxpayer empowerment, accountability and transparency in state contracting act	In House Appropriations	01/29/2015 - House Referred to Appropriations
HB 2156 House Agriculture and Natural Resources Committee	Public water supply storage; interest rate change	In Senate Natural Resources	02/25/2015 - Senate Scheduled Hearing in Natural Resources: Wednesday, 3/4, 8:30 AM, Rm 159-S
S Sub for HB 2177	Wildlife, parks and tourism; relating to licenses,	In Conference	06/05/2015 - House

House Energy and Environment Committee	permits and stamps; citations; disposal of seized wildlife; boating; safety education courses; certain sailboats	Committee	Not subject to limitations of Joint Rule 4(k); Acceded; appointed Kleeb, Suellentrop and Sawyer
HB 2192 House Energy and Environment Committee	Kansas storage tank act	Approved by Governor	04/08/2015 Approved by Governor Sam Brownback
HB 2193 House Energy and Environment Committee	Solid and hazardous waste and the risk management program act	Approved by Governor	04/08/2015 Approved by Governor Sam Brownback
Bill Number and Sponsor	Bill Subject	Current Status	Last Action
HB 2194 House Transportation Committee	Establishing a safety corridor program	In House Transportation	02/04/2015 - House Scheduled Hearing in Transportation: Thursday, 2/12/2015, 1:30 PM, Rm 582-N
Sub for HB 2224 House Federal and State Affairs Committee	Technical professions act; definitions clarification	Approved by Governor	06/02/2015 Approved by Governor Sam Brownback
HB 2227 House Agriculture and Natural Resources Committee	Creating water conservation areas	In House Agriculture and Natural Resources	02/05/2015 - House Scheduled Hearing in Agriculture and Natural Resources: Thursday, 2/12/2015, 3:30 PM, Rm 346-S
HB 2233 House Energy and Environment Committee	Electric utilities and carbon dioxide emissions	Approved by Governor	05/28/2015 Approved by Governor Sam Brownback
HB 2245 House Federal and State Affairs Committee	Amending procedure for cases involving groundwater	In House Agriculture and Natural Resources	02/06/2015 - House Referred to Agriculture and Natural Resources
HB 2255 House Transportation Committee	Prohibiting the secretary of transportation from entering agreements or issuing bonds after December 31, 2014, for the transportation revolving fund and the communication systems revolving fund; repealing the intermodal transportation revolving fund	In House Transportation	02/11/2015 - House Scheduled Hearing in Transportation: Tuesday, 2/17, 1:30 PM, Rm 582-N
HB 2267 House Appropriations	Alternative project delivery; notice requirements and selection procedures	Approved by Governor	04/01/2015 Approved by Governor Sam Brownback

Committee			
HB 2296 House Federal and State Affairs Committee	Cities and counties; public building commission; revenue bonds; election required	On General Orders in House	03/13/2015 - House Committee Report recommending bill be passed as amended by Local Government
HB 2303 House Appropriations Committee	Allowing the secretary of health and environment to establish variances to water quality standards	In House Agriculture and Natural Resources	03/05/2015 - House Scheduled Hearing in Agriculture and Natural Resources: Wednesday, 3/11, 3:30 PM, Rm 346-S
HB 2314 Tom Burroughs, D-33rd	Repealing the prohibition against agencies and municipalities requiring contractors to enter into certain labor agreements for public works construction projects	In House Commerce, Labor and Economic Development	02/12/2015 - House Referred to Commerce, Labor and Economic Development
HB 2317 Brandon Whipple, D-96th	Requiring employment of Kansas workers for certain state contracts and tax incentives	In House Taxation	02/13/2015 - House Withdrawn from Commerce, Labor and Economic Development; referred to Taxation
HB 2351 House Agriculture and Natural Resources Committee	Allowing conservation districts to sponsor local enhanced management areas	In House Agriculture and Natural Resources	03/05/2015 - House Withdrawn from Appropriations; rereferred to Agriculture and Natural Resources
HB 2373 House Taxation Committee	Renewable energy standards act sunset	In House Energy and Environment	05/04/2015 - House Scheduled Discussion in Energy and Environment: Monday, 5/4, 3:30 PM, Rm 582-N
HB 2395 House Appropriations Committee	State building projects; negotiating committees; alternative procurement	Approved by Governor	05/27/2015 Approved by Governor Sam Brownback
HB 2407 House Federal and State Affairs Committee	State infrastructure projects; allowing for public private agreements	In House Federal and State Affairs	03/12/2015 - House Referred to Federal and State Affairs
HB 2414 House Federal and State Affairs Committee	Department of health and environment and economic impact reports for state implementation plans	In House Energy and Environment	03/18/2015 - House Referred to Energy and Environment
HB 2416 House Appropriations	KPERS; definition of compensation for purposes of computing final average salary	In House Calendar and Printing	03/31/2015 - House Withdrawn from Commerce, Labor and Economic Development; referred to

Committee			Calendar and Printing
HCR 5011 House Education Budget Committee	Foresight 2020 strategic plan	In House Education	02/03/2015 - House Referred to Education