



KANSASBIO
KANSAS BIOSCIENCE ORGANIZATION

Legislative BIO BUZZ

Week of April 6th – April 10th, 2009

Hello, KansasBio Directors and Members~

Jennifer and I spent two days in Washington DC last week, participating in the BIO Fly-In, along with 250 of our counterparts from across the country. We were delighted to have meetings with each member of our congressional delegation. We met with Senator Brownback, Riley Scott and Landon Fulmer; Congressman Moore and Sarah Lochner, Energy LA; Congresswoman Jenkins, Joshua Lewis and Patrick Leopold from her office; Joel Leftwich and Alison Anway in Senator Roberts' office; Richard Henkle in Congressman Tiahrt's office; and Todd Novascone, Congressman Moran's Chief of Staff. Unfortunately votes on the floor precluded us from our scheduled meetings with Senator Roberts and Congressman Moran, however we saw both of them briefly on Wednesday.

As you can imagine, it was a busy trip and we are looking forward to discussing each of the federal issues with our Industry Advisory Panel (IAP) at the quarterly meeting on Friday, April 10th from 11am-1pm. The KansasBio IAP is comprised of our directors and members who serve as subject matter experts. Our legislative agenda begins with discussions among the IAP, supported by an industry survey, confirmed by the Public Policy and Education Committee and presented to the Board of Directors for ratification at our annual meeting in November. Please consider joining the IAP if you are interested in being a part of this important process for our industry.

Our Congressional discussions centered around funding NBAF, NIH and NSF, as well as renewal of the SBIR/STTR program. We also introduced the National Drug Development Accelerator initiative. Policy issues included patent reform and follow-on biologics/bio-similar bills in the house and senate. We were encouraged by the depth of understanding relative to modifications in the Senate patent reform bill and by the interest in our position on bio-similars. We hope to have co-sponsors from Kansas!

Of course we were in town during Governor Sebelius' Senate confirmation hearings and were able to relay the industry's strong support for her quick confirmation as Secretary of Health and Human Services. This was a popular topic among the other state bio-affiliate organizations with most of them wanting to know details about the Governor and her level of support for the bioscience industry.

It was interesting to note the level of appreciation for the momentum building in the biosciences in Kansas, as nearly everyone was aware we won the NBAF bid and many also commented about how the economic development bill being introduced in Missouri is a clear reflection of how well things are going with the bioscience initiative in Kansas.

Following are notes from our lobbyist, Ron Seeber, about the goings-on in Topeka last week:

Week In Review, Week ending April 4, 2009

The regular session of the legislature ended on Friday night, April 3 with both chambers reconvening April 29 for the veto session. The House and Senate worked long hours churning through their work and sending dozens of bills to the Governor. The Governor will review the bills and have the option to sign them into law, allow them to become without her signature, veto the bills, or line item veto certain sections of appropriation bills.

2010 Budget Approved

The House and Senate Conference approved the budget Conference Committee Report for [House Bill 2354](#), the 2010 fiscal year's budget. The bill reduces funding for KTEC by an additional 10%, but to keep the agency intact and not transfer duties to the Department of Commerce. The bill cuts about \$9 million from the Department of Commerce's budget. **The Senate approved the conference committee report by a vote of 35-3. The House approved it 71-53. The Governor has the option of approving the bill as a whole, vetoing it or vetoing certain line items.**

Dairy Labeling Bill Approved

The full Senate and House narrowly approved the [Conference Committee Report for HB 2121](#). The conference committee added the provisions of [House Bill 2295](#). This is the bill requiring dairy producers who claim that their milk products are derived from hormone free cows to provide affidavits to dairy manufacturers verifying the claim. The Department of Agriculture would be responsible for reviewing all documents related to the claim. The report also contains the original provisions of HB 2121 that deals with the Department of Agriculture's Pesticide and Fertilizer Program, lengthens the sunset provisions on certain dairy inspection and dairy-related fees, and includes the provisions of SB 316 dealing with swine nutrient testing program. **The Senate approved the bill 22-15. The House approved the bill 82-41. The bill now goes to the Governor.**

Energy Bill Conference Committee

The House and Senate approved the [Conference Committee Report for House Bill 2014](#), the comprehensive energy bill that provides for an expansion of the Holcomb power plant and provides regulatory reform within certain state agencies. The House approved the HB 2014 74-48 (10 votes shy of a veto override). The Senate approved the bill 31-7 (4 more votes than needed for a veto override). **The Governor has announced she will veto the bill. House leadership will need to muster 10 votes to override the expected veto and there are behind the scenes deals being negotiated during the break to obtain those votes.**

Ethanol Resolution Approved

The House approved [Senate Concurrent Resolution 1610](#), which encourages EPA to look at higher blends of ethanol. The Senate approved SCR by a vote of 39-0. The House approved the resolution by a vote of 110-12.

Economic Development Incentives Bill Approved

The House and Senate Approved the [Conference Committee Report for SB 97](#). SB 97 (previously HB 2365) allows a qualified company to retain their employees withholding if a company relocates employees to Kansas from outside Kansas, an existing business can qualify if it hires new employees and the expansion is not to an existing facility or other business operation, or if a qualified business contracts with a third party to perform services on the companies behalf or the third party serves as the legal employer of the new employees providing services to the qualified company. The bill was amended in committee scaling back the scope of the bill by excluding all bioscience and certain agriculture related businesses among others due to concerns about the fiscal note and incentives already received by those industries. **The bill now goes to the governor.**

Coming This Month: Veto Session

On April 29, the Veto Session begins. This session is traditionally to fund bills approved by the legislature and give the House and Senate an opportunity to attempt to override a gubernatorial veto. However, March revenue estimates released earlier in the week estimated a projected \$57 million budget shortfall. This will lengthen the veto session as legislators decide how to make up for the funding deficit. This could entail more intense budget cuts to state agencies, a possible tax increase, or a combination of both. House and Senate budget committees will start working on the “omnibus budget” the week of April 20th at which they will have an even better update of the state’s revenue situation.

| Bill Number and Sponsor | Bill Subject | Current Status | Last Action |
|--|---|-------------------------------------|---|
| SB 13 Anthony Hensley, D-19th | Kansas Bioscience authority; regarding membership on the board | In Senate Federal and State Affairs | 01/13/2009 - Senate Referred to Federal and State Affairs |
| SB 16 Joint Committee on Administrative Rules and Regulations | Pharmacy Act of the State of Kansas; declaring certain acts not to be in violation of said act | Enrolled and presented to Governor | 03/30/2009 - Senate Enrolled and presented to the Governor |
| H Sub for Sub for SB 23 Senate Ways and Means Committee | Making and concerning appropriations for the fiscal years ending June 30, 2009, June 30, 2010 and June 30, 2011, for state agencies; authorizing certain transfers, capital improvement projects and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements and acts incidental to the | Approved by Governor | 03/05/2009 - Senate No motion to reconsider; veto sustained |

| | | | |
|--|--|---|---|
| | foregoing | | |
| SB 97 | Creating the Promoting Employment Across Kansas Act | Pending enrollment and presentation to Governor | 04/02/2009 - Senate Adopted Conference Committee Report on Senate bill; Yeas 37, Nays 0 |
| Senate Assessment and Taxation Committee | | | |
| SB 120 | Kansas Investments in Major Projects and Comprehensive Training; relating to the Secretary of Commerce; authorizing the funding of certain economic development projects | Enrolled and presented to Governor | 03/30/2009 - Senate Enrolled and presented to the Governor |
| Senate Commerce Committee | | | |
| SB 121 | Health care; relating to reform in funding and structure of the federal and state programs | In Senate Public Health and Welfare | 02/11/2009 - Senate Scheduled Hearing: Tuesday, 2/17/2009, 1:30 PM, Rm 136-N |
| Senate Public Health and Welfare Committee | | | |
| SB 202 | Abortion | In Senate Federal and State Affairs | 02/05/2009 - Senate Referred to Federal and State Affairs |
| Mark Taddiken, R-21st | | | |
| SB 223 | Emergency medical services board; subpoena authority | In House Judiciary | 03/13/2009 - House Referred to Judiciary |
| Senate Ways and Means Committee | | | |
| H Sub for SB 238 | Abortion; regarding the Woman's Right-to-Know Act | Approved by Governor | 03/27/2009 Approved by Governor Kathleen Sebelius |
| Senate Judiciary Committee | | | |
| SB 244 | Economic Revitalization and Reinvestment Act; relating to eligible businesses | In Senate Assessment and Taxation | 03/04/2009 - Senate Scheduled Hearing: Thursday, 3/12/2009, 10:30 AM, Rm 535-N |
| Senate Assessment and Taxation Committee | | | |
| SB 248 | Controlled substances; creating a statewide electronic logging system for sale of methamphetamine precursor | On General Orders in House | 03/19/2009 - House Committee Report: Be passed as amended by Corrections |
| Senate Ways and | | | |

| | | | |
|---------------------------------|--|------------------------------------|--|
| Means Committee | | | and Juvenile Justice |
| SB 249 | Pharmacists; relating to substitution of drug product | In House Health and Human Services | 02/20/2009 - House Referred to Health and Human Services |
| Senate Ways and Means Committee | | | |
| SB 250 | Workers compensation; relating to benefits | In Senate Commerce | 02/10/2009 - Senate Referred to Commerce |
| Senate Ways and Means Committee | | | |
| SB 295 | Blind and visually impaired persons; establishing the Motor Vehicle and Safe Mobility Committee; powers and duties thereof | In Senate Transportation | 03/03/2009 - Senate Referred to Transportation |
| Senate Ways and Means Committee | | | |
| SB 296 | State finance; establishing a process to evaluate and implement federal funding available for state agencies under the federal American Economic Recovery and Reinvestment Act of 2009 | In Senate Ways and Means | 03/06/2009 - Senate Scheduled Hearing: Wednesday, 3/11/2009, 10:30 AM, Rm 545-N |
| Senate Ways and Means Committee | | | |
| SB 303 | Abolishing the Kansas Technology Enterprise Corporation and Kansas, Inc. and transferring the powers and duties thereof to the Department of Commerce | In Senate Ways and Means | 03/06/2009 - Senate Referred to Ways and Means |
| Senate Ways and Means Committee | | | |
| SB 304 | Making and concerning appropriations for the fiscal years ending June 30, 2009, June 30, 2010, June 30, 2011, June 30, 2012 and June 30, 2013, and June 30, 2014, for state agencies; authorizing certain transfers, capital improvement projects and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements and acts incidental to the foregoing | In Senate Ways and Means | 03/16/2009 - Senate Scheduled Hearing: Thursday, 3/19/2009, 10:30 AM, Rm 545-N |
| Senate Ways and Means Committee | | | |
| SB 308 | State agencies; relating to the administrative fee charged to agencies | On General Orders in Senate | 03/24/2009 - Senate Committee Report: Be passed by Ways and Means |
| Senate Ways and Means Committee | | | |

| | | | |
|---------------------------------|---|----------------------------|--|
| SB 309 | Making and concerning appropriations for the fiscal years ending June 30, 2010, and June 30, 2011, for state agencies; authorizing certain transfers, capital improvement projects and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements and acts incidental to the foregoing | In Senate Ways and Means | 03/16/2009 - Senate Scheduled Hearing: Thursday, 3/19/2009, 10:30 AM, Rm 545-N |
| Senate Ways and Means Committee | | | |
| SB 311 | State budget; state general fund and special revenue fund expenditures, transfers and ending balance requirements; reduction and allotment procedures; economic impact statements and fiscal note updates for legislation | In Senate Ways and Means | 03/12/2009 - Senate Referred to Ways and Means |
| Senate Ways and Means Committee | | | |
| SB 317 | Abolishing the Kansas Technology Enterprise Corporation and transferring the powers and duties thereof to the Department of Commerce and the Board of Regents | In Senate Ways and Means | 03/17/2009 - Senate Referred to Ways and Means |
| Senate Ways and Means Committee | | | |
| SCR 1610 | Urging the Environmental Protection Agency to authorize use of higher blends of ethanol in non-flex fuel vehicles | Adopted | 04/03/2009 - House Final Action: Adopted; Yeas 110, Nays 12 |
| Mark Taddiken, R-21st | | | |
| SCR 1610 | Urging the Environmental Protection Agency to authorize use of higher blends of ethanol in non-flex fuel vehicles | Adopted | 04/03/2009 - House Final Action: Adopted; Yeas 110, Nays 12 |
| Mark Taddiken, R-21st | | | |
| HB 2011 | Abortion | On General Orders in House | 02/27/2009 - House Committee Report: Be passed by Federal and State Affairs |
| Arlen H. Siegfried, R-15th | | | |
| HB 2022 | Making and concerning appropriations for the fiscal years ending June 30, 2009, and June 30, 2010, for state agencies; authorizing certain transfers, capital improvement projects and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts, | In House Appropriations | 01/21/2009 - House Scheduled Hearings: Monday, 1/26/2009, 9:00 AM, Rm 143-N; Tuesday, 1/27/2009, 9:00 AM, Rm 143-N; Wednesday, 1/28/2009, 9:00 AM, Rm 143-N; Thursday, 1/29/2009, 9:00 |
| House Appropriations Committee | | | |

| | | | |
|--|---|---|--|
| | disbursements and acts incidental to the foregoing | | AM, Rm 143-N; Friday, 1/30/2009, 9:00 AM, Rm 143-N |
| HB 2076 Lance Kinzer, R-14th | Abortion; regarding the Woman's Right-to-know Act | In Senate Federal and State Affairs | 02/04/2009 - House Scheduled Hearing: Wednesday, 2/11/2009, 1:30 PM, Rm 143-N |
| Sub for HB 2081 House Agriculture and Natural Resources Committee | Milk and dairy products; relating to certain fees fixed by the Secretary of Agriculture | Stricken from Calendar | 02/24/2009 - House Stricken from Calendar, House Rule 1507 |
| HB 2093 House Appropriations Committee | Making and concerning appropriations for the fiscal years ending June 30, 2009, June 30, 2010 and June 30, 2011, for state agencies; authorizing certain transfers, capital improvement projects and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements and acts incidental to the foregoing | In House Appropriations | 01/28/2009 - House Referred to Appropriations |
| HB 2094 House Appropriations Committee | Making and concerning appropriations for the fiscal years ending June 30, 2010, June 30, 2011, June 30, 2012, June 30, 2013, and June 30, 2014, for the Department on Aging, the Department of Social and Rehabilitation Services and the Department of Health and Environment – Division of Health; authorizing certain transfers, capital improvement projects and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements and acts incidental to the foregoing | In House Aging and Long-Term Care | 02/18/2009 - House Scheduled Hearings: Tuesday, 3/3/2009, 3:30 PM, Rm 711 DSOB; Thursday, 3/5/2009, 3:30 PM, Rm 711 DSOB |
| HB 2121 House Agriculture and Natural Resources Committee | Agriculture; relating to pesticide and fertilizer programs fees; fees for milk and dairy products | Pending enrollment and presentation to Governor | 04/03/2009 - House Adopted Conference Committee Report on House bill; Yeas 82, Nays 42 |

| | | | |
|---|--|---|--|
| HB 2166 Steve Huebert, R-90th | Abortion; relating to late-term and partial birth abortion | On General Orders in House | 02/27/2009 - House Committee Report: Be passed by Federal and State Affairs |
| HB 2236 House Corrections and Juvenile Justice Committee | Crimes, criminal procedure and punishments; concerning drug crimes; recodification of certain statutes | Approved by Governor | 03/27/2009 Approved by Governor Kathleen Sebelius |
| HB 2295 House Taxation Committee | Milk and dairy products; relating to labels for such products | In Senate Agriculture | 03/24/2009 - Senate Referred to Agriculture |
| HB 2317 House Government Efficiency and Fiscal Oversight Committee | State government; requiring certain agencies to submit a budget | In House General Government Budget | 03/04/2009 - House Scheduled Hearing: Tuesday, 3/10/2009, 1:30 PM, Rm 531-N |
| HB 2358 House Taxation Committee | Enacting the Investment in Kansas Employment Act | In House Economic Development and Tourism | 03/04/2009 - House Scheduled Hearing: Monday, 3/9/2009, 3:30 PM, Rm 711 DSOB |
| HB 2360 House Appropriations Committee | State budget; relating to preparation and submission of budget estimates and recommendations by the Governor to the Legislature | In Senate Ways and Means | 03/30/2009 - Senate Referred to Ways and Means |
| HB 2361 House Appropriations Committee | State finance; establishing a process to evaluate and implement federal funding available for state agencies under the federal American Economic Recovery and Reinvestment Act of 2009 | In House Appropriations | 03/04/2009 - House Referred to Appropriations |
| Sub for HB 2365 House Taxation Committee | Creating the Promoting Employment Across Kansas Act | In Senate Assessment and Taxation | 04/02/2009 - Senate Referred to Assessment and Taxation |

| | | | |
|---|---|-------------------------------------|--|
| <p>HB 2369 House Appropriations Committee</p> | <p>Making and concerning appropriations for the fiscal years ending June 30, 2010, and June 30, 2011, for state agencies; authorizing certain transfers, capital improvement projects and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements and acts incidental to the foregoing</p> | <p>In Senate Ways and Means</p> | <p>03/30/2009 - Senate Referred to Ways and Means</p> |
| <p>HB 2373 House Appropriations Committee</p> | <p>Making and concerning appropriations for the fiscal years ending June 30, 2009, June 30, 2010, June 30, 2011, June 30, 2012 and June 30, 2013, and June 30, 2014, for state agencies; authorizing certain transfers, capital improvement projects and fees, imposing certain restrictions and limitations, and directing or authorizing certain receipts, disbursements and acts incidental to the foregoing</p> | <p>In Senate Ways and Means</p> | <p>03/30/2009 - Senate Referred to Ways and Means</p> |