

LEGISLATIVE NEWSLETTER

ACEC of Kansas

No. 12 – April 9, 2014

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The Legislature finally arrived at first adjournment Sunday night, almost 48 hours later than originally planned. The delay was caused by the need to come to agreement on a K-12 appropriation bill that addressed the recent *Gannon* decision requiring additional revenue for schools. The Legislature will now take a three-week break, coming back at the end of the month for veto session.

There was not much action the last week on engineering issues, but we do have one fantastic piece of news to report. Our multi-year effort to update the statutes governing the Board of Technical Professions has finally passed! In last minute procedural maneuvering, the language wound up in SB 349. (You will recall it has been in SB 54 the entire time to this point.) SB 349 was agreed to by the House on a vote of 112-11 and by the Senate on a vote of 39-1. It is now headed to the Governor for signature. Barring something completely unforeseeable, it's over! Thank you to all who helped in this lengthy endeavor by contacting your elected officials. Your help made a tremendous difference in not only passing this policy but also deflecting bad policy that sprung up during the multi-year discussion.

A special word of appreciation goes to Jean Boline, the soon-to-be retired Executive Director of the Kansas Board of Technical Professions. This was Jean's baby and part of her legacy, and she was a tireless proponent and partner in this effort. She will officially retire later this month. Jean has been a professional, capable, and positive partner to ACEC of Kansas through her career. Her retirement is well earned, but she will be missed. The passage of this bill is the perfect sendoff.

The other positive news from this week is that the Legislature, even during their last minute searches for revenue, did not divert infrastructure funds to use elsewhere. This could technically still happen during veto session, but we are not hearing rumbles to that effect. It has been a good session in that regard.

HB 2246, providing liability protection to firms doing peer review work, is still in conference committee. It is possible they will get to this legislation during veto session, but remains to be seen.

There continues to be a high volume of conversation about another effort to repeal the state's renewable portfolio standard. It is likely this issue will resurface at some point during the veto session.

This should conclude almost all the legislation we have been tracking this session. If there is traffic on issues of interest during the veto session, we'll keep you informed!

Bill Number and Sponsor	Bill Subject	Current Status	Last Action
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	Abortion; relating to medical emergencies; relating to the woman's-right-to-know act	Pending enrollment	04/05/2014 - Senate Not subject to limitations of Joint Rule 4 (k); Adopted Conference Committee Report on Senate bill; Yeas 34, Nays 6
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 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	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 349 Senate Federal and State Affairs Committee	Boiler safety act; deputy inspectors	Pending enrollment	04/05/2014 - Senate Not subject to limitations of Joint Rule 4 (k); Adopted Conference Committee Report on Senate bill; Yeas 39, Nays 1
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	State building projects; negotiating committees; alternative procurement	In House Appropriations	03/21/2014 - House Referred to Appropriations

Committee			
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	04/01/2014 - Senate Committee of the Whole: Be passed over and retain a place on the Calendar
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 Committee	Education; funding for capital outlay and supplemental general state aid	In Senate Ways and Means	03/18/2014 - Senate Referred to Ways and Means
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	Killed in House	03/26/2014 - House Substitute motion to nonconcur failed; Yeas 51, Nays 71; Motion to concur failed; Yeas 44, Nays 77
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	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

Committee			
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	Pending enrollment	04/03/2014 - House Concurred; Yeas 112, Nays 12
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 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	Renewable energy portfolio	In House Energy	03/13/2013 - House

House Energy and Environment Committee	standards	and Environment	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	In Conference Committee	04/02/2014 - Senate Acceded; appointed Lynn, Wagle and Holland
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, 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
Bill Number and Sponsor	Bill Subject	Current Status	Last Action
HB 2392 House Appropriations Committee	School finance; use of capital outlay funds	In House Appropriations	03/08/2013 - House Referred to Appropriations
HB 2405	Sales and compensating use tax;	In House Taxation	03/20/2013 - House

House Appropriations Committee	distribution of revenues		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	In Conference Committee	04/03/2014 Scheduled Meeting in Commerce Conference: Thursday, 4/3/2014, 4:30 PM, Rm 159-S
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	03/25/2014 - House Scheduled Discussion and Possible Action in Appropriations: Wednesday, 3/26/2014, 9:00 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 Natural Resources Committee	Creating the water program management fund and transferring the air quality fee fund	Pending action by Governor	04/01/2014 - House Enrolled and presented to the Governor
HB 2549 House Agriculture and Natural Resources Committee	Allowing burial of hazardous waste on-site	Pending action by Governor	04/01/2014 - House Enrolled and presented to the Governor
HB 2559	Discrimination based on	In House Commerce, Labor and	02/03/2014 - House

House Commerce, Labor and Economic Development Committee	employment status prohibited	Economic Development	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	Approved by Governor	03/31/2014 Approved by Governor Sam Brownback
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	In Conference Committee	04/02/2014 - Senate Acceded; appointed Lynn, Wagle and Holland
S Sub for HB 2616 House Commerce, Labor and Economic Development Committee	Secretary of labor directed to study state enforcement of OSHA standards	In Conference Committee	04/02/2014 - Senate Acceded; appointed Lynn, Wagle and Holland
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	Secretary of health and environment and air quality standards	Pending enrollment	04/03/2014 - House Concurred; Yeas 121, Nays 3

Environment Committee			
HB 2652 House Judiciary Committee	Relating to zoning of county airports	In House Judiciary	02/25/2014 - House Withdrawn from Taxation; rereferred to Judiciary
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