

Approved: 03/26/12  
Date

MINUTES OF THE HOUSE FEDERAL AND STATE AFFAIRS COMMITTEE

The meeting was called to order by Chairman Steven R. Brunk at 1:30 p.m. on March 12, 2012, in Room 346-S of the Capitol.

All members were present except:

Representative Peterson - Excused

Committee staff present:

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

Conferees appearing before the Committee:

Representative Randy Garber  
Sheila Martin, Top Hat Tavern, Hutchinson, Kansas  
Duane Goossen, Kansas Health Institute  
Ron Hein, Kansas Restaurant and Hospitality Association  
Dr. John S. Neuberger, University of Kansas School of Medicine  
Mary Jayne Hellebust, Tobacco Free Kansas Coalition  
Dr. James D. Gardner, Manhattan Physician  
Christopher J. Masoner, American Cancer Society

Others attending: See attached.

Representative Goico introduced a bill for the Operation Freedom Memorial.

The Chairman opened the hearing on **HB 2690—Kansas clean air act smoking on certain premises.** Mike Heim said that the bill amends the Kansas Indoor Clean Air Act.

Representative Garber presented testimony as a proponent of **HB 2690** (Attachment 1). He said that we do not have the right to tell private businesses that they cannot allow smoking in their establishments.

Sheila Martin presented testimony as an proponent of **HB 2690** (Attachment 2).

Duane Goossen presented testimony as neutral on **HB 2690** (Attachment 3). He presented a spreadsheet which shows the revenue from tobacco and Alcohol sales. He said that the preliminary data shows that the Indoor Clean Air Act has not had a negative effect on restaurant or drinking establishments.

Representative Knox asked if they had any health information. Duane said that he had not brought any studies today.

Representative Holmes asked if anyone was tracking those going out of business. Duane said no.

Representative O'Hara asked who finances the institute. Duane said they were funded by the Kansas Health Foundation. The Foundation received their funds from the sale of Wesley Hospital.

Representative Seiwert asked about the loss of revenue from cigarette tax receipts. Duane said the

## CONTINUATION SHEET

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receipts are from cigarette sales which have been declining for ten years.

Ron Hein submitted testimony as an opponent of **HB 2690** (Attachment 4). Ron said that it was unfair for the state to exempt casinos and then force private businesses to be subject to the ban.

Dr. John S. Neuberger presented testimony as an opponent of **HB 2690** (Attachment 5). He said that second hand smoke should be eliminated in all indoor workplaces and public places.

Mary Jayne Hellebust presented testimony as an opponent of **HB 2690** (Attachment 6).

Dr. James D. Gardner presented testimony as an opponent of **HB 2690** (Attachment 7).

Christopher J. Masoner presented testimony as an opponent of **HB 2690** (Attachment 8).

Written testimony in support of **HB 2690** was submitted by:

Philip Bradley, Kansas Licensed Beverage Association (Attachment 9).

Whitney Damron, Kansas Entertainment (Attachment 10)

Derrick Sontag, Americans for Prosperity (Attachment 11).

Written testimony in opposition to **HB 2690** was submitted by:

Michelle Ponce, Kansas Association of Local Health Departments (Attachment 12).

Tanya Dorf Brunner, Oral Health Kansas (Attachment 13).

Kevin Walker, American Heart Association (Attachment 14).

Richard Morrissey, Kansas Public Health Association (Attachment 15).

Beth Marolf, American Lung Association (Attachment 16).

Susan L. Alexander, Hemme Ranch (Attachment 17).

Lee A. Morris, Self (Attachment 18).

Deborah S. Clements, MD, Kansas Academy of Family Physicians (Attachment 19).

Hilary Dopfel, Tobacco Free Wichita (Attachment 20).

John Dale Dunn, MD JD (Attachment 21).

Rachel Smit, Kansas Health Institute (Attachment 22)

The Chairman closed the hearing on **HB 2690**.

The next meeting is scheduled for March 13, 2012.

The meeting was adjourned at 3:09 p.m.