

MINUTES OF THE HOUSE FEDERAL AND STATE AFFAIRS COMMITTEE

The meeting was called to order by Chairman Steven Brunk at 1:30 p.m. on March 16, 2011, in Room 346-S of the Capitol.

All members were present except:

Representative Carlson – excused  
Representative Fund – excused  
Representative Seiwert – excused  
Representative Peterson – excused

Committee staff present:

Mike Heim, Office of the Revisor of Statutes  
Doug Taylor, Office of the Revisor of Statutes  
Julian Efird, Kansas Legislative Research Department  
Dennis Hodgins, Kansas Legislative Research Department  
Stephen Bainum, Committee Assistant

Others attending:

See attached list.

The Chairman reminded the Committee that we had hearings on **SB 25 Authorizing temporary licensed for on-premises sales of cereal malt beverage** and **SB 80 Alcoholic beverages; amendments relating to beer and microbreweries**. He said that it was his intent to put them in one bill and send it to the house floor.

Mike Heim handed out an amendment which is **SB 80** combined with **SB 25 (Attachment 1)**. Representative Brunk said that the bill would be in effect when it is published in the Kansas register.

Representative Goico made a motion to amend SB 25 into SB 80 with the changes in the amendment, seconded by Representative Gatewood. The motion carried.

Representative Goico made a motion to pass SB 80 as amended, seconded by Representative Gatewood. The motion carried.

The Chairman called for working **HB 2337 Licensing of abortion clinics by department of health and environment**. The Chairman introduced a proposed Balloon Amendment from the Board of Healing Arts. (Attachment 2).

Mike Heim explained that the amendment adds paragraphs (b) and (c) to New Section 6 and explained them. Representative Patton asked what the basic affect of stipulation was. Mike said that the effect would be to give the Secretary the ability to stipulate and be in agreement without going through a formal process. Representative Loganbill asked if it meant that someone could call KDHE and complain and shut them down? Mike said there would have to be substantiation. Representative Rubin said that it was similar to a Federal law.

Representative O'Hara made a motion to move the amendment, seconded by Representative Rubin. Representative Loganbill said the amendment almost allows a loop hole. She did not see the necessity for the bill. Representative Rubin said that what (b) does is to give the facility an opportunity to avoid litigation. The motion carried. We are back on the bill as amended.

Representative Loganbill said that a version of the bill had been heard in the past and I have concerns with singling out a single entity doing day surgery. We should put the requirements on all of them. Representative Brunk said it was the same argument as 2003 and 2005. Representative Gregory said that this bill was not the right vehicle to address her concerns. Representative Rubin said the language of this bill were addressed to abortion clinics as opposed to other types of surgery centers.

Representative Patton made a motion to pass HB 2337 favorably as amended, seconded by Representative O'Hara. The motion carried.

## CONTINUATION SHEET

The minutes of the House Federal and State Affairs Committee at 1:30 p.m. on March 16, 2011, in Room 346-S of the Capitol.

The Chairman called their attention to **Sub HB 2242 Vital statistics; concerning death and stillbirth certificates.**

Per request, Mike Heim, presented a substitute bill (Attachment 3). He said that the substitute bill had a definition of “unborn child” that the original didn't have and said it was “a living individual organism of the species homo sapiens, in utero, irrespective of the duration of pregnancy.

Representative Loganbill asked what happens if they don't want to fill out a certificate? Mike said the bill does not address that situation.

Senator Pilcher-Cook said that it would be like any other birth or death certificate.

Kari Bruffett, Kansas Department of Health and Environment, said that they did work with the Senator and addressed some of their concerns. Representative Brunk asked if anything else was needed. Kari said no.

Representative Loganbill asked if there was an increase in the fiscal note? Kari said that while they don't have a fiscal note we do have estimates on the original costs. The first year costs would estimate between \$95,000 and \$100,000.

Representative Patton made a motion to pass Sub HB 2242 favorably for passage, seconded by Representative Rubin. The motion carried.

The next meeting is scheduled for March 22, 2011.

The meeting was adjourned at 2:32 p.m.