

LEGISLATIVE NEWSLETTER

ACEC of Kansas

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The Legislature finished the regular part of the session Thursday night and went home. They will now take a month off before coming back for veto session April 27. There were a lot of moving parts in the last week, which is always a busy time as legislators try to wrap up non-budget items and issues.

The Alvarez & Marsal efficiency study recommendations to do away with the state QBS law and do more design work in-house look to be stalled. This is a great news, as ACEC Kansas has made it the absolute highest priority to stop these recommendations from being accepted and implemented by the Legislature. There is still time for action on these items in the veto session, but we are cautiously optimistic this threat is contained. At least for 2016!

S sub for HB 2088 is another piece of legislation opposed by ACEC Kansas, and this one has substantial life left in it. S Sub for HB 2088 is the most recent form of the local property tax lid. The Legislature had hoped to wrap this item up before first adjournment yesterday, but they did not. It is sitting in conference committee and is almost certain to receive more attention when the Legislature returns.

HB 2729 and SB 499 were new bills we reported on last week, which had each raised questions about whether or not they would impact the use of QBS on state education projects for professional design services. We talked to legislative leaders and the state's Revisor of Statutes, all of whom indicated they did not think these bills threatened QBS. All the same, we breathed a sigh of relief when HB 2729 was shot down on the floor of the House this week and sent back to committee. While this issue could come up during veto session, it is unlikely.

SB 463, which would divert money currently earmarked for things such as water, the Kansas Engineering Initiatives Act, transportation, etc. straight to the general fund, seems to also have run out of steam this session. ACEC Kansas opposed this bill as well.

The Legislature will take a one-month break before returning for veto session. State revenues are expected to continue to come in under estimates, meaning there could be significant additional cuts that need to be made when they return. This could impact a number of infrastructure funding streams.

Stay tuned...

Bill Number and Sponsor	Bill Subject	Current Status	Last Action
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 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	Amending the powers and duties of the Kansas department of agriculture division of conservation and	In Senate Natural Resources	02/02/2015 - Senate Scheduled Hearing in

Committee	the state conservation commission		Natural Resources: Thursday, 2/5/2015, 8:30 AM, Rm 159-S
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
H Sub for SB 227 Senate Natural Resources Committee	Updating provisions relating to weights and measures	In Conference Committee	03/23/2016 - House Acceded; appointed Schwartz, Boldra and Victors
H Sub for SB 245 Senate Ways and Means Committee	Relating to a DUI memorial signage program, establishing the Kyle Thornburg and Kylie Jobe believe act	Approved by Governor	03/23/2016 Approved by Governor Sam Brownback
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	01/20/2016 - House Scheduled Hearing in Energy and Environment: Wednesday, 1/27, 9:00 AM, Rm 582-N
SB 250 Senate Ways and Means Committee	Joint committee on state building construction; reports of the secretary of administration	Veto sustained	03/15/2016 - Senate Motion to override veto failed (2/3 majority required); Yeas 26, Nays 13; veto sustained
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 311 Senate Ways and Means Committee	Transfer of administration of school finance from the state board of education to the department of administration and secretary of administration	In Senate Ways and Means	03/02/2016 - Senate Scheduled Hearing in Ways and Means: Thursday, 3/10, 10:30 AM, Rm 548-S

SB 316 Jacob LaTurner, R-13th	Property tax lid; effective date; exemptions	In Senate Assessment and Taxation	03/15/2016 - Senate Scheduled Discussion and Possible Action in Assessment and Taxation: Thursday, 3/17, 9:30 AM, Rm 548-S
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	02/01/2016 - Senate Scheduled Discussion and Possible Action in Natural Resources: Thursday, 2/4, 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	Pending action by Governor	03/22/2016 - Senate Enrolled and presented to the Governor
SB 330 Senate Natural Resources Committee	Establishing the Kansas conservation reserve enhancement program	Pending action by Governor	03/22/2016 - Senate Enrolled and presented to the Governor
H Sub for SB 337 Senate Natural Resources Committee	Creating a penalty for failure to report annual water use	In Conference Committee	03/17/2016 - House Acceded; appointed Schwartz, Boldra and Victors
SB 365 Senate Commerce Committee	Enacting the contaminated property redevelopment act	Stricken from Senate calendar	03/24/2016 - Senate Stricken from Calendar by Rule 1507
SB 394 Senate Public Health and Welfare Committee	Enacting the supporting families act, relating to temporary care for children	In Senate Judiciary	02/05/2016 - Senate Scheduled Hearing in Judiciary: Thursday, 2/11, 10:30 AM, Rm 346-S
SB 396 Senate Judiciary Committee	Kansas sunset law	In Senate Ways and Means	02/03/2016 - Senate Referred to Ways and Means
SB 411 Senate Utilities Committee	Utilities and electric transmission lines	In Senate Utilities	02/05/2016 - Senate Referred to Utilities
SB 412 Senate Utilities Committee	Water district No. 1 of Johnson County and purposes of property easement	Pending action by Governor	03/22/2016 - Senate Enrolled and presented to the Governor
SB 416 Senate Utilities Committee	Vehicle tire tax and abolishing the solid waste grants advisory committee	In Senate Utilities	02/09/2016 - Senate Referred to Utilities
SB 417 Senate Utilities Committee	Concerning utilities and the department of health and environment	In Senate Utilities	02/09/2016 - Senate Referred to Utilities

SB 459 Senate Federal and State Affairs Committee	Fire extinguisher inspections; fireworks manufacturers, distributors and display operations; license fees eliminated	Pending enrollment	03/22/2016 - House Final Action: Passed; Yeas 122, Nays 3
SB 463 Senate Ways and Means Committee	Abolishing the expanded lottery act revenues fund, the Kansas endowment for youth fund, the children's initiative fund, the state economic development initiatives fund, and the state water plan fund; all revenues into such funds go into the state general fund; duties of Kansas children's cabinet	In Senate Ways and Means	03/02/2016 - Senate Scheduled Hearing in Ways and Means: Tuesday, 3/8, 10:30 AM, Rm 548-S
SB 475 Senate Federal and State Affairs Committee	Requiring performance and payment bonds for certain public construction contracts	In Senate Ways and Means	03/18/2016 - Senate Scheduled Hearing in Ways and Means: Tuesday, 3/22, 1:00 PM, Rm 548-S
SB 491 Senate Ways and Means Committee	Department of agriculture division of water resources; groundwater management; rules and regulations; court procedures; position of chief engineer; impairment	In Senate Natural Resources	03/10/2016 - Senate Scheduled Hearing in Natural Resources: Friday, 3/11, 8:30 AM, Rm 159-S
SB 493 Senate Federal and State Affairs Committee	Providing for community finance fees and other administrative cost recovery fees for the department of commerce	In Senate Commerce	03/09/2016 - Senate Scheduled Hearing in Commerce: Tuesday, 3/15, 8:30 AM, Rm 548-S
SB 506 Senate Ways and Means Committee	Concerning economic development, HPIP credit and required training	In Senate Assessment and Taxation	03/09/2016 - Senate Referred to Assessment and Taxation
SCR 1608 Senate Transportation Committee	Constitutional amendment limiting transfers from the state highway fund	In Senate Ways and Means	02/03/2016 - Senate Referred to Ways and Means
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 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	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

Committee			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
S Sub for HB 2059 House Agriculture and Natural Resources Committee	Creating an application requirement and fee to appropriate water that otherwise leaves the state and creating a chemigation permit exception	In Conference Committee	03/23/2016 - Senate Acceded; appointed Powell, Kerschen and Francisco
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
S Sub for HB 2088 House Federal and State Affairs Committee	Property tax lid, cities and counties; effective date; exemptions; election options	In Conference Committee	03/24/2016 Scheduled Meeting in Taxation Conference: Thursday, 3/24, 11:05 AM, Rm 582-N
S Sub for HB 2156 House Agriculture and Natural Resources Committee	Department of agriculture division of water resources; groundwater management; rules and regulations; court procedures; position of chief engineer; impairment	In Conference Committee	03/23/2016 - Senate Acceded; appointed Powell, Kerschen and Francisco
S Sub for HB 2177 House Energy and Environment Committee	Wildlife, parks and tourism; relating to licenses, permits and stamps; citations; disposal of seized wildlife; boating; safety education courses; certain sailboats	In Conference Committee	06/05/2015 - House Not subject to limitations of Joint Rule 4(k); Acceded; appointed Kleeb, Suellentrop and Sawyer
HB 2245 House Federal and State Affairs Committee	Amending procedure for cases involving groundwater	In House Agriculture and Natural Resources	02/10/2016 - House Scheduled Hearing in Agriculture and Natural Resources: Wednesday, 2/17, 3:30 PM, Rm 346-S
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 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 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 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
Bill Number and Sponsor	Bill Subject	Current Status	Last Action
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 Committee	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 Calendar and Printing
HB 2481 House Agriculture and Natural Resources Committee	Clarifying approval of a change application for place of use for multi-year flex accounts	In House Agriculture and Natural Resources	01/20/2016 - House Referred to Agriculture and Natural Resources
Sub for HB 2486 House Education Committee	Providing a cap on capital improvement state aid for future bond payment obligations of school districts	On General Orders in House	03/16/2016 - House Committee Report recommending substitute bill be passed by Education
HB 2493 House Taxation Committee	Removing requirements that certain city and county budget increases be approved by a local vote	In House Taxation	01/21/2016 - House Referred to Taxation
HB 2510 House Vision 2020 Committee	Amendments to the state water plan	In House Agriculture and Natural Resources	01/27/2016 - House Withdrawn from Agriculture and Natural Resources and Vision 2020; referred to Agriculture and Natural Resources
HR 2519	Approved uses from the state highway	In House Appropriations	01/26/2016 - House

House Transportation Committee	fund by the department of transportation		Referred to Appropriations
HB 2528 House Transportation Committee	Increasing motor fuels tax by \$.05	In House Taxation	01/27/2016 - House Referred to Taxation
HB 2559 House Appropriations Committee	State agencies; minimum staffing levels; reports	In House Appropriations	01/28/2016 - House Referred to Appropriations
HB 2569 House Vision 2020 Committee	Adjustments to the property tax levy for the Kansas educational building fund	In House Vision 2020	02/03/2016 - House Scheduled Hearing in Vision 2020: Wednesday, 2/10, 9:00 AM, Rm 218-N
HB 2574 House Commerce, Labor and Economic Development Committee	Requiring employment of Kansas workers for certain state contracts and tax benefits	In House Commerce, Labor and Economic Development	01/29/2016 - House Referred to Commerce, Labor and Economic Development
HB 2598 Kevin Jones, R-5th	Limiting powers of rural water districts	In House Agriculture and Natural Resources	03/11/2016 - House Scheduled Discussion and Possible Action in Agriculture and Natural Resources: Tuesday, 3/15, 3:30 PM, Rm 346-S
HB 2609 House Taxation Committee	Approval of budgets by taxing subdivisions; resolution and election requirements	In House Taxation	03/02/2016 - House Scheduled Hearings in Taxation: Pro - Wednesday, 3/9; Opp - Thursday, 3/10, 3:30 PM, Rm 582-N
HB 2623 House Energy and Environment Committee	Utilities and electric transmission lines	In House Energy and Environment	02/05/2016 - House Scheduled Hearing in Energy and Environment: Friday, 2/12, 9:00 AM, Rm 582-N
HB 2625 House Taxation Committee	Amending various STAR bond provisions and creating a new type of district and new administrative funds; amending the definition of eligible area for TIF districts	In House Taxation	02/08/2016 - House Referred to Taxation
HB 2649 House Energy and Environment Committee	Municipalities and assessments for energy efficiency improvements	In House Insurance and Financial Institutions	03/02/2016 - House Withdrawn from Appropriations; rereferred to Insurance and Financial Institutions
HB 2657 J. R. Claeys, R-69th	Requiring private water utilities to maintain water quality maintenance funds	In House Utilities and Telecommunications	02/10/2016 - House Referred to Utilities and Telecommunications
HR 2660	Fee agencies moneys transferred to the	In Senate Ways and	03/22/2016 - Senate

House Judiciary Committee	state general fund or special revenue fund; notification to persons paying fees that moneys have been transferred	Means	Withdrawn from Judiciary; referred to Ways and Means
HB 2700 House Taxation Committee	Requiring certification by retirants that they have not entered into a prearranged agreement of employment prior to retirement and providing penalties for violations thereof	On General Orders in House	03/10/2016 - House Committee Report recommending bill be passed as amended by Pensions and Benefits
HB 2719 House Taxation Committee	Concerning local government; relating to certain taxing jurisdictions, approval of levies and bonds by electors or elected body	In House Taxation	03/09/2016 - House Scheduled Hearing in Taxation: Monday, 3/14, 3:30 PM, Rm 582-N
HB 2723 House Appropriations Committee	Implementing administrative cost recovery fees for department of commerce community finance, tax incentive and grant programs	In House Taxation	03/09/2016 - House Referred to Taxation
HB 2729 House Appropriations Committee	Requiring school districts to procure specific spend categories through the department of administration	In House Education Budget	03/22/2016 - House Committee of the Whole: Committee Report be adopted; be further amended; Rereferred to Education Budget
HCR 5011 House Education Budget Committee	Foresight 2020 strategic plan	In House Education	02/03/2015 - House Referred to Education