

LEGISLATIVE NEWSLETTER

ACEC Kansas

No. 5 – February 14, 2014

825 S Kansas Ave, Suite 500 Topeka, KS 66612 Phone (785)357-1824 Fax(785)233-2206 email scott@acecks.org

Week five produced a long awaited and hugely important success for ACEC of Kansas. SB 54 passed the Senate on a vote of 38-2 with *no amendments!* This is the bill we have pushed for over a year that updates Board of Technical Professions statutes. We had long heard of amendments to create exemptions to licensure laws and allow unlicensed individuals to do design on public buildings. In the end, and probably thanks in large part to the grassroots lobbying of ACEC and other stakeholder organizations, no amendment was ever offered. Senators Pyle and Knox voted no, all other Senators were supportive.

SB 54 will now head to the House, and we will keep members posted on its progress and any need to contact their Representatives. Once again, we are so appreciative of our members who made contacts with their Senators on this issue. Thanks to your diligence, we have moved strong public policy a step closer to passage.

HB 2246, which would provide a degree of liability protection for firms doing peer review work, was heard this week in the House Commerce Committee. This is a holdover bill from last year. ACEC offered supporting testimony, and the bill passed the committee with a favorable recommendation after some amendments. It will now head to the full House for consideration.

HB 2273 is another holdover bill from last year that was heard in the House Commerce Committee this week. This is the bill that would require firms receiving any state contract worth \$100,000 or more to certify that at least 70% of the people working on the projects are Kansas residents. ACEC of Kansas has opposed this in the past for many reasons, and we offered testimony to that effect again this week. There is no action on the bill currently scheduled, but we will continue to oppose it if there is further action.

There were several bills of interest introduced this week.

HB 2573 would create an airport development revolving fund. It would have the state shift \$15 million into the fund, although it is vague about when this would happen and where the money would come from. The Secretary of Transportation would then have the authority to administer loans under the revolving fund.

HB 2608 would increase the mill levy that counties can impose to raise money for bridge repair.

HB 2616 would basically allow the State of Kansas to contract with the federal government to run a state-level OSHA program. This bill is being pushed by the contractors. There is no hearing set at this time.

Activity will continue to accelerate as we approach several committee deadlines for passage of bills. 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 | Passed in Senate | 02/12/2014 - Senate Final Action: Passed as amended; Yeas 38, Nays 2 |
| 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 | Municipalities; solid waste collection; | In Senate Commerce | 02/11/2014 - Senate |

| | | | |
|--|--|---|--|
| Senate Commerce Committee | limitations | | 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 |
| 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 Committee | Sunsetting the vehicle modernization surcharge | Stricken from Calendar | 01/30/2014 - House Stricken from Calendar |
| 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 | Peer review for certain licensed technical professionals | On General Orders in House | 02/13/2014 - House Committee Report recommending substitute bill |

| | | | |
|---|--|---|--|
| Development Committee | | | 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 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 |
| 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 |
| Bill Number and Sponsor | Bill Subject | Current Status | Last Action |
| 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-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 |
| 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 | In House Agriculture and Natural Resources | 02/12/2014 - House Scheduled Hearing in Agriculture and Natural Resources: Monday, 2/17/2014, 3:30 PM, Rm 346-S |
| HB 2549 House Agriculture and Natural Resources Committee | Allowing burial of hazardous waste on-site | In House Agriculture and Natural Resources | 02/12/2014 - House Scheduled Hearing in Agriculture and Natural Resources: Monday, 2/17/2014, 3:30 PM, Rm 346-S |
| 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 | County special road and bridge fund | In House Taxation | 02/12/2014 - House |

| | | | |
|---|---|---|--|
| House Taxation Committee | mill levy; rate increase; protect petition | | 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 | 02/12/2014 - House Referred to Commerce, Labor and Economic Development |
| HB 2623 House Veterans, Military and Homeland Security Committee | School districts; requiring storm shelters for certain construction projects | In House Education Budget | 02/12/2014 - House Referred to Education Budget |
| HB 2636 House Energy and Environment Committee | Secretary of health and environment and air quality standards | In House Energy and Environment | 02/12/2014 - House Scheduled Hearing in Energy and Environment: Friday, 2/14/2014, 9:00 AM, Rm 582-N |
| HB 2652 House Judiciary Committee | Relating to zoning of county airports | In House Judiciary | 02/13/2014 - House Referred 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 | 02/13/2014 - House Referred to Agriculture and Natural Resources |
| 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 |