

LEGISLATIVE NEWSLETTER

ACEC of Kansas

No. 10 – March 21, 2014

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Committee action pretty much wrapped up this week as the Legislature races toward first adjournment. With a few limited exceptions, committee activity is now over and each chamber will spend the remaining two weeks debating bills on the floor and hashing out differences in conference committees.

We received one piece of (tentatively) great news this week. The Legislature introduced a plan to fund the \$129 million suggested in the recent Supreme Court *Gannon* decision on K-12 funding. The good news? There was no call for sweeping infrastructure funds to provide that revenue! We are a long way from the finish line, and this plan can change in a matter of minutes, but it's a very encouraging sign.

There is one potential transfer from the highway fund contained in HB 2529, separate from the school funding situation. HB 2529, a budget bill, includes a diversion of up to \$27 million from the highway fund to pay for statehouse renovations and landscaping.

SB 54, our updates to statutes governing the Board of Technical Professions, saw no action this week, but we are hopeful the House will take up this debate early next week.

SB 396, which would raise the threshold for on-call work to \$1 million dollars for both engineering and architectural services on state building projects, passed the Senate 39-1. It will now head to the House for consideration.

SB 433, which would repeal the states renewable portfolio standards (RPS), was passed out by the Senate Utilities Committee this week. It was actually put in to a House bill, S Sub for HB 2014. This means, if approved by the Senate, the bill would go directly to the full House for a vote to concur, without going through the House committee process.

HB 2246, which offers protection for firms performing peer review services, was passed out favorably by the Senate Commerce Committee Tuesday morning. It now awaits action on the floor of the Senate. ACEC of Kansas has supported this bill through every step of the process and will continue to do so.

The next two weeks will be frantic as each chamber rushes to work the large number of remaining bills ahead of first adjournment. Stay tuned.....

| Bill Number and Sponsor | Bill Subject | Current Status | Last Action |
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| 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 | Requiring the Kansas Water Office to formulate a plan to address water-related | In Senate Natural Resources | 01/23/2013 - Senate Scheduled Hearing and Possible |

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| Energy and Environmental Policy | issues | | 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 | On General Orders in House | 03/13/2014 - House Committee Report recommending bill be passed as amended by Federal and State Affairs |
| 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 | 02/26/2014 - Senate Scheduled Informational Briefing in Agriculture: Wednesday, 3/5/2014, 8:30 AM, Rm 159-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 |

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| 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 | 02/28/2014 - Senate Withdrawn from Ways and Means; rereferred to Commerce |
| 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 Ways and Means | 02/26/2014 - Senate Scheduled Hearing in Ways and Means: Wednesday, 3/5/2014, 10:30 AM, Rm 548-S |
| 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 | 02/26/2014 - Senate Withdrawn from Ways and Means; rereferred to Utilities |
| 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 House Appropriations | 03/21/2014 - House Referred to Appropriations |
| 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 | On General Orders in Senate | 03/20/2014 - Senate Committee Report recommending bill be passed by Natural Resources |
| SB 433 Senate Ways and Means Committee | Repealing the renewable energy standards act | In Senate Utilities | 03/12/2014 - Senate Scheduled Hearing in Utilities: Wednesday, 3/19/2014, 1:00 PM, Rm 548-S |
| SB 443 Senate Ways and Means | Education; funding for capital outlay and supplemental general state aid | In Senate Ways and Means | 03/18/2014 - Senate Referred to Ways and Means |

| Committee | | | |
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| 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 |
| S Sub for HB 2014 House Judiciary Committee | Repealing the renewable energy act | On General Orders in Senate | 03/21/2014 - Senate Committee Report recommending substitute bill be passed by Utilities |
| 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 |
| S Sub for HB 2101 House Energy and Environment Committee | Renewable energy; excess energy credits | On General Orders in Senate | 03/19/2014 - Senate Committee Report recommending bill be passed as amended by Utilities |
| 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 2147 House General Government Budget | Repealer; use of metric system on certain road signs and markers, moving of heavy vehicles on bridges or culverts, interstate | Approved by Governor | 04/02/2013 Approved by Governor Sam Brownback |

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| Committee | bridges | | |
| 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 Senate | 03/18/2014 - Senate Committee Report recommending bill be passed as amended by Commerce |
| 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 Committee | School districts; capital improvements | In House Education | 02/08/2013 - House Referred to Education |
| 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, |

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| | | | 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 |
| Bill Number and Sponsor | Bill Subject | Current Status | Last Action |
| 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 | 03/11/2014 - Senate Scheduled Hearing in Natural Resources: Friday, 3/14/2014, 8:30 AM, Rm 159-S |
| Sub for HB 2430 House Commerce, Labor and Economic Development Committee | Promoting employment across Kansas act; benefits | On General Orders in Senate | 03/21/2014 - Senate Committee Report recommending bill be passed as amended by Commerce |
| 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 |
| Sub for HB 2529 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 | 03/20/2014 - House Scheduled Discussion and Possible Action in Appropriations: Wednesday, 3/26/2014, 8:00 AM, Rm 112-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 | Creating the water program management fund and transferring the air quality fee | On Consent Calendar in Senate (1st day) | 03/20/2014 - Senate Committee Report recommending bill |

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| Natural Resources Committee | fund | | be passed and placed on Consent Calendar by Natural Resources |
| HB 2549 House Agriculture and Natural Resources Committee | Allowing burial of hazardous waste on-site | On Consent Calendar in Senate (1st day) | 03/20/2014 - Senate Committee Report recommending bill be passed and placed on Consent Calendar by 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 | 03/18/2014 - House Withdrawn from Taxation; rereferred to Transportation and Public Safety Budget |
| 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 | Pending enrollment | 03/19/2014 - Senate Final Action: Passed; Yeas 38, Nays 2 |
| HB 2608 House Taxation Committee | County special road and bridge fund mill levy; rate increase; protect petition | In House Taxation | 02/26/2014 - House Scheduled Hearing in Taxation: Thursday, 3/6/2014, 3:30 PM, Rm 582-N |
| S Sub for HB 2616 House Commerce, Labor and Economic Development Committee | Secretary of labor directed to study state enforcement of OSHA standards | On General Orders in Senate | 03/20/2014 - Senate Committee Report recommending substitute bill be passed by Commerce |
| 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 Senate | 03/21/2014 - Senate Committee Report recommending bill be passed by Utilities |
| HB 2652 House Judiciary | Relating to zoning of county airports | In House Judiciary | 02/25/2014 - House Withdrawn from Taxation; rereferred |

| Committee | | | to Judiciary |
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| HB 2654 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 | 03/06/2014 - House Scheduled Discussion in Agriculture and Natural Resources: Thursday, 3/13/2014, 3:30 PM, Rm 346-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 |
| HB 2768 House Appropriations Committee | Education; funding for capital outlay and supplemental general state aid | In House Appropriations | 03/18/2014 - 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 |