

Approved: 2-27-98  
Date

## MINUTES OF THE SENATE ELECTIONS AND LOCAL GOVERNMENT COMMITTEE

The meeting was called to order by Chairman Janice Hardenburger at 1:30 p.m. on February 16, 1998 in Room 529-S of the Capitol.

All members were present except: Senator Petty

Committee staff present: Dennis Hodgins, Legislative Research Department  
Mike Heim, Legislative Research Department  
Theresa Kiernan, Revisor of Statutes  
Graceanna Wood, Committee Secretary

Conferee appearing before the committee: Dr. Richard Gist, Kansas Fire Service Council  
Pat Lehman, Kansas Fire Service Alliance  
Dave Sterbenz, Kansas State Firefighters Association, Inc.  
Linda DeCoursey, Kansas Safe Kids Coalition  
Laurie Hartman, Exec. Dir., State Child Review Death Board  
Horace "Buck" Hartley, Chief Shawnee Fire Department  
Dennis Nowatzke, Fire Education Assn. of Kansas  
Larry Kleeman, League of Kansas Municipalities  
Patrick DeLapp, President, Shawnee County Landlords Assoc.

Others attending: See attached list

Chairman Hardenburger opened the hearing on SB 561, concerning the Smoke Detector Act.

Dr. Richard Gist, Director of the Fire Service Council introduced testimony in favor of smoke detectors informing the Committee that a working smoke detector in a residence is the least expensive link in home fire survival. (Attachment #1)

Pat Lehman, Lobbyist for the Kansas Fire Service Alliance spoke in support of SB 561, stating that 75% of all homes in our state have smoke detectors, but as many as one-third are inoperative due to lack of maintenance. (Attachment #2)

David M. Sterbenz, President of Kansas State Firefighters Association spoke in support of SB 561 informing the Committee that fires today are twice as hot and produce toxic vapors, therefore, smoke detectors are needed in the home. (Attachment #3)

Linda DeCoursey of the Kansas Safe Kids Coalition presented testimony in support of SB 561. (Attachment #4)

Laurie Hartman, staff member of the Attorney General's office and Executive Director, State Child Review Death Board, presented testimony in support of SB 561, informing the Committee that in 1998, 18 children in Kansas have died in residential fires. (Attachment #5)

Horace Hartley, President of the Shawnee Fire Department, advised the Committee that many cities in Kansas already have smoke detector laws in place, either by ordinance or by adoption of a recognized model building code, such as the Uniform Building Code. Therefore, his organization is in support of SB 561. (Attachment #6)

Dennis J. Nowatzke, President of the Fire Education Association of Kansas gave testimony in favor of SB 561. He said 90% of the fire deaths occur in residential structures in the state of Kansas each year. (Attachment #7)

Larry Kleeman, from the League of Kansas Municipalities stated to the Committee that the League is in support of this bill as it promotes good public policy while placing very little burden on residential owners. (Attachment #8)

Patrick DeLapp, President of Shawnee County Landlords Association advised the Committee that their

CONTINUATION SHEET  
Minutes of the Senate Elections and Local Government Committee, February 16, 1998

organization was in support of the concept of **SB 561**. He suggested some amendments. (Attachment#9)

Terri Roberts, Executive Director of the Kansas State Nurses Association furnished written testimony in support of **SB 561**. (Attachment#10)

State Fire Marshal Gale Haag, also furnished written testimony to the Committee in support of **SB 561**. (Attachment#11)

The Committee discussed how many cities had ordinances on smoke detectors. Also, whether the penalty should be handled in district courts or municipal courts if there is a violation. The Committee also discussed the life span of a smoke detector, and electrical versus battery operated detectors.

Chairman Hardenburger closed the hearing on **SB 561**.

Chairman Hardenburger asked for approval of the minutes of February 11, and February 12, 1998.

Senator Steineger moved that the minutes of February 11, and February 12, 1998 be approved, seconded by Senator Gooch. Motion carried.

Meeting was adjourned at 2:30 p.m.

Next meeting will be at 1:30 p.m. February 17, 1998.

# ELECTIONS & LOCAL GOVERNMENT COMMITTEE GUEST LIST

DATE: FEBRUARY 16, 1998

NAME	REPRESENTING
Pat Lehman	Ks Fire Service Alliance
Linda McCawsey	Ks Insurance Dept
Sue Fox	Ks Safe Kids
Pat Blum	GCLA Tom
Wilbur Fishman Jr	S.C.F.D. #7 Rossville Ks
Deborah Keating	St. Marys Fire Dept.
Nancy Ludberg	AG
Louis Hartman	AG
Christine M. J. Stanley	KSFFA 1st. Vice-Pres
Lawrence J. Ruff	KSFFA North West trustee
Muf Ruff	KSFFA NORTH EAST TRUSTEE
Laura A. Schuman	St. Marys Fire Dept.
Dave Sterbenz	Ks State Firefighters Assoc.
Larry Kleeman	League of Ks Municipalities
Elena Murr	State Fire Marshal's Office.
G.D. Brenner	Overland Park Fire Dept
Bruce Dimmitt	Independent
Dennis Nowitzke	Fire Education Assoc. of Kansas
Verne McMatt	Shawnee Fire Dept Prevention Unit.



**SENATE BILL No. 561**

***Residential Smoke Detectors***

Richard Gist, Ph.D.  
*Director, Social Sciences and Social Services*  
*Johnson County Community College*

*Consulting Community Psychologist*  
*Kansas City, Missouri Fire Department*

Very, very few matters in community safety are quite so simple or quite so compelling as this: ***SMOKE DETECTORS SAVE LIVES!*** A working smoke detector in a residence is the first, most critical, simplest, and least expensive link in home fire survival—it is also the most neglected. The results are nothing less than profoundly tragic.

It has been my unfortunate duty four times in the past 90 days to notify fathers and grandparents of the deaths of their entire families—mother and all children in each case—in late night residential fires. The individual stories differ here and there, but the most compelling factor in 75% of the more than 135 fire deaths I have dealt with in my career is how often the simple presence of a working smoke detector would have made the difference between an easy escape and a tragic death.

One of the most recent involved a Topeka family visiting in northeast Kansas City for the birthday of a sister and aunt. In the very early hours of

**Elec. & Local Gov.**  
**Date:** 2-16-98  
**Attachment:** # 1

the morning, a smoldering fire in a mattress on a downstairs floor, probably ignited by the embers of a carelessly handled cigarette, reached sufficient temperature to once again fuel full ignition. As these fire consistently do, it began to generate a superheated column of air that raised the temperature of every surface it contacted until, suddenly and fiercely, the entire dwelling on the first floor burst into flame. Heat, smoke, and toxic gasses rushed up the stairway to fill the sleeping spaces upstairs while fire, dense smoke, and temperatures in excess of 1000 degrees Fahrenheit blocked any possibility of exit by the stairs. By the time that eat and commotion awoke the two sisters and their four children sleeping in two bedrooms above, there was no air left to breathe and no hope of finding an alternative exit. One after another, firefighters carried their lifeless bodies to the yard.

Their grandfather saw the fire on the morning news as he prepared breakfast for himself and his wife. With a knot in his gut and a fear in his heart that only the damned could begin to comprehend, he called Fire Dispatch and was patched to me in the Command Vehicle. He slowly described the circumstances that led him to believe that his wife and daughters might be the victims he had heard described; I left immediately to drive to his home, confirm his worst fears, and begin a long, painful, and arduous process of helping these people who were looking forward to a better

Christmas than they had enjoyed in many years prepare instead for the most bitter tragedy any parent or grandparent could imagine.

The saddest element of all is that it could so easily have been prevented. A working smoke detector would have alerted them before the flames erupted, before visibility was lost, before there was no air left to breathe. An inexpensive battery in an inexpensive device would have saved seven people, four of them children, from an untimely and unthinkable death. Indeed, like most fire departments in our region, our personnel would have come to the home, installed a free detector, placed in it a fresh battery, and sent them a reminder card in six months to change the battery and check the device—all just for the asking. Instead, we wept with them for a loss no heart can bear to fully comprehend.

Is this just tragic hyperbole? Within the week, a young girl led her family to safety when the smoke alarm sounded in her home—her father had replaced its battery two days before after hearing a news story about the fatal fire where the detector could have made the difference.

I have seen this too many times now for the middle-aged father of two preschool children to endure. After the fire I just described, we set out to ensure that no family would overlook this simple element of their safety. We have installed more than 4,000 of these devices in the past six weeks; we

have engaged the cooperation of police and ambulance crews to ensure that any visit to a citizen's home—whatever the reason for the call—will include a check of the smoke detector and the installation of a new one where required. We have worked with schools and media to promote safety messages and to emphasize the importance. But tonight again I will stand in a candlelight vigil for a mother and two children who perished in an arson fire—in a home without a working detector.

I could recite for you statistics and anecdotes to make us all shake our heads; I could spin tales—all tragically true—to make you angry or make you weep. I could appeal to your humanity as parents, as neighbors, as people invested in the communities you serve. I appeal instead to the simple aphorism with which I opened, proven again and again and again and again—  
***SMOKE DETECTORS SAVE LIVES!***

We ask today that you recognize this with a simple piece of legislation that says that every home must have this ten dollar device operating within its walls. This is no profound burden—as I said, many fire departments have programs to give them away free and will leap to the request to install them. It can be, it has been shown, the silent sentry that saves your own life, that of your children, or that of your friends. The alternative is a sorry one: No



person should ever have to bury his or her family for want of a ninety-eight cent battery in a ten dollar device.

The bill before you says that these things matter—that they matter enough to make them a small but codified priority of our commonwealth. There is no draconian issue of government intrusion here; no burdensome mandate to install expensive technology of questionable efficacy to offset a marginal risk. This says that a simple, inexpensive, and reliable device to protect the lives of those we serve will be a part of what we expect a safe home to hold. Where can objection lie?

The only good day in this service is the day our pumps sit idle, the day where we are an assurance that isn't needed for a threat that does not materialize. We are working hard with this initiative to put our practice in peril, and we pray for each day that our service goes unused. We are never idle, though, because our truest calling is keeping your family safe from the very things that led to our existence. Help us with this quest.



# Lehman Communications, Inc.

P.O. Box 3510, Lawrence, Kansas 66046 • (913) 832-9400 fax (913) 832-9494

BEFORE THE SENATE FEDERAL AND STATE AFFAIRS COMMITTEE  
February 16, 1998

## SB 561 - Mandatory Smoke Detectors

Testimony from the Kansas Fire Service Alliance  
Presented by Pat Lehman, Lobbyist

I want to thank the committee for allowing us the opportunity to testify on SB 561.

The Kansas Fire Service Alliance is made up of the Kansas Professional Fire Chiefs, The Kansas Association Fire Chiefs, and The Kansas State Firefighters Association. As a group we strongly support the adoption of SB 561.

Nearly 75% of all homes in our state have smoke detectors, but as many as one-third are inoperative due to lack of maintenance. The Alliance considers the main strength of this smoke detector bill to be that it increases awareness and therefor the safety of the citizens and the firefighters of Kansas. Smoke detectors clearly do save lives and you will hear many statistics from other conferees.

Children are the most at-risk of death and injury in house fires. In fact fire is the third leading cause of unintentional death and injury for Kansas children. This statistic could be greatly reduced if smoke detectors were required in all dwellings.

The issue of a government mandate requiring smoke detectors is a valid concern and we acknowledge your concern in that area. But when the safety of citizens and particularly when the safety of children is involved we believe it is appropriate for government to put measures in place to reduce the chances of injury and death.

The passage of this bill will go a long way in helping the fire departments throughout the state in educating the people of Kansas to the need of a smoke detector.

Thank you for allowing us to speak on behalf of SB 561 and we urge your approval.

**Elec. & Local Gov.**

**Date:** 2-16-98

**Attachment:** # 2



# *Kansas State Firefighters' Association Inc.*

Organized August 13, 1887

February 12, 1998

The Kansas Senate "Elections and Local Government Committee

To Whom It May Concern:

I am writing this letter of support for Senate Bill #561 because of my concern for the safety of the Kansas family. I know that smoke detectors save lives.

I will not site all of the statistics that I am sure others will cover but would like you to consider the following facts instead. The fires today are different from the past. The fires that we encounter today will grow three times as fast, and almost twice as hot as a fire did 20 to 30 years ago. In addition, these fires produce toxic vapors in such quantities that we all need as much warning as is possible. With reduced manning, and the response times, the early warning of a "Smoke Detector can do nothing but save lives and property. Also, consider that minimum staffing that we are supposed to have on the fire ground with the two in two out rules of OSHA and the NFPA.

The Kansas State Firefighters Association represents over 375 fire departments and 15,000 firefighters from Metro to Rural Kansas. We need smoke detectors as much as we need other safety rules like speed limits. Not everyone is in favor of more Rules, but if it saves just one life, as I am confident it will, this would be worth it.

Sincerely,

David M. Sterbenz  
President  
Kansas State Firefighters Association

**Elec. & Local Gov.**

**Date:** 2-16-98

**Attachment:** # 3



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1051S  
Topeka, KS 66612-1290  
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(785) 296-8645 (FAX)

**Coordinator:**  
Jan Stegelman  
*Kansas Department of  
Health and Environment*

**Executive Committee**  
Dennis Cooley, MD  
*Medical Advisor  
American Academy of  
Pediatrics, Kansas  
Chapter*

Horace Hartley  
*Kansas State  
Association of Fire Chiefs*

Linda J. DeCoursey  
*Kansas Insurance  
Department*

Anne L. Humphrey  
*Kansas Hospital  
Association*

Darlene Whitlock  
*Kansas Emergency  
Nurses Association*

Darrel Lang  
*Kansas State Department  
of Education*

Del Meier  
*Salina Chapter,  
Kansas SAFE KIDS  
Coalition*

Linda DeCoursey and Jim Keating  
Senate Committee on Elections and Local Government  
SB 561  
February 16, 1998

We are Linda DeCoursey, Chair of the Executive Committee for the Kansas SAFE KIDS Coalition and Jim Keating, Public Policy Chair for the Kansas SAFE KIDS Coalition. We are pleased to present testimony in support of Senate Bill 561 which requires that all new and existing dwelling units in Kansas be equipped with operable smoke detectors.

Residential fires can be devastating, particularly if a loved one is injured or killed. It is especially tragic if that loved one is a child. According to the Kansas State Fire Marshal's Office, seventy-three children age 0-14 have died in Kansas fires in the last six years. More than half of the children who died never saw their fifth birthday. No one is totally immune to fire. However, older adults and our young children are most vulnerable to fire-related injury and they represent a substantial portion of our state's population.

Kansas ranked 5th in 1995 for fire-deaths and 11th for fire related injuries. Within our state, residents of almost 9 out of 10 homes report having a working smoke detector. However, in 1996, 8 of 10 homes having residential fire did not have a working smoke detector.

Approximately 85% of all structure fires occur in one- and two- family dwellings and two-family residences each year in Kansas. Despite this fact, Kansas remains one of only seven states in this country that still lacks state smoke detector legislation for single- and multi-family dwellings.

The chances of dying in a residential fire are cut in half when a working smoke detector is present. 9 out of 10 child fire-deaths across this country occur in homes without working smoke detectors. Smoke detectors are one of the most effective and economical interventions available for preventing deaths from fire in Kansas.

The Kansas SAFE KIDS Coalition is composed of sixty-six statewide businesses and organizations that have joined together to protect Kansas children from unintentional injury, the number one killer of Kansas kids. The Coalition supports the adoption of a comprehensive smoke detector law in Kansas. The Kansas SAFE KIDS Coalition has implemented a GET ALARMED program for smoke detectors and battery replacement in Kansas City, Wichita, Manhattan, Lawrence, Topeka, Salina, Holton, Medicine Lodge and Mayetta. With the assistance of Coalition member organizations, communities throughout Kansas are able to develop a smoke detector and battery replacement initiative. First Alert smoke detectors are made available to communities through the Kansas SAFE KIDS Coalition for \$5.00. The implementation of educational programs, coupled with discounted smoke detector and battery replacement initiatives, and strong state legislation will reduce the number of injuries and deaths due to fire in our state. The Kansas SAFE KIDS Coalition will be glad to work with you on this bill as it is being considered.



**Elec. & Local Gov.**

**Date:** 2-16-98

**Attachment:** # 4



State of Kansas

## Office of the Attorney General

301 S.W. 10th Avenue, Topeka 66612-1597

**CARLA J. STOVALL**  
ATTORNEY GENERAL

MAIN PHONE: (785) 296-2215  
FAX: 296-6296  
TTY: 291-3767

Testimony of SCDRB Executive Director Laurie Hartman  
Before Senate Elections and Local Government  
RE: Senate Bill 561  
February 16, 1998

Chairman Hardenburger and Members of the Committee:

I am pleased to appear before you today in support of Senate Bill 561. I am a staff member of the attorney general's office and the Executive Director of the State Child Death Review Board. I am appearing on behalf of Attorney General Carla Stovall and the State Child Death Review Board (SCDRB) to convey our support of this bill.

This legislation calls for a smoke detector to be in place in residences in Kansas which will help reduce the tragic consequences of fire-related deaths and injuries. The risk of death is especially high for young children, the most vulnerable of victims.

Statistics from the State Child Death Review Board Annual Reports for the years 1995, 1996, 1997 and those completed to date for 1998, show that 18 children have died in residential fires. Among the most disturbing deaths reviewed by the SCDRB, are those in which young children are found huddled inside their dwelling, having died before they could escape. In almost every instance, having an operable smoke detector could have saved the children from this fate.

One example is a 1996 apartment fire in Wichita where a six year old child was found dead in the bedroom lying in a fetal position, inside the closet. The cause of the fire was a lamp that the six year old had placed on the floor and then laid down beside because he was scared of the dark. The lamp had fallen over and caught the carpet on fire. His 10 year old sister attempted to go in the room after him and tried to get him to go through the fire or somehow go around it, but the boy backed into the closet, being afraid and just laid down, and that is where he was found in the fetal position.

A second example is a house fire that took place in 1995 where a three year old girl and her 5 year old brother were killed in a fire that started as a result of a space heater. The children were sleeping in their beds when the fire started and by the time the mother awoke and realized the house was on fire, her attempts to save the children were unsuccessful. In this case, there was a smoke detector, however, there were no batteries in it. A smoke detector with no batteries is like no smoke detector at all.

**Elec. & Local Gov.**

**Date:** 2-16-98

**Attachment:** #5

Studies have shown that the chance of dying in a residential fire is cut in half when a working smoke detector is present. The relative ease of installation and periodic maintenance makes the smoke detector an especially easy and effective preventive intervention. Especially when we are concerned with the tragic loss of lives, we must focus our attention on preventive efforts.

It is our hope and belief that enactment of this bill will significantly reduce the number of Kansans who die in home fires by encouraging individuals to buy smoke detectors. Your support of SB 561 is respectfully requested.

# KANSAS STATE ASSOCIATION OF FIRE CHIEFS



## EXECUTIVE BOARD

### PRESIDENT

Chief H.A. Hartley  
Shawnee Fire Department  
6501 Quivira Road  
Shawnee, Kansas 66216  
913-631-1080

### VICE PRESIDENT

Chief Jim Keating  
St. Marys Fire Department  
P.O. Box 56  
St. Marys, Kansas 66536  
913-437-6287

### DISTRICT 1 REPRESENTATIVE

Chief Dean Jensen  
Goodland Fire Department  
1010 Center  
Goodland, Kansas 67735  
913-899-4545

### DISTRICT 2 REPRESENTATIVE

Chief Richard Klaus  
Ellis County Rural Fire District  
105 W. 12th  
Hays, Kansas 67601  
913-625-1061

### DISTRICT 3 REPRESENTATIVE

Chief Tom Girard  
Salina Fire Department  
222 West Elm  
Salina, Kansas 67401  
913-826-7340

### DISTRICT 4 REPRESENTATIVE

Operations Chief Ted Hufft  
Merriam Fire Department  
9000 W. 62nd Terrace  
Merriam, Kansas 66202  
913-432-7058

### DISTRICT 5 REPRESENTATIVE

Chief Jack Taylor  
Liberal Fire Department  
P.O. Box 2199  
Liberal, Kansas 67905  
316-626-0128

### DISTRICT 6 REPRESENTATIVE

Chief Eddie Moore  
Arkansas City Fire  
115 South D  
Arkansas City, Kansas 67005  
316-441-4430

### DISTRICT 7 REPRESENTATIVE

Director Gene Tucker  
Montgomery County RFD #1  
Route 4, Box 114  
Coffeyville, Kansas 67337  
316-331-2710

### PAST PRESIDENT

Chief Jim McSwain  
Lawrence Fire Department  
746 Kentucky  
Lawrence, Kansas 66044  
913-841-9400

### SECRETARY - TREASURER

Chief Richard Maginot  
Soldier Twp. Fire Department  
800 NW 46th  
Topeka, Kansas 66617  
913-286-2123

## TESTIMONY OF THE KANSAS STATE ASSOC. OF FIRE CHIEFS FEBRUARY 16, 1998 SENATE BILL 561

On behalf of the Kansas State Association of Fire Chiefs, I would like to take this opportunity to thank the Committee for allowing me to provide testimony in support of Senate Bill 561 concerning smoke detectors in residential properties. The Kansas State Association of Fire Chiefs represents over 250 fire chiefs in the state.

Many cities in Kansas already have smoke detector laws in place, either by ordinance, or by adoption of a recognized model building code, such as the Uniform Building Code. However, much of our state is rural and/or unincorporated with little or no means to implement such a life and property saving tool. A smoke detector that is properly placed and operating does save lives.

Kansas is one of the few states in this nation that does not have a statewide smoke detector law. Kansas is ranked as having some of the highest death and injuries rates resulting from fires. Dwelling fires account for approximately 25% of all fires in the United States. Nearly 80% of fire deaths and 70% of fire injuries occur in dwelling fires which include houses, apartments and hotels/motels. The fire victims are more than likely to be young children, (under 5), or those 70 years or older. Nearly two-thirds of fatal fires occur at night when the victims are sleeping, with 60% of all the fire deaths occurring in dwellings with no smoke detector or equipped with one that is not properly working.

Nearly 75% of all homes in our state have smoke detectors, but as much as one-third are inoperative due to lack of maintenance. Even with thousands of homes without smoke detectors and thousands more that lack operative smoke detectors, the passage of this proposed legislation will not guarantee a smoke detector in every home, but it may motivate additional citizens to comply with and install an inexpensive item that can save hundreds of lives.

SOURCES: Kansas State Fire Marshal's Office  
National Fire Protection Association

**Elec. & Local Gov.**

**Date:** 2-16-98

**Attachment:** # 6

**1997 CONFERENCE - SALINA, KAN!  
1998 CONFERENCE - GREAT BEND, KANSAS**



# Fire Education Association of Kansas

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Dennis J. Nowatzke, President P.O. Box 351 Pomona, KS 66076-0351 785-566-3615

## Fire Education Association of Kansas Testimony in Support of Senate Bill #561

On behalf of the Fire Education Association of Kansas I would like to express our support for Senate Bill #561.

As educators and promoters of fire and life safety issues in the State of Kansas, we see the impact that fire has on residents of Kansas. We witness daily how these fires and needless injuries and deaths could have been prevented. Countless times we have had a fire injury or death in our jurisdictions and realize the importance of smoke detectors in peoples homes.

In Kansas each year of 90% of the fire deaths occur in residential structures. Most of these deaths are the result of the lack of a working smoke detector in the home with many of the victims being children.

In 1995, Kansas had the 5th highest residential fire death rate in the United States. Kansas is one of a handful of states that have yet to adopt a statewide smoke detector law which is most likely the reason for our high fire death rate.

Please consider joining the 44 other states that have state wide smoke detector legislation which will ultimately save many, many lives.

Thank you for considering this bill.

**Elec. & Local Gov.**

**Date:** 2-16-98

**Attachment:** # 7





League of  
Kansas  
Municipalities

Legal Department  
300 S.W. 8th  
Topeka, Kansas 66603  
Phone: (785) 354-9565 / Fax: (785) 354-4186

**Legislative Testimony**

To: Senate Committee on Elections and Local Government

From: Larry Kleeman, Assistant General Counsel

Date: February 16, 1998

Re: League Support of SB 561

Thank you for allowing the League to appear today in support of SB 561. We believe this bill promotes good public policy while placing very little burden on the cities of Kansas. Obviously, it makes sense to place smoke detectors wherever people live and sleep. The benefit of saving lives far outweighs the burdens imposed by this bill.

The bill's enforcement provision in Section 3(e) does not require cities to make inspection visits solely to enforce this act. If a city officer were to observe a violation of the smoke detector act, the officer's responsibility would most likely be limited to the simple act of ticketing the offending party. Because this is a state law, district courts (rather municipal courts) would be the proper venue to adjudicate such a violation. Thus, the involvement of a municipality would be minimal.

Section 5 of SB 561 also makes it clear that cities' constitutional home rule powers are not preempted by this legislation. Local governments can still feel free to legislate in this area as long as they do not conflict with state law. Municipalities could mirror the state smoke detector act in their local ordinances and provide for local penalties. Local ordinances could also be more restrictive than this bill and provide for additional means of fire safety.

For these reasons, we urge favorable passage of SB 561.

**Elec. & Local Gov.**

**Date:** 2-16-98

**Attachment:** # 8

SMOKE DETECTOR BILL

Committee Members, we the Shawnee County Landlords Association support the concept of this legislation. Three items do give us a bit of concern, they are as follows:

- The requirement of one on every story: does this mean basement and attic? How about saying every habitable story.
- Appropriate locations; instead of uppermost of staircase. Isn't the uppermost part of staircase where dead air is?
- Electrical power line; we would like a change to the electrical system.

Patrick DeLapp  
SCLA president

**Elec. & Local Gov.**  
**Date:** 2-16-98  
**Attachment:** #9



700 SW Jackson, Suite 601  
Topeka, Kansas 66603-3731

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www.nursingworld.org/snas/ks

**the Voice of Nursing in Kansas**

Debbie Folkerts, A.R.N.P.-C.  
President

Terri Roberts, J.D., R.N.  
Executive Director

*FOR MORE INFORMATION CONTACT:*  
*Terri Roberts JD, RN*  
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*Kansas State Nurses Association*  
*700 SW Jackson, Suite 601*  
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*(913) 233-8638*  
**FAX: 913-233-5222**  
**February 16, 1998**

## **WRITTEN TESTIMONY**

# **S . B . 561 SMOKE DETECTOR ACT**

Chairperson Hardenburger and members of the Senate Elections and Local Government Committee, the Kansas State Nurses Association (KSNA) supports S.B. 561 that would require installation of smoke alarms in Kansas residences.

Smoke detectors, an effective intervention, are a reliable and inexpensive means of providing an early warning of house fires. They reduced the risk of death in 96% of fires and the risk of severe injury in 88 percent.

(National Committee for Injury Prevention and Control Staff. Injury Prevention: Meeting the Challenge)

Children are clearly the most vulnerable to house fires, and in Kansas, fire is the third leading cause of unintentional injury for Kansas children age 1-4. Kansas ranks eleventh in injuries per 1000 residential fires and this can be significantly reduced if smoke detectors are installed.

Registered nurses care for burn victims of residential fires and support mechanisms that will reduce the pain and suffering from such tragedies. Smoke detectors are cost-effective and reliable. As a matter of public policy, they should be supported in all homes and new construction of homes.

We hope that you will recommend S.B. 561 favorable for passage.

Thank you.

**Elec. & Local Gov.**

**Date:** 2-16-98

**Attachment:** #10

# Childhood Residential Injuries

*Interventions are proposed in the areas of fire and burn prevention, falls, suffocation, and poisonings to reduce the unacceptably high rates of residential injuries nationwide.*

By Nancy Ellen Jones

In the United States in 1989, approximately 2,700 children through the age of 14 died as a result of residential injuries, which are defined as injuries sustained in the home, its immediate surroundings, and in day-care centers (1,2). Each year, 22 percent of children under the age of six suffer such injuries. The most common fatal injuries are caused by house fires, suffocation and asphyxiation, falls, and poisonings.

The high risk to children is a function of their developmental level (neuromuscular, cognitive, and psychosocial) and where they spend their time (home, yard, and day-care center). Males are at greater risk of injury than females, and low-income children suffer higher injury rates than middle-class children, in part because they reside in more hazardous environments (1).

The 1989 report of the National Committee for Injury Prevention and Control (NCIPC), *Injury Prevention: Meeting the Challenge*, identifies interventions that reflect the state of the art in injury prevention and control (1). These interventions are compatible with nursing practice as defined by the American Nurses Association (ANA), which states that health promotion and disease prevention are key components of nursing practice (3). After determining the extent of the local residential injury problem and identifying children at risk, the nurse can implement effective and promising interventions consistent with the mission of the nursing organization. It is not within the scope of the practice of an individual nurse or nursing service to implement all of the interventions. (For suggested interventions and background reading, see Resource Guide.)

General residential injury prevention programs include the following:

- Environmental hazard inspection, with home safety assessment forms to survey risks that are present

NANCY ELLEN JONES, RN, DRPH, is an assistant professor at the Hunter College, Hunter-Bellevue School of Nursing, New York, New York.

in the homes of children and families.

- Day-care safety programs, including inspections of facilities and education of operators about safety, and
- Injury prevention education, using simple, targeted messages that are integrated with enforcement and engineering countermeasures.

Collaboration with community agencies, such as the health department and visiting nurse associations, is useful to implement, monitor, and evaluate programs designed to reduce environmental hazards in homes and in day-care centers. Comprehensive programs based on educational, regulatory, and technological strategies that include training guides and checklists are available through the Massachusetts Department of Public Health (4,5). Programs must reflect the health, sanitary, fire, and building codes of the locality in which they are used.

Nurses are in a position to provide preventive health care, including age-appropriate counseling on injury prevention. A useful guide to safety counseling in office practice, published by the American Academy of Pediatrics (AAP), consists of a comprehensive educational program for children through the age of 12 years, including safety counseling schedules, safety surveys, and safety information sheets (6). Some areas of nursing intervention follow, along with effective and promising interventions identified by the NCIPC, with proposed implementations and suggestions for action statewide and on a federal level. The NCIPC defines interventions that are proven effective as those that should be used and monitored, and promising interventions as those that require further evaluation (1).

## Fire and Burn Injuries

Nationwide, house fires are the fourth leading cause of injury death. In 1985 they claimed the lives of 1,118 children through the age of 14, with males at greater risk than females (7). They are the leading

falls, such as keeping crib rails raised, and alert parents to the NCIPC recommendation to ban baby walkers.

### Poisonings

In 1985, 80 children through the age of 14 died from poisoning by solids and liquids (7). Deaths by poisoning have decreased during the past 15 years among children under the age of five. These reductions are a result of childproof closures mandated by the Poison Prevention Packaging Act (PPPA), dose limits per package, improved emergency services, and regional poison control centers. However, non-fatal poisonings remain a major cause of morbidity among young children (1).

*Interventions.* The PPPA regulates 16 categories of household products, including most prescription drugs. The PPPA has been proven effective, and the federal government can consider expanding the act to include double-barrier packaging for extremely toxic drugs and strictly enforcing existing legislation (1).

Rapid initiation of treatment reduces mortality and morbidity and lowers emergency room visits and hospital admissions. Poison control centers offer information about first aid and the management of poisonings to the public and health professionals. They are effective in reducing emergency room visits for suspected poisonings (1). Promising interventions include the following: Providing ipecap syrup and stickers containing the telephone numbers of poison control centers to parents of young children and community-based education programs that attempt to alter the poison storage habits in households (1).

Childhood lead poisoning is a common environmental disease that is entirely preventable. Young children living in older, substandard housing in the Northeast are at greatest risk. Screening programs and lead abatement efforts are promising interventions (1).

*The Nurse's Role.* In collaboration with community agencies, nurses play a preventative role, developing, implementing, and evaluating poison prevention pro-

grams. Activities include counseling with regard to the identification and storage of poisonous household products and medicines, child-resistant packages, and toxic plants, providing information about ipecac syrup, and publicizing the phone numbers of poison control centers and other emergency phone numbers. Nurses provide first aid and screen for lead poisoning.

Just as childproof packaging of pharmaceuticals has reduced deaths by poisoning in the last 15 years — a result of technological, regulatory, and educational measures — childhood residential injuries of all kinds can be reduced. Smoke alarms minimize the destruction caused by fire; fire-safe cigarettes reduce the number of fires; window guards prevent falls; and the CPSC, by monitoring products, prevents suffocation and asphyxiation. These are only some examples.

Nurses who work with families, schools, and day-care centers can serve an important educational function in their own communities, both in identifying safety problems and how to solve them. They can also, through their professional associations, lobby for improved technology and the enforcement of safety standards. All are needed to reduce the unacceptably high frequency of residential injuries that prevail in the United States today. MCN

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cause of injury death in 11 states, generally in the East and Southeast (8). Fifty percent of fires involve cigarettes (1).

Although the Flammable Fabrics Act of 1953 and the Children's Sleepwear Standard of 1971 resulted in a reduction in fabric ignitions and in sleepwear-related burns, children remain vulnerable. School-aged boys, in particular, are injured by flammable liquids, such as gasoline. Contact burns are most often caused by heating equipment, such as wood stoves, and scald burns occur when hot liquid is spilled in the kitchen or hot tap water burns a child. Electrical burns occur when infants mouth electrical cords or children climb high voltage wires (1).

*Interventions.* Smoke detectors, an effective intervention, are a reliable and inexpensive means of providing an early warning of house fires. They reduce the risk of death in 86 percent of fires and the risk of severe injury in 88 percent. States can enact and enforce legislation requiring smoke detectors in all residential housing (1).

Sprinkler systems reduce the spread of fire. In New York City high-rise buildings, they were rated over 98 percent effective in suppressing and extinguishing fires. States can require sprinkler systems in all new housing and retrofit older multifamily dwellings (1).

Enforcement of building codes is necessary to eliminate fire hazards, such as faulty electrical and heating equipment, in high-risk buildings. A number of guidelines are available, such as the Model Standards of the American Public Health Association (9). Enforcement of existing building codes is a promising intervention to reduce the risk of fire (1).

Fire-safe cigarettes are effective in reducing fires associated with smoking. Cigarettes cause 45 percent of fires and between 22 and 56 percent of deaths from house fires. Cigarettes contain additives that cause them to burn for as long as 28 minutes. The federal government can enact legislation requiring cigarette manufacturers to make cigarettes self-extinguishing (1).

Public education about fire safety and burn first aid is a promising intervention, but the effectiveness of fire safety education is unknown (1).

Reducing tap water temperature, setting hot water heaters to 125°F, is an effective inter-

vention to prevent tap water scald burns. Hot tap water is a significant cause of burn morbidity (1).

Flammability standards can be expanded to include furniture, bedding, clothing, and home building materials. Regulation of product flammability is effective in reducing the number of burn injuries, such as sleepwear-related injuries (1).

*The Nurse's Role.* When counseling families, the nurse provides information on the placement, testing, and maintenance of smoke detectors (for example, the need to replace batteries twice yearly when clocks are changed). The nurse also instructs parents to test the temperature of their hot water and to reduce it, if necessary, to 125°F.

School nurses may collaborate with community agencies, such as the fire department, to develop, implement, and evaluate fire safety programs and first-aid programs for burns. The local nursing association can coordinate an effort to provide low-cost or free smoke detectors to low-income families.

### **Suffocation and Asphyxiation**

In 1985, 659 deaths among children through the age of 14 were attributed to suffocation and asphyxiation, which are the second leading cause of injury death among children less than one year of age (7,8). Children under the age of four, males, and those living in poverty are at greatest risk of death (1).

Hot dogs, candy, nuts, and grapes cause 40 percent of specified food-related suffocations. Mechanical suffocation is commonly caused by plastic bags, bedclothes, the plastic sides of playpens and cribs, entrapment, or burial under falling earth. Strangulation is caused by hanging from pacifier cords, clothing, and high-chair straps; and wedging the head between crib slats, accordion-style safety gates, the mattress and bed frame, and electrically operated car windows. The Consumer Product Safety Commission (CPSC) sets toy standards to reduce the risk of choking on nonfood products in children less than three years of age (1).

*Interventions.* Educational efforts involve counseling parents about choking hazards and teaching first-aid management of the choking victim. Parents can follow the guidelines of the American Academy of Pediatrics concerning management of the choking victim (1).

## RESOURCE GUIDE

### ■ GENERAL RESIDENTIAL INJURY PREVENTION PROGRAM

#### Safe Home.

A tested program for creating safe homes for children by reducing common hazards. The Safe Home kit includes a Leader's Guide, Inspector's Notes, filmstrip, checklists, and a demonstration supply board.

To order, write:

SCIPP/Statewide Comprehensive Injury Prevention Program  
Massachusetts Department of Public Health  
Division of Family Health Services  
150 Tremont Street  
Boston, Massachusetts 02111  
or call 617-727-1246

#### Safe Day Care.

A teacher's guide for creating safe environments for preschool children. Program serves as a guide to creating and maintaining a safe day-care environment, reinforcing habits of preschoolers, preparing for an emergency, and advocating child safety to parents.

To order, write or call:

SCIPP/Statewide Comprehensive Injury Prevention Program  
Address and telephone as above

#### TIPP: The Injury Prevention Program - A Guide to Safety Counseling in Office Practice

A 24-page guide. Includes: safety counseling schedules, safety surveys, counseling guidelines, safety sheets, and safety slips.

Catalog Code HE 0042; cost \$5/copy

To order, write:

American Academy of Pediatrics  
Department of Publications  
141 Northwest Point Blvd.  
P.O. Box 927  
Elk Grove Village, IL 60009-0927  
or call toll free 800-433-9016

#### For Further Reading:

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### ■ FIRE AND BURN INJURY

#### Protect Your Home Against Fire... Planning Saves Lives.

Child safety slip: describes steps for prevention;

Catalog Code HE0039; cost \$5/100 copies

To order, write or call:

American Academy of Pediatrics,  
Address and phone as above

#### For Further Reading:

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### ■ SUFFOCATION

#### Choking Prevention and First Aid for Infants and Children - Brochure;

Catalog Code HE0066; cost \$15/100 copies

To order, write or call:

American Academy of Pediatrics  
Address and telephone as above

#### Safety News

Free publication of the Consumer Product Safety Commission (CPSC). Lists CPSC and manufacturers' warnings and recalls; information on crib, nursery, toy, and playground safety.

To order, write: CPSC

5401 Westbard Avenue,  
Washington, DC 20207,

or call 800-638-CPSC or 301-492-6424

#### Infant Furniture: Cribs

Child safety slip: describes buying recommendations and safety tips;

Catalog Code HE0030; cost \$6/100 copies

To order, write or call:

American Academy of Pediatrics  
Address and telephone as above

#### For Further Reading:

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#### ■ POISONINGS

##### Protect Your Child...Prevent Poisoning

Child safety slip: describes those at risk, common medicines and household products, and safety rules;

Catalog Code HE0033; cost \$6/100 copies

American Academy of Pediatrics

Address and telephone as above

##### For Further Reading:

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*The Nurse's Role.* Nurses advise parents, individually and in groups, about the choking risks associated with small objects and pieces of food and instruct families in first aid for the choking victim. The "no-choke test tube" is an aid used to teach parents about the safe size of toys and other small objects. (Contact the CPSC for information about this device. Call 800-638-CPSC.)

#### Falls

In 1985, 198 children through the age of 14 died from fall injuries, with the male death rate three times higher than the female (7). The death rate was highest in Oriental children, followed by blacks, Native Americans, and whites (8). Falls are the leading cause of injury morbidity.

The circumstances surrounding any fall reflect the child's age and environment. For example, infants fall from changing tables, and poor children in urban areas are at increased risk of window falls (1).

*Interventions.* Using educational, enforcement, and engineering strategies, window guard programs have proven effective in preventing falls from windows. Safety gates on stairways help to prevent young children's falls and are considered a promising intervention requiring evaluation. Accordion-style gates are dangerous and should not be used (1).

Education and counseling of parents can include highly targeted messages in conjunction with enforcement and engineering strategies. Educating parents about fall risks is a promising intervention (1).

Baby walkers are associated with a significant number of injuries among infants, and the NCIPC wants them banned. Health care professionals must counsel parents on their danger (1).

*The Nurse's Role.* Nurses provide an educational role, counseling parents to acquire window and stairway guards or gates to prevent falls. They counsel families about age-appropriate strategies to prevent





OFFICE OF THE  
**KANSAS STATE FIRE MARSHAL**

Gale Haag  
Fire Marshal

700 SW JACKSON, SUITE 600, TOPEKA, 66603-3714  
PHONE (785) 296-3401 / FAX (785) 296-0151

Bill Graves  
Governor

State Fire Marshal Gale Haag  
Testimony in Support of Senate Bill 561  
Senate Committee on Elections and Local Government  
February 16, 1998

The Office of the State Fire Marshal is dedicated to protecting the lives and property of the citizens of the State of Kansas from the hazards of fire and explosion by fostering a fire safe environment through inspection, enforcement, regulation, investigation, data collection, public education, and a liaison with the Kansas fire service. All of the Office's efforts are designed to reduce the fire death, injury and property loss currently suffered by the citizens of Kansas.

As data collector of all incidents in Kansas, I see over 100,000 incidents each year, over 20,000 of those are fires and over 5,000 take place in structures. Nearly 80% of the structure fires are in residential properties, place where people live that we do not inspect or regulate. I also see Kansas fires claim the lives of too many of our people, we average over 50 deaths each year from fire and injury another 400 or more.

Most residential fires and fire deaths happen while people are sleeping. Most people succumb to the smoke, many never even wake up. National statistics indicate that your chances of dying in a residential fire are cut in half by having a working smoke detector. For less than the cost of a meal, a smoke detector can be installed that will provide enough early warning to prevent many of the fire fatalities and injuries in Kansas. In fact, many fire departments, hospitals and health departments participate in free smoke detector give-away programs each year.

I urge you to help us reduce the fire deaths and injuries in Kansas by educating our citizens about the life-saving benefits of smoke detectors. I urge you to support passage of this important piece of legislation, Senate Bill 561.

**Elec. & Local Gov.**

**Date:** 2-16-98

**Attachment:** #11

*"Where fire safety is a way of life."*

TESTIMONY

TO: Senate Committee on Elections and Local Government Committee  
FROM: Jerry M. Scott, Fire Marshal, Salina Fire Department - Serving Since 1961  
222 West Elm - Salina, Kansas - 67401 (785) 826-7340 - ScottJM@Juno.Com.



ISSUE: Support - Senate Bill #561

Most Honorable Senate Representatives of the Great State of Kansas,

On behalf of the Salina Fire Department I present this humble testimony to ask for your support of Senate Bill #561 for the following reasons:

- . **My personal experience** in the Fire Services of the United States Air Force, Wash. D.C., Georgia, and Kansas...Have seen many incidents that I feel would have been minimized and death and injury reduced via a law that required a working smoke alarm in the residential occupancy in which the smoke/fire incident occurred.
- . **Each year over 1,000 children under the age of 14 are killed** and another 47,000 are injured by fire nationally, in Kansas 90% of those children deaths occur in homes without working smoke alarms.
- . **Studies show that a working smoke alarm will reduce the risk of dying** or being injured in smoke/fire by **at least 50%**, when a plan of escape is initiated upon the alarm alerting the occupant(s).
- . **Children living in rural areas** have a dramatically **higher risk** of dying in a residential fire.
- . The risk to 1st Responders is minimized when a Family has initiated an escape plan, upon hearing the smoke alarm, assembled at a point, counted heads and have given a report to the Rescue Team...all because a smoke alarm was installed and initiated an alarm that smoke/fire was present in the occupancy, which then gave them an opportunity to escape. Now...the best part...We do not attend a funeral, Kansas does not have this negative statistic...Insurance premiums does not increase because of long term medical care of burn victim(s), and property loss due to fire...and negative community impact that lasts forever for all those responsible for regulation of the Community Safety.
- . I am very familiar with the first studies in Montgomery County, Maryland and Fairfax County Virginia via Education vs Law...**Well meaning/Educated persons just forget...** Know that they should, but don't... Yes, I know all about smoke alarms but they don't look good in my home...are common excuses...A Law causes these well meaning persons to install and maintain smoke alarms and now...**a Law becomes a Friend** that just may **alarm in time to exercise intelligence** of escaping smoke/fire. Please believe me...Go with me sometime to investigate a fire death...no smoke alarm...You will become as involved as we in this movement...because...with all our education/intelligence...**we still need a mandatory alarm** that will sound when smoke/fire is present in our homes and residential occupancies while we sleep and dream the **American/Kansas Dream of who will win in 1998...K.U. or K. State...or...will we win our Life????** Because Kansas received the gift of Life...a **Smoke Detector Law**...Please support this legislation.
- . I have managed a **Smoke Detector Law** for Salina, Kansas since 1989 with no prejudice.

SMOKE DETECTOR LEGISLATION

FOR

KANSAS

Senate Bill No. 561

Proponent Testimony Submitted to

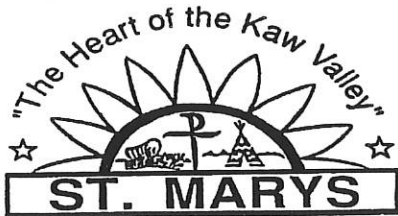
The SENATE COMMITTEE on  
ELECTIONS AND LOCAL GOVERNMENT COMMITTEE

Senator Janice Hardenburger, Chair

by

Jim Keating, Chief  
St. Marys Fire Department

FEBRUARY 1998



St. Marys Fire Department  
P.O. Box 56  
611 W. Lasley  
St. Marys, Kansas 66536  
1-785-437-6287  
FAX: 1-785-437-3166

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Written testimony of Jim Keating, Chief, St. Marys Fire Department  
For the Senate Committee on Elections and Local Government Committee

February 12, 1998

Senate Bill #561

The St. Marys Fire Department joins other Fire Service Organizations throughout the State of Kansas in supporting the passage of Senate Bill 561.

Many cities in Kansas already have smoke detector laws in place either by ordinance or by adoption of a building code. However, much of our state is rural and/or unincorporated with little or no means of implementing such a life and property saving tool.

- In 1995, Kansas had the 5th highest residential fire death rate in the United States.
- In 1995, Kansas had the 11th highest residential fire injury rate in the United States.
- In 1996, less than 2 out of 10 homes that had fires had a working smoke detector present.
- The chance of dying in a fire is cut in half when a working smoke detector is present.
- Firefighters are spared serious injury or death while attempting to make searches and rescues in burning, unsafe structures when a smoke detector present may have alerted the family to escape this home.

I view this proposed law as a strong educational tool. Education informs but it alone will not work, the fire service needs the support of this legislation. Your support of this legislation will help save lives in Kansas.

Thank You.



Senate Committee on Elections and Local  
Government Committee  
Topeka, Kansas

Dear Legislators:

*I am writing in support of Senate Bill No. 561 (Smoke detector Act). As the Fire Prevention Officer of the Concordia Fire Department it is my duty to, not only prevent fires but to prevent loss of life. If signed into law, the smoke detector act will be the single most important tool to combat senseless loss of life in Kansas fires.*

*Many small communities such as ours, do not have ordinances enforcing many fire prevention measures. Sometimes the only thing we have to use is what the state mandates. Ours is a battle, often unfunded, under supported and always overwhelming.*

*In the past two years, in our city of 6000 residents:*

*One family was saved only because they had a working smoke detector and it woke them up. It was found on the floor hours later, melted into a ball and still signaling it's warning.*

*A second family was lucky enough to have been saved by a 12 year old neighbor boy who saw the flames in their home at 5:30 AM. This family did not have a smoke detector protecting them and the fire was directly below the children's bedroom. They could have all perished.*

*I am certain that there are hundreds of other stories similar to this throughout the State of Kansas. The truly disheartening thing is that many of them do not turn out this well. Our children are dying needlessly.*

*Please sign this bill into law, smoke detectors are our families' protectors.*

Sincerely,

American  
Academy of  
Pediatrics



**Kansas Chapter**

**Chapter President**

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913/894-5649  
Fax: 913/894-5649  
email: kansasaap@aol.com

February 16, 1998

To: Senate Committee on Elections and Local Government

I would like to offer my support for SB 561, The Smoke Detector Act of 1998. Safety issues concerning the children of Kansas are paramount to me in my role as a private pediatrician and President of the Kansas Chapter of the AAP. Fire is the third leading cause of accidental injuries for 1 to 4 year olds in the state of Kansas. In the years 1990 to 1996, seventy-three children have died in fires in our state. Burn injuries cause life long suffering and disfigurement frequently requiring reconstructive surgeries. The question is how can we reduce these tragic deaths and injuries?

Smoke detectors offer an answer. Statistics show that the chance of dying in a fire is cut in half when a working smoke detector is present. National data indicates 90% of child deaths due to fire occurred in home without a working smoke detector.

Most states have realized the importance of smoke detector laws. Kansas is one of only seven states that does not have some type of smoke detector legislation.

Finally, if any of you doubt the need for this bill to become law, I ask that you go to a burn unit in our state and see the pain and suffering that our children go through as a result of burn injuries.

Thank you for your time in this matter.

Sincerely,

A handwritten signature in cursive script that reads "Dennis M. Cooley".

Dennis M. Cooley, M.D., F.A.A.P.

DMC/bjc

11-6

**MEADE COUNTY FIRE DEPARTMENT**  
**FIRE CHIEF: Leroy Lemaster**

◆◆◆  
725 W. Carthage ◆ P.O. BOX 652 ◆ Meade, KS 67864 ◆ Meade County  
Phone 316-873-2280

Jim Keating, Pres. KSAPC  
611 W Laslev  
PO Box 56  
St. Mary.s KS 66536

RE: Senate Bill 561  
Smoke Detectors

Dear Mr. Keating:

Meade County Fire Departments are in favor os Senate Bill 561  
which would require smoke detectors in every home.

Sincerely,



Leroy Lemaster, Fire Chief  
Meade County Rural Fire Dept.  
PO Box 652  
Meade, Ks 67864

Fax # 316-873-2408



929 North St. Francis  
Wichita, KS 67214-3882

Tel 316-268-5000

Via Christi  
Regional Medical Center  
St. Francis Campus

Written Testimony Presented to the Kansas Senate  
In Support of Senate Bill 561  
By Janet M. Cusick, RN, MS, Burn Specialist  
Via Christi Regional Medical Center, Trauma/Burn ICU

February 11, 1998

Members of the Senate:

My name is Janet Cusick. I am a Registered Nurse and Burn Educator at the Burn Center at Via Christi Regional Medical Center-St. Francis Campus in Wichita. Via Christi-St Francis is one of the two burn centers in the state of Kansas who treat the most serious burn injuries. I am also a burn survivor. Thank you for the opportunity to provide testimony on behalf of Senate Bill 561.

My involvement with burn care and ultimately burn and fire prevention, survival and education began over twenty years ago when I was burned in a car fire. Although my injury was not the result of a residential fire, I know first hand the pain and long term recovery necessary following a burn injury. I was one of the lucky ones, I recovered with only a few scars on my face and hands and minimal physical difficulties. Unfortunately, not everyone involved in a fire survives, or they may survive with serious, permanent disfigurement or physical and/or emotional disabilities.

It has been well documented that smoke detectors save lives. Smoke detectors provide early warning enabling residents to evacuate the home and call for help. Smoke is a silent and deadly killer. Many people are killed by the smoke long before the fire reaches them. *Statistics show that your chances of dying in a residential fire are cut in half if you have a working smoke detector.* When a fire occurs, the fire consumes the oxygen. When the human body is not receiving enough oxygen, he or she is unable to think clearly, become less coordinated, and have difficulty controlling their muscles. In other words, without the early warning, they are less likely to be able to help save themselves. Heat and smoke numb the senses. The heat of the fire, even before the flames reach the body, can cause unconsciousness in minutes. *Smoke detectors provide the warning to enable the person to take action before they lose control.*

The leading cause of home fires that kill children between the ages of 0 and 9 is children playing with fire. When children playing with matches or lighters cause a fire, they are often fearful of the fire itself or punishment and delay calling for help until it is too late. *Working smoke detectors alert the adults who are present to the fire situation and they are able to respond.*

Speakers from the fire service will testify about the victims of fire who die and the devastation fire causes to property. I was a career firefighter for three years and have witnessed this property damage. Burns and fires effect all socio-economic classes and ages. The very young, older adults, and those individuals with

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any type of physical or mental disability are those who are least likely to escape a fire on their own and who are the most difficult to heal if they are burned.

I have been a burn nurse for over twenty years in two separate regional burn centers. On a daily basis nurses like myself care for the infants and children, men and women who don't die at the scene. Numerous hours are spent with their families and friends helping them cope with the serious nature of the injury and possible impending death. We help people through the painful recovery process. We may help them to die with dignity and grace in the presence of families if the injuries are non-survivable.

I wish to share with you what happens when someone suffers a burn injury and survives, at least for a while. Have any of you ever visited a burn center? A visit makes a profound impression. The average length of stay in the hospital following a burn injury is one day per percent of burn if there are no complications or associated injuries. That means that someone who sustains a 30% burn is in the hospital for over a month. It is not uncommon for someone to sustain a fatal injury, but take several weeks or even months to die. Once the patient is admitted to the burn center, they almost always stay in the burn center until they are dismissed either to home, to a rehabilitation center or other facility. On a daily basis the burn wounds are cleansed either in the bed if the patient is very critical and unstable or in the hydrotherapy room where the patient will either be showered or immersed in a tank containing Clorox water. Have any of you ever been burned? If so, you know how painful washing or showering even a small burn can be. It is vitally important that the wounds are kept clean since the leading cause of death, if they survive the fire, is infection.

Several times a day, Physical or Occupational Therapists visit the patient and assist them with their exercises. The patient is encouraged to be up out of bed, walk in the halls, feed themselves and do as much as possible for themselves. The therapy, although extremely painful, is necessary for the person to maintain as much function and endurance as possible so if they survive and return home from the burn center they are able to care for themselves, return to work or school and return to the leisure activities they enjoy.

For a third degree burn to heal, a skin graft from the person's own body must be applied. Skin is harvested off an unburned or healed area and surgically applied to the deep burn. Essentially, what we are doing is creating an injury similar to a second degree burn which is every bit as painful and slow to heal as if the area had been burned.

Once all the skin is healed, the recovery process is far from over. Burned areas, and areas where skin has been harvested, tend to scar. Scarring is almost always permanent to varying degrees. Scarring is not only disfiguring, but can impair function and return to normal activity. Pressure garments, worn for up to two years, help to minimize the scarring, but are uncomfortable, expensive and very noticeable. Many people withdraw from social interaction due to the garments and scarring. Society can be very cruel and unaccepting for those whose appearance is "different" which makes reintegration into society difficult for many.

Physical, Occupational and Vocational Rehabilitation may be necessary for months or even years. Re-admissions to the hospital may be required for scar revisions or reconstructive or plastic surgeries. Some people are never capable of returning to work.

*Many of these hospitalizations can be prevented! It is well documented that smoke detectors save lives. Smoke detectors provide early warning giving occupants a chance to evacuate the home, decrease the chance for serious injury, and call for help.* In my 20 years as a burn nurse I have heard repeated stories from individuals and families who are seen by the burn center for observation only with no serious injuries because their smoke detectors woke them from sleep and they were able to escape before they were seriously injured or killed by the smoke or fire.

*Smoke detectors also provide a warning if a person catches their clothes on fire.* I remember vividly the young girl who caught her long nightgown on fire and panicked. Fortunately for her, the smoke detector activated, alerting her mother who was able to extinguish the flames. This young girl suffered a 27% burn, was in the hospital for 24 days, but is alive today because of the smoke detector.

I have spoken to you about the physical and emotional impact of fires and burns. *Let's talk briefly of the financial consequences of these injuries. Burn therapy involves very intensive, expensive and long term care.* The cost of a critical room in a burn center can be over \$2000.00 per day. This does not include physician care, lab tests, X-rays, medications or surgical procedures. Obviously this can be financially devastating to a family. Many of the patients we see rely on public funds such as Medicare or Medicaid. It is not uncommon for total hospital bills to exceed several hundred thousand dollars. Patients who suffer permanent disabilities following a burn injury may be unable to return to work and become dependent on Worker's Compensation, Social Security and other public funds for all living expenses.

Installing and maintaining smoke detectors in every home can decrease the number of patients seen in burn centers and community hospitals every year. I would gladly put burn centers out of business for lack of patients if that were possible. Smoke detectors, combined with good fire prevention education and fire escape plans save lives.

The issue before you today is a multifaceted one. Many of you have children or grandchildren or older parents who are still living alone. Young children and older adults are those most likely to die or suffer serious injuries in residential fires. Smoke detectors are an inexpensive way to increase the chances of survival in residential fires.

If this bill passes, the fire service, burn centers, media and organizations such as SAFE KIDS need to be involved in an active campaign of public awareness. Many of the individuals at highest risk for fire and fire injuries (infants and children, the elderly, and people with any type of physical or emotional impairment) may already be receiving services such as Social Services or home health care. There are many programs in the state that will provide free smoke detectors and assistance with installation for low income families. The home health or Social Service agencies can act as resources for obtaining smoke detectors for those who can not afford them.

If you, or someone close to you, has been burned, please share that experience with your colleagues. Having gone through the experience of being burned, I can say with all honesty, I would not want this preventable injury from happening to my worst enemy. Although I am a survivor and able to lead a normal life, not everybody is so fortunate.

Fire prevention and survival are taught to our children starting at a very early age. But adults are the ones responsible for providing the means to make the homes safer through such methods as purchasing and installing smoke detectors. I hope we can all work together to save citizens of Kansas from this preventable injury and death. Please support Senate Bill 561.

Thank you.



Janet M. Cusick, RN



## Parsons Fire Department

1819 WASHINGTON  
PARSONS, KANSAS 67357  
316-421-7050  
FAX 316-421-7056

February 11, 1998

To: Senate Committee on Elections and Local Government Committee

Ref: Senate Bill 561 (Smoke Detectors)

The Parsons Fire Department in conjunction with Fire Service Organizations throughout the State of Kansas support the passage of Senate Bill 561.

Our state citizens continue to die in structure fires without working smoke detectors. The chances of dying in a fire is cut in half when a working smoke detector is present. In the City of Parsons, the use of smoke detectors are dramatically below the national average. Education alone will not work, the fire service needs the support of this legislation.

This is not government intrusion, but a step to keep citizens alive that live in, or visit residences. Please join the rest of the nation, and help stop needless deaths.

Sincerely,

Tim Hay  
Fire Chief  
City of Parsons

Fire Marshals



Association

of Kansas

Testimony of Chuck Thacker, President, Fire Marshals Association of Kansas  
Before the Senate Committee on Elections and Local Government Committee

February 10, 1998

Senate Bill #561

On behalf of the Fire Marshals Association of Kansas I would like to take this opportunity to thank this committee for allowing me to provide written testimony in support of Senate Bill #561 concerning the smoke detectors in residential properties. The Fire Marshal's Association of Kansas represents over 70 local Fire Marshals and Fire prevention personnel who are part of fire departments across the State of Kansas.

Many cities in Kansas already have smoke detector laws in place either by ordinance or by adoption of a recognized model building code such as the Uniform Building Code. However, much of our state is rural and/or unincorporated with little or no means to implement such a life and property saving tool. A smoke detector that is properly placed and operating can and does save lives.

- Each year over 1,000 children under the age of 14 are killed and another 47,000 are injured by fire nationally, in Kansas 90% of those children deaths occur in homes without working smoke detectors.
- The chance of dying in a fire is cut in half when a working smoke detector is present.
- Children living in rural areas have a dramatically higher risk of dying in a residential fire.
- Firefighters are spared serious injury or death while attempting to make searches and rescues in burning, unsafe structures when a smoke detector present may have alerted the family to escape this home.
- Education alone will not work in having smoke detectors installed and maintained in homes. Education informs, but does not empower people to adhere to have working smoke detectors. Nationally, prevention studies reveal that smoke detector laws work in increasing smoke detector use. States that have laws in place have shown a decrease in overall fire deaths.
- I view this proposed law as a strong educational tool. Current proposed legislation prohibits unlawful entrance to a home for the sole purpose of checking for a smoke detector. Compliance to the smoke detector law cannot be used as a determining factor in a law suit or settlement of an insured claim.

SMOKE DETECTOR LEGISLATION

FOR

KANSAS

Senate Bill No. 561

Proponent Testimony Submitted to

The SENATE COMMITTEE on  
ELECTIONS AND LOCAL GOVERNMENT COMMITTEE

Senator Janice Hardenburger, Chair

by

L. D. Garcia  
Fire Chief  
Wichita, Kansas

FEBRUARY 1998

Elections and Local Government Committee  
Smoke Detector Legislation for Kansas

L. D. Garcia

- Page 1 -

Senator Hardenburger, members of the committee, I am Larry Garcia, Fire Chief for the City of Wichita. For several years I have listened to testimony and debate on this important issue. During that time my thoughts and feelings have not changed, a smoke detector law for all of Kansas will have a significant positive impact of the number of fire fatalities in Kansas. I offer my testimony in support of legislation I believe of critical importance to people throughout the State of Kansas, Senate Bill 561.

Smoke detectors and smoke detector laws have been in existence for some time now. The City of Wichita in 1982, adopted an ordinance providing for the installation and maintenance of these life saving devices. During the 16 years as a local ordinance our states largest city has recorded an average of only 4 residential fire fatalities annually, a truly remarkable accomplishment. Prior to adoption of a smoke detector ordinance we experienced an average 12 fire fatalities every year. This decrease in fire death would likely be less. However, some of the deaths occurred in households with poorly maintained or non-working smoke detectors. Especially tragic are the number of children who died in residential fires with no warning.

Several groups have studied residential fire death experience, most notably the National Fire Protection Association which includes among its strategies to help reduce the loss of life from fires; the installation and proper maintenance of smoke detectors in individual households. Based upon their study of the many factors that contribute to the large loss of life in a fire, this one precaution could have a significant impact. In fact, smoke detectors cut the risk of dying if a home fire occurs by 40 - 50%.

The greatest number of fatal home fires in Wichita occur between the hours of midnight and 4 a.m. when most of us are asleep. Even though this time is when fires are least likely to occur, those that do occur are most deadly because they can go undetected. Many people are overcome in their sleep. Having smoke detector protection in your home is a key to fire survival.

In one of the most comprehensive documents produced about smoke detectors, U.S. Experience with Smoke Detectors and other Fire Detectors, smoke detectors are believed to account for a significant part of the decrease in reported fires and fire deaths since the mid 1970s. In survey's conducted by the United States Fire Administration and data from the National Fire Incident Reporting System, it has been determined that the elderly and the very young are the groups at highest risk. This information is consistent with our experience in Wichita and across Kansas. Children under 5 years of age continue to have double the national average fire death rate. Risk of fire death drops off sharply for children between 5 and 14, this increases slowly with age. The risk increases sharply for people over 80. However, two-thirds of the people who die in fires are neither very young nor old; the fire problem affects all age groups.

Nationally, the residential fire problem accounts for three-quarters of the total fire deaths and two-thirds of the injuries to civilians. Firefighters in Kansas have lost their lives at house fires. Fifteen Wichita firefighters have died in the line of duty; 7 of them at or responding to house fires. It also accounts for more firefighter injuries than those sustained at any other occupancy.

Households that have reported fires appear much less likely to have detectors than others. Either the people with detectors are more safety conscious or the detectors allow early detection and extinguishment by the occupants and are not reported. Both I believe are good reasons to mandate smoke detectors.

As you may know, Kansas is one of very few states without a statewide requirement for smoke detectors in residential property. Our states fire fatality rate has been compared, not very favorably with California and New York, states with significantly larger populations and we are said to be woefully behind the rest of the country. While this is disturbing you should not be persuaded by comparisons with other places but support this legislation because it is right.

As Fire Chief of our state's largest City and a concerned Kansan, I urge your support of Senate Bill #561. Your support of this legislation will help save lives in Kansas.

Thank you.



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**the Voice of Nursing in Kansas**

Debbie Folkerts, A.R.N.P.--C.  
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**February 16, 1998**

## **WRITTEN TESTIMONY**

# **S.B. 561 SMOKE DETECTOR ACT**

Chairperson Hardenburger and members of the Senate Elections and Local Government Committee, the Kansas State Nurses Association (KSNA) supports S.B. 561 that would require installation of smoke alarms in Kansas residences.

Smoke detectors, an effective intervention, are a reliable and inexpensive means of providing an early warning of house fires. They reduced the risk of death in 96% of fires and the risk of severe injury in 88 percent.  
(National Committee for Injury Prevention and Control Staff. Injury Prevention: Meeting the Challenge)

Children are clearly the most vulnerable to house fires, and in Kansas, fire is the third leading cause of unintentional injury for Kansas children age 1-4. Kansas ranks eleventh in injuries per 1000 residential fires and this can be significantly reduced if smoke detectors are installed.

Registered nurses care for burn victims of residential fires and support mechanisms that will reduce the pain and suffering from such tragedies. Smoke detectors are cost-effective and reliable. As a matter of public policy, they should be supported in all homes and new construction of homes.

We hope that you will recommend S.B. 561 favorable for passage.

## **Thank you.**



SMOKE DETECTOR LEGISLATION

FOR

KANSAS

Senate Bill No. 561

Proponent Testimony Submitted to

The SENATE COMMITTEE on  
ELECTIONS AND LOCAL GOVERNMENT COMMITTEE

Senator Janice Hardenburger, Chair

by

Patti Peterson  
Fire Education Association of Kansas

FEBRUARY 1998

11-17

## ***Fire Education Association of Kansas***

**Fire Education Association of Kansas  
Testimony in Support of Senate Bill #561**

**On behalf of the Fire Education Association of Kansas I would like to express our support for Senate Bill #561.**

**As educators and promoters of fire and life safety issues in the State of Kansas, we see the impact that fire has on residents of Kansas. We witness daily how these fires and needless injuries and deaths could have been prevented. Countless times we have had a fire injury or death in our jurisdictions and realize the importance of smoke detectors in peoples homes.**

**In Kansas each year over 90% of the fire deaths occur in residential structures. Most of these deaths are the result of the lack of a working smoke detector in the home with many of the victims being children.**

**In 1995, Kansas had the 5th highest residential fire death rate in the United States. Kansas is one of a handful of States that have yet to adopt a statewide smoke detector law which is most likely the reason for our high fire death rate.**

**Please consider joining the 44 other States that have statewide smoke detector legislation which will ultimately save many, many lives.**

**Thank you for considering this bill.**

**WHITNEY B. DAMRON, P.A.**  
**COMMERCE BANK BUILDING**  
**100 EAST NINTH STREET - SECOND FLOOR**  
**TOPEKA, KANSAS 66612-1213**  
**(785) 354-1354 ♦ 232-3344 (FAX)**

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**- SUBMITTED TESTIMONY -**

**TO:** The Honorable Janice Hardenburger, Chair  
and the  
Senate Committee on Elections and Local Government

**FROM:** Whitney Damron  
on behalf of the  
Unified Government of Wyandotte County/Kansas City, Kansas

**RE:** SB 561 Concerning buildings and creating a crime of failure to  
place or maintain a smoke detector.

**DATE:** February 16, 1998

On behalf of the Unified Government of Wyandotte County/Kansas City, Kansas, I am pleased to submit testimony to the Senate Committee on Elections and Local Government in support of SB 561 regarding smoke detector legislation. Attached to this cover page is a section taken from the legislative priorities informational packet which addresses the smoke detector issue. The City of Kansas City, Kansas supported this legislation last year in the form of HB 2488 and, after local governmental consolidation in 1997, the Unified Government ratifies that position taken last year in the form of their support for SB 561 this year

On behalf of the Unified Government of Wyandotte County/Kansas City, Kansas, I thank you for your consideration of this information and request your support for SB 561.

**KANSAS CITY KANSAS FIRE DEPARTMENT  
DIVISION OF ADMINISTRATION  
Fire Headquarters Building  
815 North 6th Street  
Kansas City, Kansas 66101**

**TO:** Don Denney, Public Relations  
**FROM:** Thomas G. DeKeyser, Fire Chief  
**DATE:** November 7, 1997  
**SUBJECT:** 1998 Fire Department Legislative Priorities

Thank you for the memorandum that you sent me on October 22, 1997, concerning the Unified Government's Legislative priorities for the 1998 session of the Kansas State Legislature. My staff and I have researched carryover legislation, along with other issues that impact the Kansas City Kansas Fire Department. Enclosed for your review are the legislative priorities for 1998.

***\*Support for smoke detector legislation***

House Bill 2488 was introduced on February 19, 1997 where it was then referred to the Governmental Organization and Elections committee for review.

The Kansas City Kansas Fire Department strongly endorses this "Smoke Detector Act" on the basis of a health and safety issue not only for the residents of Kansas City, Kansas, but also for the health and safety of our firefighters. Early detection enhances a more efficient response from our personnel thus decreasing fire death and injury to our constituents.

In the past, smoke detectors have been distributed free of charge to residents by the Kansas City Kansas Fire Department.