



**KANSASBIO**  
KANSAS BIOSCIENCE ORGANIZATION

### **Legislative BIO BUZZ**

#### **Week of March 23rd – 27th, 2009**

Yesterday the house debated HB2373 – the Mega bill. Activity on the bill yesterday included many amendments. An update will be included in next week's review.

Mark your calendar: April 10<sup>th</sup> is the next meeting of the Industry Advisory Panel. Senator Brownback's Deputy Chief will be in attendance. Together we are working on a talent development initiative. As you know the IAP is comprised of KansasBio members who are subject matter experts. We meet throughout the year to discuss matters of policy and community outreach. If you would like to join or know someone who should, please contact Jennifer Bruning. The meeting on April 10<sup>th</sup> will take place at the Nicklaus Golf Club at Lionsgate from 11am-1pm with lunch provided.

Notes from Ron Seeber, our lobbyist, are included below.

#### **Week In Review, Week of March 16<sup>th</sup> - 20th**

Friday was the last day for bills that are not exempt from deadlines to make it through the committee process. Committees last week worked long hours amending and approving bills in order to be debated this week. Concerning the budget, House and Senate Budget Committees both approved their respective budget bills. The House will debate their bill on Monday of this week and the Senate will debate theirs on Tuesday. Should both bills be approved, the legislation will go to a joint House/Senate Conference Committee at which changes between the two versions will be negotiated.

#### **Energy Bill Conference Committee**

The House and Senate conferees agreed on provisions in [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. Conferees came to an agreement on the levels of Renewable Fuel Standards in the bill. They clarified that the standards for renewables regulated by the Kansas Corporation Commission are restricted to electric generation facilities. The bill will be approved before the end of the regular session April 4. The Governor has announced that she will veto the bill. At this time, the Senate has the votes to override a veto, but the House is a few votes short.

## **Dairy Labeling**

The full House approved [House Bill 2295](#) by a vote of 75-44. This bill requires 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. During floor debate, Retired Dairy Farmer Representative [Dan Kerschen](#) (R-Garden Plain) carried the bill and eloquently articulated the need for sound science in labeling. Representatives [Tony Brown](#) (D-Baldwin City) and [Ann Mah](#) (D-Topeka) spoke against the bill citing internet studies showing artificial hormones cause harm to humans and cows. The House Agriculture Committee amended the bill to remove language commenting on the validity of statements made about hormones in milk. An additional amendment was made to allow the qualifying label to be in a similar font and size as the production claim.

## **Vision 2020**

Chairman [Tom Sloan](#) (R-Lawrence), Chairman, House Vision 2020 Committee, met with and relayed to the Kansas Bioscience Authority, KTEC, KS Department of Commerce, and Kansas Inc., his desire to continue to work with the organizations during the interim to discuss several issues related to moving Kansas forward from a business development perspective. Also during the meeting, items discussed included responses from the organizations posed by the committee that touched on a variety of subjects. They included discussion on the drug accelerator, a centralized state supercomputer system, impact aid, the difficulties access to credit through an organized bank and credit union lending effort for economic development, intellectual property held by Kansas Universities, the ability access research by the private sector, federal stimulus money, and the endorsement of Kansas products by the state. Representative [Raj Goyle](#) (D-Wichita) expressed his desire to focus on certain segments in of the Kansas economic landscape much in the way the Kansas Bioscience Authority has targeted its efforts. Conferees agreed that focus on specific economic areas is key to economic development.

## **KS Bioscience Authority Utility Committee Presentation**

Tom Thorton and Bret Healy, KS Bioscience Authority, gave a presentation to the House Utilities Committee concerning the American Recovery and Reinvestment Act (federal stimulus package) and Kansas Bioenergy and Biorefining Center for Innovation (KBBCI). Concerning the stimulus package, they reported that KBA will receive no funding from the law. There are formulaic funds that will go through Kansas and the KBA will work with a number of organizations statewide to maximize funding under competitive grants. With regard to the KBBCI, Healy reported that this is a world class research and development effort underway at KU and KSU. The goals of the KBBCI is to 1) lead replacement of fossil-based fuels and chemicals through the use of commercial biorefining; 2) commercialize efficient biomass resources to produce cost-effective quality power; and 3) improve the carbon capture and sequestration and greenhouse gases. Chairman [Carl Holmes](#) (D-Liberal) did voice concerns that biodiesel and ethanol have hit the market cap and questioned how to get beyond the cap. Healy responded that alternative fuels are being developed, proliferation of blending pumps will assist, and federal tax policy can help as well.

### **KTEC and Commerce Budget**

Both the House and Senate Budget Committees have deferred action on the KTEC and Department of Commerce Budget until the veto session omnibus “wrap up” budget. The House Committee report stated (after the subcommittee supported an additional 10% cut for both agencies) considering "at Omnibus the need to further reduce the budgets of Kansas, Inc., the Kansas Technology Enterprise Corporation (KTEC), and the Kansas Department of Commerce a further \$1.7 million in order to bring expenditures in line with the Governor’s FY 2010.” The Senate stated in their report that “KTEC should be a state agency and would like to consider at Omnibus the restoration of KTEC. Furthermore, the Subcommittee would like to consider the report on KTEC published by Kansas, Inc. before considering restoring the funding for KTEC recommendation for the aforementioned agencies.” However, the same committee also approved language in the Department of Commerce budget that was less definitive, the committee “recommends examining the divisions and programs within the Department of Commerce that relate to the Kansas Technology Enterprise Corporation (KTEC). The Governor recommended transferring the KTEC grant programs to the Department of Commerce in FY 2010. While the funding to transfer the KTEC grant programs has been deleted, the Subcommittee would like to review the various divisions and programs in the Department of Commerce that relate to KTEC at Omnibus.” The Governor recommends that KTEC be abolished and duties absorbed by The Department of Commerce. While the House action indicates their desire to keep KTEC intact, the Senate Committee is giving mixed signals on its desire.

### **Ethanol Resolution**

The House Agriculture Committee held a hearing and passed out favorably Senate [Concurrent Resolution 1610](#), which encourages EPA to look at higher blends of ethanol. The Kansas Association of Ethanol Processors testified in support of the bill focusing on the fact that there is science and data to support E15 and we think that even higher blends will occur in the future. KAEP also outlined the job creation by ethanol and the benefit of displacing foreign oil. The Kansas Department of Agriculture and Kansas Farm Bureau also testified in favor of the bill. We anticipate House action this week.

### **Promoting Employment in Kansas Act**

The House Tax Committee held a hearing, amended and approved [House Bill 2365](#). This bill 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. Representative [Marvin Kleebe](#) (R-Overland) authored the bill and was its key proponent. He testified that this legislation is needed due to the weak economy and out of state competition. Other proponents included several economic development associations and the Kansas Chamber. The Department of Revenue testified against the bill and estimates an \$8 million fiscal note. Kleebe offered and the committee accepted an amendment scaling back the scope of the bill by excluding all bioscience and agriculture related businesses among others.

The committee approved the bill without many planned amendments being heard to reinstate businesses cut out of the bill. Those amendments will be offered on the House floor should leadership allow for debate.

### Coming This Week

The House and Senate have until Wednesday to approve nonexempt bill from the opposite chamber of origin. On Thursday and Friday, budget and other conference committees will meet to try and negotiate differences between bills. The negotiations may continue throughout the weekend depending upon progress made. The next week will until reports being approved by both chambers and the possibility of legislation exempt from deadlines making it through the process.

See bill tracker below:

Bill Number and Sponsor	Bill Subject	Current Status	Last Action
<a href="#">SB 13</a> Anthony Hensley, D-19th	Kansas Bioscience authority; regarding membership on the board	In Senate Federal and State Affairs	<b>01/13/2009 - Senate</b> Referred to Federal and State Affairs
<a href="#">SB 16</a> 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	Pending enrollment and presentation to Governor	<b>03/20/2009 - House</b> Final Action: Passed; Yeas 119, Nays 0
<a href="#">H Sub for Sub for SB 23</a> Senate Ways and Means Committee	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	Approved by Governor	<b>03/05/2009 - Senate</b> No motion to reconsider; veto sustained
<a href="#">SB 120</a> Senate Commerce Committee	Kansas Investments in Major Projects and Comprehensive Training; relating to the Secretary of Commerce; authorizing the funding of certain economic development projects	On General Orders in House  Above the Line in House	<b>03/17/2009 - House</b> Committee Report: Be passed by Economic Development and Tourism
<a href="#">SB 121</a> Senate Public Health	Health care; relating to reform in funding and structure of the federal and state programs	In Senate Public Health and Welfare	<b>02/11/2009 - Senate</b> Scheduled Hearing: Tuesday, 2/17/2009, 1:30 PM, Rm 136-

and Welfare Committee			N
<a href="#">SB 202</a>	Abortion	In Senate Federal and State Affairs	<b>02/05/2009 - Senate</b> Referred to Federal and State Affairs
Mark Taddiken, R-21st			
<a href="#">SB 223</a>	Emergency medical services board; subpoena authority	In House Judiciary	<b>03/13/2009 - House</b> Referred to Judiciary
Senate Ways and Means Committee			
<a href="#">H Sub for SB 238</a>	Abortion; regarding the Woman's Right-to-Know Act	Pending enrollment and presentation to Governor	<b>03/17/2009 - Senate</b> Concurred; Yeas 32, Nays 6
Senate Judiciary Committee			
<a href="#">SB 244</a>	Economic Revitalization and Reinvestment Act; relating to eligible businesses	In Senate Assessment and Taxation	<b>03/04/2009 - Senate</b> Scheduled Hearing: Thursday, 3/12/2009, 10:30 AM, Rm 535-N
Senate Assessment and Taxation Committee			
<a href="#">SB 248</a>	Controlled substances; creating a statewide electronic logging system for sale of methamphetamine precursor	On General Orders in House	<b>03/19/2009 - House</b> Committee Report: Be passed as amended by Corrections and Juvenile Justice
Senate Ways and Means Committee			
<a href="#">SB 249</a>	Pharmacists; relating to substitution of drug product	In House Health and Human Services	<b>02/20/2009 - House</b> Referred to Health and Human Services
Senate Ways and Means Committee			
<a href="#">SB 250</a>	Workers compensation; relating to benefits	In Senate Commerce	<b>02/10/2009 - Senate</b> Referred to Commerce
Senate Ways and Means Committee			
<a href="#">SB 295</a>	Blind and visually impaired persons; establishing the Motor Vehicle and Safe Mobility Committee; powers and duties thereof	In Senate Transportation	<b>03/03/2009 - Senate</b> Referred to Transportation
Senate Ways and			

Means Committee

<p><a href="#">SB 296</a></p> <p>Senate Ways and Means Committee</p>	<p>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</p>	<p>In Senate Ways and Means</p>	<p><b>03/06/2009 - Senate</b> Scheduled Hearing: Wednesday, 3/11/2009, 10:30 AM, Rm 545-N</p>
<p><a href="#">SB 303</a></p> <p>Senate Ways and Means Committee</p>	<p>Abolishing the Kansas Technology Enterprise Corporation and Kansas, Inc. and transferring the powers and duties thereof to the Department of Commerce</p>	<p>In Senate Ways and Means</p>	<p><b>03/06/2009 - Senate</b> Referred to Ways and Means</p>
<p><a href="#">SB 304</a></p> <p>Senate Ways and Means 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><b>03/16/2009 - Senate</b> Scheduled Hearing: Thursday, 3/19/2009, 10:30 AM, Rm 545-N</p>
<p><a href="#">SB 308</a></p> <p>Senate Ways and Means Committee</p>	<p>State agencies; relating to the administrative fee charged to agencies</p>	<p>In Senate Ways and Means</p>	<p><b>03/11/2009 - Senate</b> Scheduled Hearing: Tuesday, 3/17/2009, 10:30 AM, Rm 545-N</p>
<p><a href="#">SB 309</a></p> <p>Senate Ways and Means 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><b>03/16/2009 - Senate</b> Scheduled Hearing: Thursday, 3/19/2009, 10:30 AM, Rm 545-N</p>
<p><a href="#">SB 311</a></p> <p>Senate Ways and Means Committee</p>	<p>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</p>	<p>In Senate Ways and Means</p>	<p><b>03/12/2009 - Senate</b> Referred to Ways and Means</p>

<a href="#">SB 317</a>	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	<b>03/17/2009 - Senate</b> Referred to Ways and Means
Senate Ways and Means Committee			
<a href="#">SCR 1610</a>	Urging the Environmental Protection Agency to authorize use of higher blends of ethanol in non-flex fuel vehicles	In House Agriculture and Natural Resources	<b>03/20/2009 - House</b> Referred to Agriculture and Natural Resources
Mark Taddiken, R-21st			
<a href="#">SCR 1610</a>	Urging the Environmental Protection Agency to authorize use of higher blends of ethanol in non-flex fuel vehicles	In House Agriculture and Natural Resources	<b>03/20/2009 - House</b> Referred to Agriculture and Natural Resources
Mark Taddiken, R-21st			
<a href="#">HB 2011</a>	Abortion	On General Orders in House	<b>02/27/2009 - House</b> Committee Report: Be passed by Federal and State Affairs
Arlen H. Siegfried, R-15th			
<a href="#">HB 2022</a>	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, disbursements and acts incidental to the foregoing	In House Appropriations	<b>01/21/2009 - House</b> 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 AM, Rm 143-N; Friday, 1/30/2009, 9:00 AM, Rm 143-N
House Appropriations Committee			
<a href="#">HB 2076</a>	Abortion; regarding the Woman's Right-to-know Act	In Senate Federal and State Affairs	<b>02/04/2009 - House</b> Scheduled Hearing: Wednesday, 2/11/2009, 1:30 PM, Rm 143-N
Lance Kinzer, R-14th			
<a href="#">Sub for HB 2081</a>	Milk and dairy products; relating to certain fees fixed by the Secretary of Agriculture	Stricken from Calendar	<b>02/24/2009 - House</b> Stricken from Calendar, House Rule 1507
House Agriculture and Natural Resources Committee			

<p><a href="#">HB 2093</a></p> <p>House Appropriations Committee</p>	<p>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</p>	<p>In House Appropriations</p>	<p><b>01/28/2009 - House</b> Referred to Appropriations</p>
<p><a href="#">HB 2094</a></p> <p>House Appropriations Committee</p>	<p>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</p>	<p>In House Aging and Long-Term Care</p>	<p><b>02/18/2009 - House</b> Scheduled Hearings: Tuesday, 3/3/2009, 3:30 PM, Rm 711 DSOB; Thursday, 3/5/2009, 3:30 PM, Rm 711 DSOB</p>
<p><a href="#">HB 2166</a></p> <p>Steve Huebert, R-90th</p>	<p>Abortion; relating to late-term and partial birth abortion</p>	<p>On General Orders in House</p>	<p><b>02/27/2009 - House</b> Committee Report: Be passed by Federal and State Affairs</p>
<p><a href="#">HB 2236</a></p> <p>House Corrections and Juvenile Justice Committee</p>	<p>Crimes, criminal procedure and punishments; concerning drug crimes; recodification of certain statutes</p>	<p>Pending enrollment and presentation to Governor</p>	<p><b>03/19/2009 - Senate</b> Committee of the Whole: Be passed; Emergencied to Final Action: Passed; Yeas 40, Nays 0</p>
<p><a href="#">HB 2295</a></p> <p>House Taxation Committee</p>	<p>Milk and dairy products; relating to labels for such products</p>	<p>Passed in House</p>	<p><b>03/20/2009 - House</b> Final Action: Passed as amended; Yeas 75, Nays 44</p>
<p><a href="#">HB 2317</a></p> <p>House Government Efficiency and Fiscal Oversight Committee</p>	<p>State government; requiring certain agencies to submit a budget</p>	<p>In House General Government Budget</p>	<p><b>03/04/2009 - House</b> Scheduled Hearing: Tuesday, 3/10/2009, 1:30 PM, Rm 531-N</p>

<a href="#">HB 2358</a>	Enacting the Investment in Kansas Employment Act	In House Economic Development and Tourism	<b>03/04/2009 - House</b> Scheduled Hearing: Monday, 3/9/2009, 3:30 PM, Rm 711 DSOB
House Taxation Committee			
<a href="#">HB 2360</a>	State budget; relating to preparation and submission of budget estimates and recommendations by the Governor to the Legislature	On General Orders in House  Above the Line in House	<b>03/19/2009 - House</b> Committee Report: Be passed as amended by General Government Budget
House Appropriations Committee			
<a href="#">HB 2361</a>	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	<b>03/04/2009 - House</b> Referred to Appropriations
House Appropriations Committee			
<a href="#">HB 2365</a>	Creating the Promoting Employment Across Kansas Act	In House Taxation	<b>03/11/2009 - House</b> Scheduled Hearing: Monday, 3/16/2009, 9:00 AM, Rm 535-N
House Taxation Committee			
<a href="#">HB 2369</a>	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	On General Orders in House  Above the Line in House	<b>03/19/2009 - House</b> Committee Report: Be passed as amended by Appropriations
House Appropriations Committee			
<a href="#">HB 2373</a>	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	On General Orders in House  Above the Line in House	<b>03/19/2009 - House</b> Committee Report: Be passed as amended by Appropriations
House Appropriations Committee			