

KANSAS SOCIETY OF PROFESSIONAL ENGINEERS
LEGISLATIVE REPORT

By Ron Gaches, Executive Director

Issue No 2

February 1, 2010

825 S. Kansas Avenue, Suite 500

Topeka, KS 66612

Phone (785) 233-4512

e-mail rgaches@gbbaks.com

***Note: the opinions expressed herein are those of the author
and do not necessarily reflect the positions of KSPE unless noted.***

Eastern Chapter Visits Statehouse

More than a dozen members of the Eastern Chapter visited the Statehouse on Tuesday, January 26th and hosted a luncheon with Johnson County area legislators. Most notable about the trip was an unexpectedly frank discussion about sales tax exemptions led by Senator Tim Owens. As part of the Chapter presentation, the Society expressed its concern about imposition of sales taxes on professional services. Senator Owens expressed the point of view that all tax policies should be subject to review and that KSPE members should keep an open mind about the impact of any change, including the possible imposition of sales tax on professional services. Owens suggested that dramatically increasing the sales tax base would allow significant reductions in the sales tax rate and minimize the adverse impact of applying the tax to any services, including design services.

Among the many legislators attending the JoCo luncheon were Terrie Huntington, now a senator, and her replacement as state representative, Barbara Bollier, whose oldest child is studying engineering.

Attendees also had a chance to tour parts of the refurbished Statehouse. The old Supreme Court chambers have undergone a startling renovation exposing beautiful detailing and including new chandeliers, wooden bench seats and carpet replicating the original designs. Equally impressive are the other renovated committee meeting rooms and staircases on the south wing of the Statehouse. The renovation work unveiled a large skylight on the top floor of the south wing that had been covered up decades ago. It has been restored to its original purpose.

House makes short work of Governor's Sales Tax Increase

The House Tax Committee reported adversely the Governor's one cent sales tax increase. In a bit of an unusual move, the bill was killed outright and removed from the calendar. It is a reflection of the lower chamber's strong preference to cut spending further before considering favorably any tax increases.

Hearing on Repeal of County Land Survey Review

The hearing on SB 301 was conducted in Senate Federal and State Affairs last Thursday. Proponents included the Kansas Society of Land Surveyors, Kansas Association of

Realtors and Kansas Land Title Association. Opponents included the Kansas Association of Counties and a number of other organizations affiliated with KAC. The committee members asked several excellent questions about the bill and expressed lots of interest in the issues and opinions of all conferees.

Need a Copy of a Bill? Click on the “blue” bill number on the bill status list below for a copy of the current bill and supplement (if available). For copies or status of other bills, go to www.kslegislature.org and use the “Quick Search” tools on the right hand side of the page. You can **Find Your Legislator** by using the link under Hot Items at the bottom of the www.kslegislature.org home page.

2010 Bill Deadlines -

- January 11th – last day for individual bill requests
- February 1st – last day for committee bill requests, except Exempt Committees
- February 3rd – last day for individuals to introduce bills
- February 5th – last day for Committees, except Exempt Committees, to introduce bills
- February 21st – last day to consider bills in House of Origin, except “Exempt bills”
- March 24th – last day for consideration of bills in second house, except “Exempt bills”
- April 6th – anticipated end of Regular Session
- April 28th – anticipated start of Veto Session

Kansas Legislature Website - Additional resources, including copies of other bills, roster of legislators, committee rosters, a link to identify your legislator and much more can be found at ... <http://www.kslegislature.org>

Bill Updates - Following is a list of bills of interest to KSPE members. Click on the bill number for an electronic copy of the bill. Please contact me via email at ron@gachesbraden.com or phone at 785-233-2121 if you have questions or to add a bill to our tracking list. NOTE: This is the second year of the biennial session and most of the bills below are carried over from the 2009 Session.

NOTE: To reduce the size of this report we are listing the Last Action only for each bill. For a more complete history of a bill go to www.kslegislature.org.

Bill Number and Sponsor	Bill Subject	Current Status	Last Action
SB 52 Senate Federal and State Affairs Committee	Cities and counties; relating to special benefit districts therein; relating to costs of improvements	In Senate Federal and State Affairs	01/22/2009 - Senate Referred to Federal and State Affairs
SB 59 Senate Transportation Committee	Motor vehicles; concerning the use of safety belts	In House Transportation	02/24/2009 - House Referred to Transportation

SB 65 Special Committee on Eminent Domain in Condemnation of Water Rights	Eminent domain; relating to water rights	In Senate Natural Resources	01/23/2009 - Senate Scheduled Hearing: Thursday, 1/29/2009, 8:30 AM, Rm 446-N
SB 144 Senate Federal and State Affairs Committee	Planning and zoning; dealing with certain easements	In Senate Local Government	02/11/2009 - Senate Scheduled Hearing: Tuesday, 2/17/2009, 9:30 AM, Rm 446-N
SB 165 Senate Ways and Means Committee	State water plan fund; relating to increasing fees that contribute to the fund	In Senate Ways and Means	02/18/2009 - Senate Scheduled Hearing: Tuesday, 2/24/2009, 10:30 AM, Rm 545-N
SB 185 Senate Agriculture Committee	Water rights; relating to abandonment and termination; due and sufficient cause for nonuse	In Senate Agriculture	02/19/2009 - Senate Withdrawn from Ways and Means; rereferred to Agriculture
SB 192 Dennis Pyle, R-1st	Income taxation; relating to credits; motor-fuel taxes paid by certain persons	In Senate Assessment and Taxation	02/04/2009 - Senate Referred to Assessment and Taxation
SB 271 Senate Federal and State Affairs Committee	Counties; relating to bidding requirements on certain contracts	In Senate Local Government	02/25/2009 - Senate Scheduled Hearing: Tuesday, 3/3/2009, 9:30 AM, Rm 446-N
SB 295 Senate Ways and Means Committee	Blind and visually impaired persons; establishing the Motor Vehicle and Safe Mobility Committee; powers and duties thereof	In Senate Transportation	01/14/2010 - Senate Scheduled Hearing: Tuesday, 1/19/2010, 8:30 AM, Rm 152-S
SB 301 Senate Ways and Means Committee	Land surveys	In Senate Federal and State Affairs	01/20/2010 - Senate Scheduled Hearing: Thursday, 1/28/2010, 10:30 AM, Rm 144-S
SB 302 Senate Ways and Means Committee	Transportation; relating to intermodal transportation projects, and providing for the financing thereof	In House Transportation	03/24/2009 - House Referred to Transportation
SB 315	Water; relating to tax exemptions; notification to water rights holders; review of water	In Senate Natural Resources	03/17/2009 - Senate Referred to Natural

Senate Ways and Means Committee	development projects		Resources
SB 323 Senate Ways and Means Committee	Transportation; providing for a transportation program; concerning the financing thereof; creating the Joint Committee on Multimodal Transportation	In Senate Transportation	03/18/2009 - Senate Referred to Transportation
SB 351 Senate Ways and Means Committee	Crimes and punishment; prohibiting text messaging while operating a moving motor vehicle	In Senate Judiciary	01/20/2010 - Senate Scheduled Hearing: Thursday, 1/28/2010, 9:30 AM, Rm 548-S
SB 383 Senate Education Committee	Fire safety and fire prevention; relating to school buildings	In Senate Education	01/19/2010 - Senate Referred to Education
SB 409 Senate Ways and Means Committee	Establishing the passenger rail service program; providing for powers and duties of the Secretary of Transportation; establishing the passenger rail service revolving fund	In Senate Transportation	01/27/2010 - Senate Scheduled Hearing: Wednesday, 2/3/2010, 8:30 AM, Rm 152-S
SB 476 Senate Assessment and Taxation Committee	Sales taxation; relating to imposition of tax on certain services; exemptions, repealed; fund-raising sales	In Senate Assessment and Taxation	01/28/2010 - Senate Referred to Assessment and Taxation
HB 2015 House Energy and Utilities Committee	Energy efficiency; relating to standards for certain owned or leased property, equipment or vehicles	In House Energy and Utilities	01/15/2009 - House Scheduled Hearing: Thursday, 1/22/2009, 9:00 AM, Rm 783 Docking
HB 2016 House Energy and Utilities Committee	Utilities; relating to emissions	In House Energy and Utilities	01/15/2009 - House Scheduled Hearing: Thursday, 1/22/2009, 9:00 AM, Rm 783 Docking
Sub for HB 2029 Special Committee on Eminent Domain in Condemnation of Water Rights	Cities; relating to annexation	In Senate Local Government	03/13/2009 - Senate Referred to Local Government
HB 2030	Cities; relating to annexation	In House Local	01/28/2009 - House

Special Committee on Eminent Domain in Condemnation of Water Rights		Government	Scheduled Hearing: Thursday, 2/5/2009, 3:30 PM, Rm 446-N
HB 2036 House Energy and Utilities Committee	State Corporation Commission; relating to studies and reports	In House Energy and Utilities	01/21/2009 - House Referred to Energy and Utilities
HB 2065 Joint Committee on Administrative Rules and Regulations	Intensive Groundwater Control Areas	In House Agriculture and Natural Resources	01/23/2009 - House Referred to Agriculture and Natural Resources
HB 2083 House Local Government Committee	Historic preservation; pertaining to environs review	In House Local Government	02/24/2009 - House Withdrawn from Appropriations; rereferred to Local Government
HB 2124 House Local Government Committee	Planning and zoning; dealing with certain easements	In House Local Government	02/17/2009 - House Withdrawn from Federal and State Affairs; referred to Local Government
HB 2129 House Transportation Committee	Driver's licenses; concerning the classes thereof	In House Transportation	01/30/2009 - House Scheduled Hearing: Tuesday, 2/3/2009, 1:30 PM, Rm 783 DSOB
HB 2132 House Transportation Committee	Regulating traffic; prohibiting the sending, reading or writing of text messages while operating a motor vehicle	In House Transportation	02/04/2009 - House Scheduled Hearing: Monday, 2/9/2009, 1:30 PM, Rm 783 DSOB
HB 2135 House Transportation Committee	Regulating traffic; concerning traffic-control lights	In House Transportation	02/04/2009 - House Scheduled Hearing: Monday, 2/9/2009, 1:30 PM, Rm 783 DSOB
HB 2136 Peggy Mast, R-76th	Drivers' licenses; requiring certain examinations for issuance or renewal of	In House Transportation	01/29/2009 - House Referred to Transportation
HB 2177	State water plan fund; relating to increasing fees that contribute to the fund	In House Energy and Utilities	02/02/2009 - House Referred to Energy and

House Appropriations Committee			Utilities
HB 2178 House Appropriations Committee	Abolishing the Kansas Turnpike Authority; transferring powers, duties and functions to the Kansas Department of Transportation	In House Transportation	02/04/2009 - House Scheduled Hearing: Thursday, 2/12/2009, 1:30 PM, Rm 783 DSOB
S Sub for HB 2222 House Government Efficiency and Fiscal Oversight Committee	Making and concerning appropriations for the fiscal years ending June 30, 2010, and June 30, 2011, for state agencies; authorizing certain transfers, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements and acts incidental to the foregoing	In House Appropriations	01/28/2010 - House Ruled materially changed; Introduced; Referred to Appropriations
HB 2238 House Commerce and Labor Committee	Construction contracts; relating to retention in public and private construction contracts	In House Commerce and Labor	01/28/2010 - House Scheduled Hearing: Monday, 2/1/2010, 9:00 AM, Rm 784 DSOB
HB 2272 House Appropriations Committee	Intensive groundwater use control areas	On General Orders in House	03/24/2009 - House Committee of the Whole: Be amended; motion to recommend for passage, failed
HB 2277 House Appropriations Committee	Public works projects for state agencies; prescribing payment of minimum wages for work thereon and preferences for certain employees to work thereon	In House Commerce and Labor	02/06/2009 - House Referred to Commerce and Labor
HB 2282 House Energy and Utilities Committee	Water districts; relating to lands annexed by cities	In House Local Government	02/18/2009 - House Withdrawn from Appropriations; rereferred to Local Government
HB 2283 House Energy and Utilities Committee	Water	In Conference Committee	01/28/2010 - Senate Acceded; appointed McGinn, Teichman and Francisco
HB 2284 House Energy and Utilities Committee	Water; relating to rural water districts; concerning transfer of certain property funds and records of such districts	In House Agriculture and Natural Resources	02/06/2009 - House Referred to Agriculture and Natural Resources
HB 2301	Public safety; relating to elevators, escalators,	In House	02/06/2009 - House

House Commerce and Labor Committee	platform lifts, stairway chairlifts, dumbwaiters, moving walks, automated people movers and other conveyances	Commerce and Labor	Referred to Commerce and Labor
HB 2309	Appropriation of water	In House Agriculture and Natural Resources	02/09/2009 - House Referred to Agriculture and Natural Resources
House Federal and State Affairs Committee			
HB 2318	Rural water districts	In House Agriculture and Natural Resources	02/09/2009 - House Referred to Agriculture and Natural Resources
House Energy and Utilities Committee			
HB 2326	Transportation Development District Act; relating to creation of district; requirements	In House Taxation	02/12/2009 - House Referred to Taxation
House Taxation Committee			
HB 2348	Sales taxation; relating to the imposition of tax on rendering or furnishing of services; rate of tax	In House Taxation	02/18/2009 - House Referred to Taxation
House Taxation Committee			
HB 2372	Contracts with state agencies for certain professional services; relating to competitive bidding procedures	In House Appropriations	03/10/2009 - House Referred to Appropriations
House Appropriations Committee			
HB 2382	Transportation; providing for a transportation program	On General Orders in House	03/20/2009 - House Committee Report: Be passed as amended by Transportation
House Taxation Committee			
HB 2392	Contracts; relating to requests for proposals issued by state agencies	In House Judiciary	03/23/2009 - House Referred to Judiciary
House Federal and State Affairs Committee			
HB 2403	Transparency and Accountability in Purchasing and State Spending Act	In House Appropriations	01/27/2010 - House Scheduled Hearing and Possible action: Friday, 1/29/2010, 9:00 AM, Rm 346-S
House Appropriations Committee			
HB 2421	Energy; requiring schools of engineering to evaluate renewable, distributive generation and transmission technology upon request	In House Energy and Utilities	01/13/2010 - House Referred to Energy and Utilities
House Energy and			

Utilities Committee			
HB 2422 House Energy and Utilities Committee	Energy; creating a Kansas Energy Science Authority and providing for the powers and duties thereof	In House Energy and Utilities	01/13/2010 - House Referred to Energy and Utilities
HB 2428 House Vision 2020 Committee	Drinking water supply lakes; imposing certain fees and surcharges	In House Vision 2020	01/13/2010 - House Referred to Vision 2020; Scheduled Hearing: Tuesday, 1/19/2010, 1:30 PM, Rm 783 DSOB
HB 2433 Legislative Educational Planning Committee	State educational institutions; relating to the acquisition of property and services	In House Education	01/13/2010 - House Referred to Education; Scheduled Hearing: Wednesday, 1/20/2010, 9:00 AM, Rm 711 DSOB
HB 2439 House Transportation Committee	Regulating traffic; prohibiting the sending, reading or writing of text messages while operating a motor vehicle	In House Transportation	01/14/2010 - House Referred to Transportation; Scheduled Hearing: Tuesday, 1/19/2010, 1:30 PM, Rm 783 DSOB
HB 2441 House Appropriations Committee	Crimes and punishment; prohibiting text messaging while operating a moving motor vehicle	In House Transportation	01/14/2010 - House Referred to Transportation
HB 2483 House Transportation Committee	Drivers' licenses; concerning requirements for restricted driver's license	In House Transportation	01/22/2010 - House Scheduled Hearing: Wednesday, 1/27/2010, 1:30 PM, Rm 783 DSOB
HB 2483 House Transportation Committee	Drivers' licenses; concerning requirements for restricted driver's license	In House Transportation	01/22/2010 - House Scheduled Hearing: Wednesday, 1/27/2010, 1:30 PM, Rm 783 DSOB
HB 2483 House Transportation Committee	Drivers' licenses; concerning requirements for restricted driver's license	In House Transportation	01/22/2010 - House Scheduled Hearing: Wednesday, 1/27/2010, 1:30 PM, Rm 783 DSOB
HB 2493 House Appropriations	Classifications of dams and water obstructions	In House Agriculture and Natural Resources	01/29/2010 - House Scheduled Hearing: Monday, 2/1/2010, 3:30 PM, Rm 783 DSOB

Committee			
<p>HB 2515</p> <p>House Commerce and Labor Committee</p>	<p>Cities and counties; relating to residential fire protection sprinkler systems.</p>	<p>In House Local Government</p>	<p>01/27/2010 - House Scheduled Hearing: Thursday, 2/4/2010, 3:30 PM, Rm 144-S</p>
<p>HB 2549</p> <p>House Taxation Committee</p>	<p>Sales taxation; relating to imposition of tax on certain services; exemptions, repealed; fund-raising sales</p>	<p>In House Taxation</p>	<p>01/28/2010 - House Referred to Taxation</p>