

MINUTES OF THE SENATE FEDERAL AND STATE AFFAIRS COMMITTEE

The meeting was called to order by Chairman Pete Brungardt at 10:30 a.m. on February 10, 2009, in Room 136-N of the Capitol.

All members were present except:
Senator Steve Morris- excused

Committee staff present:
Jason Long, Office of the Revisor of Statutes
Julian Efird, Kansas Legislative Research Department
Dennis Hodgins, Kansas Legislative Research Department
Connie Burns, Committee Assistant

Conferees appearing before the committee:
Andy Moffitt, Chanute Fire Department
Kevin Flory, Kansas State Fire Fighters Association
Chief Ed Bricknell, Wichita Fire Marshal
Lt. Mark Chairs, City of Wichita
Dan McLaughlin, Kansas State Fire Marshal
Tom Palace, Petroleum Marketers & Convenience Store Association of Kansas

Others attending:
See attached list.

Introduction of Bills:

Senator Francisco requested introduction of two bills that 1) concerns wildlife relating to the destruction of prairie dogs; and 2) relating to prairie dog management.

Senator Owens moved that the two requests should be introduced as committee bills. Senator Abrams seconded the motion. The motion carried.

SB 115 - Fire departments, temporarily closing highways.

Chairman Brungardt opened the hearing on **SB 115**.

Staff provided an overview of the bill.

Andy Moffitt, Battalion Chief, Chanute Fire Department, spoke in favor of the bill. (Attachment 1) The bill changes the word “fireman” to “firefighter”; the bill asks for the ability to stop the traffic flow temporarily, to take care of the emergency at hand safely and efficiently.

Kevin Flory, Kansas State Fire Fighters Association, appeared in favor of the bill. (Attachment 2) The bill allows the legal right to protect firefighters while at non fire incidents.

Chairman Brungardt closed the hearing on **SB 115**.

SB 106 - Cigarette lighters; unlawful to sell to minors; displays must be secure.

Chairman Brungardt opened the hearing on **SB 106**.

Staff provided an overview of the bill.

Senator Oletha Faust-Goudeau spoke in favor of the bill. (Attachment 3) The bill would keep cigarette lighters out of the hands of children by displaying them only where they can't be reached by children.

Staff provided a balloon (Attachment 4) The balloon moves enforcement to the Department of Revenue and is removed from the Kansas State Fire Marshal; adds the definition of “cigarette lighter” and that the crime is a felony.

CONTINUATION SHEET

Minutes of the Senate Federal And State Affairs Committee at 10:30 a.m. on February 10, 2009, in Room 136-N of the Capitol.

Chief Ed Bricknell, Wichita Fire Marshal, appeared in support of the bill. ([Attachment 5](#)) The bill would place lighters behind the counter, out of reach of children.

Lt. Mark Chairs, City of Wichita, spoke in support of the bill. ([Attachment 6](#)) The bill would have the ability to prevent many injuries and property loss due to not having access to cigarette lighters or open flame device.

Safe Kids Kansas provided written testimony in support of the bill. ([Attachment 7](#))

Dan McLaughlin, Kansas State Fire Marshal, spoke in opposition of the bill. ([Attachment 8](#)) This bill will require the agency to provide enforcement of said cigarette lighters and that the employees are trained to identify those individuals by age who may purchase said cigarette lighters. The agency may also need to train the staff of local fire departments or other municipal agencies to implement this legislation. The Kansas State Fire Marshal's Office not be given the responsibility of implementing this bill due to the lack of personnel and revenue.

Tom Palace, Petroleum Marketers & Convenience Store Association of Kansas, appeared in opposition of the bill. ([Attachment 9](#)) The bill does not provide a fix to the problem but adds another layer of regulation on retailers that sell "lighters."

Secretary Roderick Bremby, Kansas Department of Health and Environment, provided written testimony in support of the bill. ([Attachment 10](#))

Chairman Brungardt closed the hearing on **SB 106**.

The next meeting is scheduled for February 11, 2009. The meeting was adjourned at 11:15 am