

## MINUTES OF THE SENATE PUBLIC HEALTH AND WELFARE COMMITTEE

The meeting was called to order by Chairman Jim Barnett at 11:00 a.m on March 24, 2010, outside of the Senate Chamber adjacent to room 341-E of the Capitol.

All members were present.

## Committee staff present:

Nobuko Folmsbee, Office of the Revisor of Statutes  
Renaee Jefferies, Office of the Revisor of Statutes  
Iraida Orr, Kansas Legislative Research Department  
Melissa Calderwood, Kansas Legislative Research Department  
Amanda Nguyen, Legislative Research Department  
Jan Lunn, Committee Assistant

**Sub for S 447 - Child care; supervision of children and licensing and inspection of child care facilities**

Senator Barnett requested Nobuko Folmsbee, Office of the Revisor of Statutes Office, provide a brief history of the bills involved. Ms. Folmsbee explained this bill was previously was heard and passed out favorably as a substitute from the Public Health and Welfare Committee on March 4, 2010; it was amended and passed by the Senate Committee of the Whole on March 17, 2010. Subsequently, the bill was referred to the House where an informational hearing was held on Friday, March 19, 2010. Ms. Folmsbee further indicated **HB 2356 - Child care facilities; inspection** was introduced in 2009 through the House Appropriations Committee and passed out favorably from the House Committee of the Whole (as amended) on March 30, 2009. The bill was referred to the Senate Public Health and Welfare Committee on March 31, 2009.

Chairperson Barnett indicated the purpose of the meeting was to discuss the possibility of removing the contents of **HB 2356** and inserting the contents of **S Sub for SB 447**. He further explained the original issue contained in **HB 2356** had been resolved with a memorandum of understanding by the Kansas Department of Health and Environment; therefore, the language contained in **HB 2356** was unneeded.

Upon a motion by Senator Brungardt and a second by Senator Haley to remove the language contained in **HB 2356** and insert the language contained in **S Sub for SB 447**; the motion carried.

Upon a motion to pass out favorably **HB 2356** by Senator Kelly and a second by Senator Schmidt; the motion carried. Senator Pilcher-Cook requested that her vote be recorded in the permanent record as "no."

Senator Barnett adjourned the meeting at 11:08 a.m.

Chairperson Barnett reconvened the Public Health and Welfare Committee at 11:15 a.m. on March 24, 2010, outside of the Senate Chamber adjacent to room 341-E of the Capitol.

All Senators and staff members were present. Ms. Folmsbee explained that in the original bill, the language defining family day care homes (existing statute 65-517) was moved to a new section, there was a sub-section inadvertently omitted dealing with kinship. When the provider is related to the child by blood, marriage or adoption, the provider is exempt from licensure. In addition, the web-based day care registry implementation date had changed; and there are several insignificant technical amendments required.

As a member voting on the prevailing side, Senator Schmidt moved to reconsider; Senator Kelly seconded the motion which passed.

Chairperson Barnett requested Ms. Folmsbee read the proposed language dealing with "kinship." Discussion followed on various definitions contained the bill.

Upon a motion by Senator Schmidt and a second by Senator Haley to adopt the amendments to **S Sub for S 447** as discussed; the motion passed.

## CONTINUATION SHEET

Minutes of the Senate Public Health and Welfare Committee at 11:00 a.m on March 24, 2010, in Room 546-S of the Capitol.

Senator Schmidt moved to delete the contents of **HB 2356**, to insert the contents of **S Sub for S 447** as amended, and to create a **Senate Substitute for HB 2356**. Senator Kelly seconded the motion which passed. Senator Pilcher-Cook requested her vote be recorded as “no.”

Upon a motion by Senator Kelly and a second by Senator Schmidt to pass out favorably **Senate Substitute for HB 2356**, the motion passed. Senator Pilcher-Cook requested her vote be recorded as “no.”

Senator Barnett adjourned the meeting at 11:29 a.m.