

MINUTES OF THE HOUSE FEDERAL AND STATE AFFAIRS COMMITTEE

The meeting was called to order by Chairman Arlen Siegfroid at 1:30 P.M. on February 5, 2008, in Room 313-S of the Capitol.

All members were present except:

Representative Nile Dillmore- excused
Representative Oletha Faust-Goudeau- excused
Representative Broderick Henderson- excused
Representative Lance Kinzer- excused
Representative Ann Mah - excused
Representative Mike Peterson- excused
Representative Louis Ruiz- excused

Committee staff present:

Dennis Hodgins, Kansas Legislative Services
Mike Heim, Revisor of Statutes
Jason Long, Revisor of Statutes
Jeannie Dillon, Committee Assistant

Conferees:

Representative Tom Sloan
Denny Stoecklein, General Manager of Kansas State Fair
Steve Zink, Kansas Department of Labor, Industrial Safety and Health

Others attending:

See attached list.

The Chairman called for bill introductions.

Representative Hawk requested a bill concerning the standardizing of mental health and medical payments to counties. The motion was seconded by Representative Swenson. Without objection, the bill was accepted.

Representative Knox requested a bill regarding the air quality and regulatory reform. Seconded by Representative Olson, without objection, the bill was accepted.

The Chairman requested a bill concerning governmental ethics requirements of lobbying expenses being reported. Representative Huebert seconded the motion and without objection, the motion was accepted.

Representative Morrison requested a bill regarding the NAFTA highway. Seconded by Representative Swenson and Representative Olson, without objection, the bill was accepted.

With no further bill introductions, The Chair opened the hearing on **HB 2616** - Amusement rides; inspection.

Mike Heim, Revisor of Statutes, provided the Committee with an overview of the Interim Committee Report and explained the current law regarding amusement rides. He stated that the idea of regulating amusement rides has been around since 1999. In that year a bill was introduced that would have required insurance be obtained by amusement ride operators and also would have provided for some regulation. The insurance segment was enacted by the legislature in 2000. The regulation section of the bill never became law. He stated that Kansas is one of the few states that does not regulate amusement rides. (Attachment 1)

Replying to a question from the committee, Mr. Heim stated that he did not think that the interim committee was "firm" on this being the final version of the bill as it was introduced. He said that it was a way to get the issue out before the legislature.

Representative Tom Sloan testified as a proponent of **HB 2616**. He stated that the intent of the bill was

CONTINUATION SHEET

MINUTES OF THE House Federal and State Affairs Committee at 1:30 P.M. on February 5, 2008 in Room 313-S of the Capitol.

that parents and grandparents have some assurance that the rides are safely operated. He explained that the reason that there is a difference between a permanent site and the temporary rides is that amusement rides are more likely to have problems when they are set up and taken down frequently, and there is basically more wear and tear on the equipment. He further stated that it is equally important that the operators be trained in operations and procedures and that their training be documented. Representative Sloan concluded his testimony by saying that **HB 2616** represents the industry standards for operator and patron responsibilities and he urged the committee to consider the bill. (Attachment 2)

Responding to a question by a committee member, Representative Sloan said that he did not believe that non-mechanized rides were covered under this bill.

A committee member was concerned that this bill would put a burden on the small business owner. Representative Sloan replied that the bill was designed to put the least burden on the operator but provide the most responsibility and protections to the consumer.

The Chairman introduced Denny Stoecklein, General Manager of the Kansas State Fair. As a proponent to this bill, Mr. Stoecklein stated that the Kansas State Fair Board took action to philosophically support ride safety legislation, pending final drafting of such legislation. (Attachment 3) Mr. Stoecklein presented written letters from Mike Rinehart, Corporate Director of Safety of North American Midway Entertainment, (Attachment 4) and Patrick Clark, Haas & Wilkerson Insurance to the Committee regarding this bill. (Attachment 5)

A Committee member was concerned about the cost of inspection to the small business owner and asked what a inspection would cost. Mr. Stoecklein did not have that information.

Steve Zink, Kansas Department of Labor, Industrial Industry and Health, appeared before the Committee to testify as a neutral conferee on **HB 2616**. (Attachment 6) He stated that Kansas is one of nine states that has no requirement of fixed site amusement rides. (Attachment 7) Additionally, Kansas is one of six states that has no inspection regulations for mobile amusement rides. (Attachment 8) He offered the services of the Kansas Department of Labor if the legislature desires governmental oversight of inspection of the amusement industry.

A Committee member was concerned that if a state inspection was required that it might deter amusement operators from coming to small communities. Mr. Zink replied that they were looking for ways that they can reduce injury and accidents.

After all questions by the Committee were responded to, the Chairman thanked Mr. Zink for his testimony.

The Chairman announced a Sub-Committee for **HB 2003** and **2053**. The Sub-Committee members are Representative Knox, Chairperson, Representative Hawk, Representative Loganbill, Representative Morrison and Representative Bowers.

The Committee minutes of January 24, 2008, were approved.

The meeting was adjourned at 3:00 pm. The next meeting is scheduled for Monday, February 11, 2008.