

MINUTES OF THE HOUSE FEDERAL AND STATE AFFAIRS COMMITTEE

The meeting was called to order by Chairman William Mason at 2:00 p.m. on January 22, 2004 in Room 313-S of the Capitol.

All members were present except:

Representative Joann Freeborn- excused
Representative John Edmonds- excused

Committee staff present:

Russell Mills Legislative Research Department
Mary Torrence, Revisor of Statutes Office
Dennis Hodgins, Legislative Research Department
Rose Marie Glatt, Secretary

Conferees appearing before the committee:

Senator James Barnett, Kansas Senate
Tuck Duncan, Kansas Wine and Spirit Wholesalers Association
Phil Bradley, Kansas License Beverage Association
Rose Roxmiarek, Fire Marshal's Office
Sandy Jacquot, The League of Kansas Municipalities
Ron Hein, Kansas Restaurant & Hospitality Association
Tom Groneman, Executive Director, Alcoholic Beverage Control

Others attending:

See Attached List.

SB 254 - Use of pyrotechnics, pyrotechnic devices and pyrotechnic materials in places of public assembly, penalties for unlawful use; duties of state fire marshal.

Mary Torrence, Revisor of Statutes Office, briefed the Committee on the balloons on **SB 254** (Attachment 1).

PROPONENTS:

Senator Jim Barnett, introduced a short video taken at the recent Rhode Island fire that claimed the lives of ninety-seven people. He stated that **SB 254** is introduced to prohibit the use of pyrotechnic material or devices in buildings that do not have sprinkler systems installed or buildings that are not built with fire retardant materials (Attachment 2). He urged the Committee to consider the bill carefully in order to provide a safe environment for Kansans.

Tuck Duncan, Kansas Wine and Spirit Wholesalers Association, stated that the Association supports **SB 254** as amended by the Senate, however they would oppose any substantive amendments to the bill regarding any other subject matter than the primary subject of the use of pyrotechnics (Attachment 3).

Phil Bradley, Kansas License Beverage Association, spoke in support of the bill's intent to protect the public and prevent any tragedy such as that in Rhode Island (Attachment 4). As amended this bill is an unencumbered change that will provide another tool to ensure safe entertainment venues.

Rose Roxmiarek, Fire Marshall's Office, stated that **SB 254** provides a tool to suspend or revoke a license of an establishment where alcoholic beverages are served when they are not in compliance with the Kansas Fire Prevention Code or any local municipal building, fire, or occupancy code (Attachment 5). The bill would allow the Department to gain corrective measures with facility owners/managers who choose to ignore the safety of the occupants of their buildings.

Sandy Jacquot, The League of Kansas Municipalities, stated that the bill would add violation of the criminal nuisance statutes as another reason for which the state could revoke or suspend any liquor license and city and counties could revoke or suspend cereal malt beverage licenses (Attachment 6). She urged the