

# LEGISLATIVE NEWSLETTER

ACEC of Kansas

No. 10 March 21, 2016

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The legislature is headed rapidly towards first adjournment. First adjournment is scheduled for this Friday, March 25, but all talk is that they hope to wrap up earlier in the week than Friday. After first adjournment, the legislature will come back April 27 for veto session, where they will be primarily working budget bills. This last week was, for the most part, the end of traditional committee activity this session. This week each chamber will debate bills on the chamber floor, and there will be a handful of conference committees as the two chambers try to work out differences in bills amended by one chamber or the other.

Our effort to defeat the efficiency study recommendations to do away with the state QBS procurement policy and add more state engineers under the auspice of doing the work cheaper and more efficiently than the private sector continued last week. We testified in front of the Senate Transportation Committee Tuesday and urged them to reject these proposals. The hearing appeared to go very well. We also received good news on this subject in the House. ACEC testified on the House side in the House Transportation and Public Safety Budget Committee. That Committee made its report to the full House Appropriations Committee last week, and it did not include either of these two recommendations. It is starting to look like we may have kept these bad recommendations bottled up, but nothing will be certain until the legislature adjourns.

We are investigating another possible threat to QBS that just popped up on our radar. SB 429 and HB 2729 deal with appropriations made by school districts. We read this bill when it was introduced and did not anticipate it would apply to procurement of professional design services. That is still how we read it today, but there has been much concern raised by other groups that it *would* apply to professional design services. The bill would require all contracts over \$20,000 to use the lowest responsible bidder system. HB 2729 has already passed out of the House Education Budget Committee. SB 429 is still sitting in Senate Judiciary. We will explore further this week to get definitive answers. Obviously, if this is indeed a threat to QBS, we will pull out all stops to keep this legislation from passing in its current form.

SB 316 was introduced to limit the ability of local units of government to increase property taxes. ACEC testified in opposition to this bill. It has now been amended into HB 2088, with some changes. While those changes were positive, such as backing the implementation date up one year and exempting a few types of specific expenditures, it appears to still tie the hands of local governments when it comes to raising taxes to support infrastructure spending. We will continue to oppose this bill, but the idea seems to have a lot of momentum with a majority of legislators.

Last week saw a positive impact on the Engineering Initiative Act, thanks to the efforts of KSPE. SB 493 would have assessed a 2% "administrative fee" on the KanGrow funds that are used to fund the Engineering Initiative Act. KSPE testified in opposition and lobbied legislators to exempt the Engineering Initiatives Act from this "fee". They were successful, and the program will continue to be fully funded.

We are also cautiously optimistic that SB 463 will not advance this session. You might recall that SB 463 would have diverted a variety of funding streams that currently go directly to certain programs and ship it directly to the state general fund. This would include funding for water, transportation, the Engineering Initiatives Act, and much more. We testified in opposition to this legislation, and it seems to be at a standstill as of today.

This last week before first adjournment will shed more (and hopefully final) light on many of these issues. Stay tuned...

Bill Number and Sponsor	Bill Subject	Current Status	Last Action
<a href="#">H Sub for SB 29</a> 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	<b>05/28/2015 - House</b> Not subject to limitations of Joint Rule 4(k); Motion to emergency to Final Action, amendment and debate, failed
<a href="#">SB 107</a> Senate Commerce Committee	Public entities expenditures for energy projects intended to reduce energy costs	In Senate Commerce	<b>02/11/2015 - Senate</b> Scheduled Hearing in Commerce: Tuesday, 2/17, 8:30 AM, Rm 548-S
<a href="#">SB 118</a> 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	<b>02/02/2015 - Senate</b> Scheduled Hearing in Natural Resources: Thursday, 2/5/2015, 8:30 AM, Rm 159-S
<a href="#">SB 138</a> 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	<b>02/04/2015 - Senate</b> Referred to Natural Resources
<a href="#">SB 209</a> 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	<b>02/12/2015 - Senate</b> Referred to Commerce
<a href="#">SB 210</a> Anthony Hensley, D-19th	Requiring employment of Kansas workers for certain state contracts and tax incentives	In Senate Commerce	<b>02/12/2015 - Senate</b> Referred to Commerce
<a href="#">H Sub for SB 227</a> Senate Natural Resources Committee	Updating provisions relating to weights and measures	On General Orders in House	<b>03/17/2016 - House</b> Committee Report recommending substitute bill be passed by Agriculture and Natural Resources
<a href="#">SB 245</a> Senate Ways and Means Committee	Repealer; certain bridge inspections	In House Transportation	<b>03/31/2015 - House</b> Referred to Transportation
<a href="#">SB 246</a> 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	<b>01/20/2016 - House</b> Scheduled Hearing in Energy and Environment: Wednesday, 1/27, 9:00 AM, Rm 582-N
<a href="#">SB 250</a> Senate Ways and Means Committee	Joint committee on state building construction; reports of the secretary of administration	Veto sustained	<b>03/15/2016 - Senate</b> Motion to override veto failed (2/3 majority required); Yeas 26, Nays 13; veto sustained

<a href="#">SB 268</a> Senate Ways and Means Committee	Changes to stream maintenance and obstruction requirements	In Senate Natural Resources	<b>03/17/2015 - Senate</b> Scheduled Hearing in Natural Resources: Thursday, 3/19, 8:30 AM, Rm 159-S
<a href="#">SB 275</a> Senate Ways and Means Committee	Establishing water conservation areas	In Senate Natural Resources	<b>03/11/2015 - Senate</b> Scheduled Hearing in Natural Resources: Wednesday, 3/18, 8:30 AM, Rm 159-S
<a href="#">SB 316</a> Jacob LaTurner, R-13th	Property tax lid; effective date; exemptions	In Senate Assessment and Taxation	<b>03/15/2016 - Senate</b> Scheduled Discussion and Possible Action in Assessment and Taxation: Thursday, 3/17, 9:30 AM, Rm 548-S
<a href="#">SB 322</a> Senate Ways and Means Committee	Creating application requirement and fee to appropriate surface water that otherwise leaves the state	In Senate Natural Resources	<b>02/01/2016 - Senate</b> Scheduled Discussion and Possible Action in Natural Resources: Thursday, 2/4, 8:30 AM, Rm 159-S
<a href="#">SB 329</a> Senate Natural Resources Committee	Clarifying approval of a change application for place of use for multi-year flex accounts	On General Orders in House  Above the Line in House	<b>03/14/2016 - House</b> Committee Report recommending bill be passed by Agriculture and Natural Resources
<a href="#">SB 330</a> Senate Natural Resources Committee	Establishing the Kansas conservation reserve enhancement program	On General Orders in House  Above the Line in House	<b>03/14/2016 - House</b> Committee Report recommending bill be passed by Agriculture and Natural Resources
<a href="#">H Sub for SB 337</a> Senate Natural Resources Committee	Creating a penalty for failure to report annual water use	In Conference Committee	<b>03/17/2016 - House</b> Acceded; appointed Schwartz, Boldra and Victors
<a href="#">SB 365</a> Senate Commerce Committee	Enacting the contaminated property redevelopment act	On General Orders in House	<b>03/17/2016 - House</b> Committee Report recommending bill be passed by Commerce, Labor and Economic Development
<a href="#">SB 394</a> Senate Public Health and Welfare Committee	Enacting the supporting families act, relating to temporary care for children	In Senate Judiciary	<b>02/05/2016 - Senate</b> Scheduled Hearing in Judiciary: Thursday, 2/11, 10:30 AM, Rm 346-S
<a href="#">SB 396</a> Senate Judiciary Committee	Kansas sunset law	In Senate Ways and Means	<b>02/03/2016 - Senate</b> Referred to Ways and Means
<a href="#">SB 411</a>	Utilities and electric transmission lines	In Senate Utilities	<b>02/05/2016 - Senate</b> Referred to Utilities

Senate Utilities Committee			
<a href="#">SB 412</a> Senate Utilities Committee	Water district No. 1 of Johnson County and purposes of property easement	On General Orders in House  Above the Line in House	<b>03/14/2016 - House</b> Committee Report recommending bill be passed by Energy and Environment
<a href="#">SB 416</a> Senate Utilities Committee	Vehicle tire tax and abolishing the solid waste grants advisory committee	In Senate Utilities	<b>02/09/2016 - Senate</b> Referred to Utilities
<a href="#">SB 417</a> Senate Utilities Committee	Concerning utilities and the department of health and environment	In Senate Utilities	<b>02/09/2016 - Senate</b> Referred to Utilities
<a href="#">SB 459</a> Senate Federal and State Affairs Committee	Fire extinguisher inspections; fireworks manufacturers, distributors and display operations; license fees eliminated	On General Orders in House	<b>03/17/2016 - House</b> Committee Report recommending bill be passed by Federal and State Affairs
<a href="#">SB 463</a> 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	<b>03/02/2016 - Senate</b> Scheduled Hearing in Ways and Means: Tuesday, 3/8, 10:30 AM, Rm 548-S
<a href="#">SB 475</a> Senate Federal and State Affairs Committee	Requiring performance and payment bonds for certain public construction contracts	In Senate Ways and Means	<b>02/22/2016 - Senate</b> Referred to Ways and Means
<a href="#">SB 491</a> 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	<b>03/10/2016 - Senate</b> Scheduled Hearing in Natural Resources: Friday, 3/11, 8:30 AM, Rm 159-S
<a href="#">SB 493</a> 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	<b>03/09/2016 - Senate</b> Scheduled Hearing in Commerce: Tuesday, 3/15, 8:30 AM, Rm 548-S
<a href="#">SB 506</a> Senate Ways and Means Committee	Concerning economic development, HPIP credit and required training	In Senate Assessment and Taxation	<b>03/09/2016 - Senate</b> Referred to Assessment and Taxation
<a href="#">SCR 1608</a> Senate Transportation Committee	Constitutional amendment limiting transfers from the state highway fund	In Senate Ways and Means	<b>02/03/2016 - Senate</b> Referred to Ways and Means
<a href="#">HB 2019</a> House Vision 2020	Property tax levy for the Kansas educational building fund	In House Taxation	<b>01/28/2015 - House</b> Scheduled Hearing in Taxation: Wednesday,

Committee			2/4/2015, 3:30 PM, Rm 582-N
<a href="#">HB 2035</a> House Education Committee	Amending the tax credit for low income students scholarship program act	In House Education	<b>01/20/2015 - House</b> Referred to Education
<a href="#">HB 2036</a> House Vision 2020 Committee	Electricity and the sale of renewable energy	In House Energy and Environment	<b>01/20/2015 - House</b> Referred to Energy and Environment
<a href="#">HB 2037</a> House Vision 2020 Committee	Renewable energy generation and tax exempt entities	In House Energy and Environment	<b>01/20/2015 - House</b> Referred to Energy and Environment
<a href="#">HB 2038</a> House Appropriations Committee	Appropriation revisions for FY 2015, FY 2016, FY 2017, and FY 2018 for various state agencies	In House Appropriations	<b>01/20/2015 - House</b> Scheduled Hearing in Appropriations: Wednesday, 1/21/2015, 9:00 AM, Rm 112-N
<a href="#">HB 2039</a> House Judiciary Committee	Domestic case management	In House Judiciary	<b>01/21/2015 - House</b> Scheduled Hearing in Judiciary: Wednesday, 1/28/2015, 3:30 PM, Rm 112-N
<a href="#">HB 2068</a> House Transportation Committee	Removing requirement that bicycles use path	In House Transportation	<b>01/28/2015 - House</b> Scheduled Hearing in Transportation: Thursday, 2/5/2015, 1:30 PM, Rm 582-N
<a href="#">HB 2156</a> House Agriculture and Natural Resources Committee	Public water supply storage; interest rate change	In Senate Natural Resources	<b>02/25/2015 - Senate</b> Scheduled Hearing in Natural Resources: Wednesday, 3/4, 8:30 AM, Rm 159-S
<a href="#">S Sub for HB 2177</a> 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	<b>06/05/2015 - House</b> Not subject to limitations of Joint Rule 4(k); Acceded; appointed Kleeb, Suellentrop and Sawyer
<a href="#">HB 2245</a> House Federal and State Affairs Committee	Amending procedure for cases involving groundwater	In House Agriculture and Natural Resources	<b>02/10/2016 - House</b> Scheduled Hearing in Agriculture and Natural Resources: Wednesday, 2/17, 3:30 PM, Rm 346-S
<a href="#">HB 2255</a> 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	<b>02/11/2015 - House</b> Scheduled Hearing in Transportation: Tuesday, 2/17, 1:30 PM, Rm 582-N
<a href="#">HB 2296</a>	Cities and counties; public building commission; revenue bonds; election required	On General Orders in House	<b>03/13/2015 - House</b> Committee Report

House Federal and State Affairs Committee			recommending bill be passed as amended by Local Government
<a href="#">HB 2314</a> 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	<b>02/12/2015 - House</b> Referred to Commerce, Labor and Economic Development
<a href="#">HB 2317</a> Brandon Whipple, D-96th	Requiring employment of Kansas workers for certain state contracts and tax incentives	In House Taxation	<b>02/13/2015 - House</b> Withdrawn from Commerce, Labor and Economic Development; referred to Taxation
<a href="#">HB 2351</a> House Agriculture and Natural Resources Committee	Allowing conservation districts to sponsor local enhanced management areas	In House Agriculture and Natural Resources	<b>03/05/2015 - House</b> Withdrawn from Appropriations; rereferred to Agriculture and Natural Resources
<a href="#">HB 2407</a> House Federal and State Affairs Committee	State infrastructure projects; allowing for public private agreements	In House Federal and State Affairs	<b>03/12/2015 - House</b> Referred to Federal and State Affairs
<a href="#">HB 2414</a> House Federal and State Affairs Committee	Department of health and environment and economic impact reports for state implementation plans	In House Energy and Environment	<b>03/18/2015 - House</b> Referred to Energy and Environment
<a href="#">HB 2416</a> House Appropriations Committee	KPERS; definition of compensation for purposes of computing final average salary	In House Calendar and Printing	<b>03/31/2015 - House</b> Withdrawn from Commerce, Labor and Economic Development; referred to Calendar and Printing
<a href="#">HB 2481</a> 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	<b>01/20/2016 - House</b> Referred to Agriculture and Natural Resources
<a href="#">Sub for HB 2486</a> House Education Committee	Providing a cap on capital improvement state aid for future bond payment obligations of school districts	On General Orders in House	<b>03/16/2016 - House</b> Committee Report recommending substitute bill be passed by Education
<a href="#">HB 2493</a> House Taxation Committee	Removing requirements that certain city and county budget increases be approved by a local vote	In House Taxation	<b>01/21/2016 - House</b> Referred to Taxation
<a href="#">HB 2510</a> House Vision 2020 Committee	Amendments to the state water plan	In House Agriculture and Natural Resources	<b>01/27/2016 - House</b> Withdrawn from Agriculture and Natural Resources and Vision 2020; referred to Agriculture and Natural Resources
<a href="#">HB 2519</a> House Transportation	Approved uses from the state highway fund by the department of transportation	In House Appropriations	<b>01/26/2016 - House</b> Referred to Appropriations

Committee			
<a href="#">HB 2528</a> House Transportation Committee	Increasing motor fuels tax by \$.05	In House Taxation	<b>01/27/2016 - House</b> Referred to Taxation
<a href="#">HB 2559</a> House Appropriations Committee	State agencies; minimum staffing levels; reports	In House Appropriations	<b>01/28/2016 - House</b> Referred to Appropriations
<a href="#">HB 2569</a> House Vision 2020 Committee	Adjustments to the property tax levy for the Kansas educational building fund	In House Vision 2020	<b>02/03/2016 - House</b> Scheduled Hearing in Vision 2020: Wednesday, 2/10, 9:00 AM, Rm 218-N
<a href="#">HB 2574</a> 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	<b>01/29/2016 - House</b> Referred to Commerce, Labor and Economic Development
<a href="#">HB 2598</a> Kevin Jones, R-5th	Limiting powers of rural water districts	In House Agriculture and Natural Resources	<b>03/11/2016 - House</b> Scheduled Discussion and Possible Action in Agriculture and Natural Resources: Tuesday, 3/15, 3:30 PM, Rm 346-S
<a href="#">HB 2609</a> House Taxation Committee	Approval of budgets by taxing subdivisions; resolution and election requirements	In House Taxation	<b>03/02/2016 - House</b> Scheduled Hearings in Taxation: Pro - Wednesday, 3/9; Opp - Thursday, 3/10, 3:30 PM, Rm 582-N
<a href="#">HB 2623</a> House Energy and Environment Committee	Utilities and electric transmission lines	In House Energy and Environment	<b>02/05/2016 - House</b> Scheduled Hearing in Energy and Environment: Friday, 2/12, 9:00 AM, Rm 582-N
<a href="#">HB 2625</a> 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	<b>02/08/2016 - House</b> Referred to Taxation
<a href="#">HB 2649</a> House Energy and Environment Committee	Municipalities and assessments for energy efficiency improvements	In House Insurance and Financial Institutions	<b>03/02/2016 - House</b> Withdrawn from Appropriations; rereferred to Insurance and Financial Institutions
<a href="#">HB 2657</a> J. R. Claeys, R-69th	Requiring private water utilities to maintain water quality maintenance funds	In House Utilities and Telecommunications	<b>02/10/2016 - House</b> Referred to Utilities and Telecommunications
<a href="#">HB 2660</a> House Judiciary Committee	Fee agencies, moneys transferred to the state general fund or special revenue fund; notification to persons paying fees that moneys have been transferred	In Senate Judiciary	<b>03/16/2016 - Senate</b> Referred to Judiciary
<a href="#">HB 2700</a>	Requiring certification by	On General Orders in House	<b>03/10/2016 - House</b>

House Taxation Committee	retirants that they have not entered into a prearranged agreement of employment prior to retirement and providing penalties for violations thereof		Committee Report recommending bill be passed as amended by Pensions and Benefits
<a href="#">HB 2719</a> House Taxation Committee	Concerning local government; relating to certain taxing jurisdictions, approval of levies and bonds by electors or elected body	In House Taxation	<b>03/09/2016 - House</b> Scheduled Hearing in Taxation: Monday, 3/14, 3:30 PM, Rm 582-N
<a href="#">HB 2723</a> House Appropriations Committee	Implementing administrative cost recovery fees for department of commerce community finance, tax incentive and grant programs	In House Taxation	<b>03/09/2016 - House</b> Referred to Taxation
<a href="#">HCR 5011</a> House Education Budget Committee	Foresight 2020 strategic plan	In House Education	<b>02/03/2015 - House</b> Referred to Education