

MINUTES OF THE HOUSE APPROPRIATIONS COMMITTEE

The meeting was called to order by Chairman Melvin Neufeld at 9:00 A.M. on March 14, 2006 in Room 514-S of the Capitol.

All members were present.

Committee staff present:

Alan Conroy, Legislative Research Department
 J. G. Scott, Legislative Research Department
 Becky Krahl, Legislative Research Department
 Matt Spurgin, Legislative Research Department
 Debra Hollon, Legislative Research Department
 Jim Wilson, Revisor of Statutes
 Shirley Jepson, Committee Secretary

Conferees appearing before the committee:

Dr. Barbara Adkins, University of Kansas
 Dr. Roy Jensen, Director, Kansas Masonic Cancer Research Institute
 Mark Nelson, Executive Director, Kansas Masonic Foundation, Inc.
 Jeanne Gawdun, Senior Lobbyist for Kansans for Life

Others attending:

See attached list.

- Attachment 1 Testimony on **HB 2988** by Dr. Roy Jensen
- Attachment 2 Testimony on **HB 2988** by Mark Nelson
- Attachment 3 Testimony on **HB 2988** by Jeanne Gawdun
- Attachment 4 Written testimony on **HB 2988** by Dr. Kathy Mitchell, University of Kansas
- Attachment 5 Amendment to **Substitute for HB 2245**

Representative Feuerborn moved to approve the minutes of March 1, March 2 and March 3, as written. The motion was seconded by Representative Pottorff. Motion carried.

Hearing on HB 2988 - Kansas cancer act, Kansas comprehensive cancer center, midwest cancer alliance, Kansas umbilical cord blood bank.

Deb Hollon, Legislative Research Department, explained that **HB 2988** creates the Kansas Comprehensive Cancer Center, consisting of the University of Kansas Cancer Center and other research programs at state universities and community colleges under the State Board of Regents. The Kansas Comprehensive Cancer Center will plan and develop an expanded, intensified and coordinated cancer research program for the benefit of all Kansans; Collaborate with and coordinate, through the Kansas bioscience authority, the cancer research efforts of all universities and community colleges, establish and provide for the operation of the Kansas umbilical cord blood bank, aggressively pursue effective initiatives to prevent cancer in humans, enhance access to exceptional cancer care and aggressively pursue translational and clinical research.

Chairman Neufeld recognized Dr. Barbara Adkins, University of Kansas, who introduced Dr. Roy Jensen, Director, Kansas Masonic Cancer Research Institute, to present testimony in opposition to **HB 2988** (Attachment 1). Dr. Jensen indicated that he is opposed to **HB 2988** because he felt it contained a number of important administrative and programmatic barriers for making the goal of establishing the cancer center a reality.

Responding to Committee questions, Dr. Jensen stated:

- The Exterior Advisory Board would advise in the process of applying for National Cancer Institute (NCI) designation.
- The University is currently in the process of creating and developing the structure of the board of directors. The board will be a self-governing group which lays out the research and

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- public health agenda for the Midwest Cancer Alliance.
- It is anticipated that the NCI application process will be completed by 2009.
- Currently working to move the program forward; requires a number of clinical trials.
- The Kansas State University cancer research program has had one grant from NCI in the amount of \$229,000. The program focuses on very basic research and looks at fundamental biology. Dr. Jensen indicated that they will work with Kansas State University and are particularly interested in working with the College of Veterinary Medicine.
- The idea for the KU Cancer Center started with dialogue from the Kansas Masonic Foundation, Inc. in the 1970's. Their recent pledge of \$15 million put the project on target. There also was a need for support from the University of Kansas which they know have.
- The Bioscience Authority is interested in the project; however, are not interested in taking the lead which also would be in direct conflict with NCI. The University of Kansas Cancer Center has to be the lead agency in order to get NCI designation.
- The Center will have approximately 50 unclassified employees, not all full-time.
- The withdrawal of the \$5 million from the State General Fund (SGF) could send a negative signal to NCI.
- The University of Kansas was approached by the Governor's office to develop a request for the appropriation and indicated that the project could be done without legislative oversight. It was also indicated that legislation was not necessary to move forward with the Cancer Center. They do not support the legislation unless it is developed in concert with the Director of the Cancer Center.
- The KU Cancer Center intends to provide detailed information on how the SGF appropriation will be spent and how future appropriations will be spent.
- There are presently 61 NCI designated cancer centers - 39 of these are comprehensive cancer centers. Presently, the closest cancer centers would be located in St. Louis or Denver.
- The No. 1 treatment of cancer at present is surgery; stem cell research and the Blood Cord Bank would not be effective in advancing the NCI designation. There would be a need for approximately \$3-\$4 million to set-up the cord blood bank. Dr. Jensen felt it needs to be a separate initiative.
- Would hope to align the hospitals across the state with the Midwest Alliance Board.
- Will provide a detailed breakdown on how the \$5 million State General Fund is budgeted to be spent.

The Committee noted the following issues that need to be addressed:

- Supports the concept; however, has a need to know the layout of the organization of the cancer center.
- Composition of the Board to be in compliance with NCI.
- A mechanism to provide for a long-term financial commitment from the Legislature and a procedure to allow for tracking of the State's commitment.
- Important to set up some protocol for the project.

The Chairman recognized Mark Nelson, Executive Director, Kansas Masonic Foundation, Inc., who presented testimony in opposition to **HB 2998** (Attachment 2).

The Chair recognized Jeanne Gawdun, Senior Lobbyist for Kansans for Life, who presented testimony in support of **HB 2998** and the establishment of a state umbilical cord blood bank (Attachment 3).

Written testimony was received from Dr. Kathy Mitchell, University of Kansas (Attachment 4).

The hearing on HB 2998 was closed.

Discussion and Action on Substitute for HB 2245 - Appropriations--Kansas fireworks act.

Representative Gatewood moved to amend **HB 2245** by adopting the language contained in the Substitute Bill with the following changes: Striking language on Page 4, line 22 "in the past five years" and adding language to Sec. 3 (f) Page 3, Line 39 "no fee shall be charged for any person

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who is an officer or employee of the state or political or taxing subdivision thereof when that person is acting on behalf of the state or political or taxing subdivision" (Attachment 5). The motion was seconded by Representative Sharp. Motion carried.

Representative Gatewood moved to recommend **HB 2245** favorable for passage as amended and to report it as a substitute bill. The motion was seconded by Representative Feuerborn. Motion carried.

HB 3006 was referred to Education Budget Committee.

SB 569 was referred to Public Safety Budget Committee.

The meeting was adjourned at 11:00 a.m. The next meeting of the Committee will be held at 9:00 a.m. on March 15, 2006.

Melvin Neufeld, Chairman