

Approved: February 18, 1999
Date

MINUTES OF THE SENATE COMMITTEE ON FEDERAL AND STATE AFFAIRS.

The meeting was called to order by Chairperson Senator Lana Oleen at 11:00 a.m. on February 9, 1999 in Room 254-E of the Capitol.

All members were present:

Committee staff present: Mary Galligan, Legislative Research Department
Russell Mills, Legislative Research Department
Theresa Kiernan, Revisors of Statutes
Judy Glasgow, Committee Secretary

Conferees appearing before the committee: Senator Anthony Hensley
Pat Lehman, Kansas Fire Service Alliance
Jim Lubbers, Kansas State Fire Fighters
And Parsons Fire Department
Howard German, Consolidated Fire Department
Mission, Kansas
Jerry Marlatt, Kansas State Council of Firefighters

Others attending: See attached sheet

Chairman Oleen called on Theresa Kiernan to give a briefing on **SB 72**. This bill would provide for a memorial for Kansas firefighters who have lost their lives in the line of duty on state capitol grounds. The secretary of administration would be authorized to accept grants, gifts, contributions or bequests for the construction of the memorial.

Chairman Oleen opened hearing on **SB 72, Memorial for Kansas firefighters on state capitol grounds.**

Chairman Oleen recognized Senator Hensley, a proponent to **SB 72**. (Attachment 1) This bill would authorize the placement of firefighters memorial on the northeast section of the grounds at a site to be selected by the Director of Architectural Services. This memorial would be similar to the law enforcement memorial honoring those who have lost their lives in the line of duty. The State Fire Marshal would notify the Secretary of Administration no later than March 15th of each year of firefighters who were killed during the preceding year. I urge the committee's support for **SB 72**.

Chairman Oleen stated that in paralleling this with the law enforcement officers bill there is a member from the Kansas Historical Society appointed by the Governor as one of the members of the advisory committee and ask if this addition would be acceptable. Senator Hensley stated that this would be agreeable.

Chairman Oleen called on Mr. Pat Lehman Battalion Chief, Parsons Fire Department, who testified in support of **SB 72**. Mr. Lubbers represents the Kansas State Firefighters Association, the Kansas State Association of Fire Chiefs and Kansas Professional Fire Chiefs Association. These Associations do support **SB 72** and believe there should be a memorial to the fallen firefighters in Kansas.

Mr. Jim Lubbers, Parsons Fire Department and State Fire Fighters spoke as a proponent to **SB 72**. (Attachment 2) He stated that the impact of losing a firefighter is devastating not only to fire department members but members of the community as well. A memorial would recognize the sacrifice of these individuals. The Parsons Fire Department lost two members in November, 1998 and support **SB 72** to honor not only the two firefighters Parsons lost but all who have answered their final call.

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON FEDERAL AND STATE AFFAIRS, Room 254-E
Statehouse, at 11:00 a.m. on February 9, 1999.

Mr. Howard German, president of IAFL No. 1371, spoke in support of **SB 72**. The bill would show support and appreciation from the state and people to the job that firefighters do for the state of Kansas. He stated that two persons have been lost during his time in service. He stated that he was very much in favor of this bill.

Chairman Oleen recognized Jerry Marlatt, a Topeka firefighter and representing the Kansas State Council of Firefighters. The State Council of Firefighters strongly supports this legislation for a memorial to fallen Kansas firefighters.

Chairman Oleen called for action on the bill. Senator Biggs moved to amend the bill to add the 9th member of the commission from the Kansas State Historical Society. Senator Bleeker seconded the motion. The motion passed. Senator Harrington moved to pass the bill favorably to the full Senate. Senator Vratil seconded the motion. The motion carried.

Chairman Oleen stated that there were several things that needed to be clarified on the actions taken on the legislature compensation bill yesterday. One clarification needed is on the retirement issue and the other was the effective date. The bill was forwarded to cut off the annualization of salary for retirement effective January 2001. The clarification of the motion is that effective January 2001 and there would be no distinction between current legislators and future legislators; all would have the opportunity to either participate in KPERS with no annualized income or have the opportunity to participate in a deferred compensation plan with a state contribution of 8% and the option of the legislator to contribute an amount up to 17% from their salary.

Senator Bleeker stated that she did not believe that was the motion that she had made. She stated that she believed that her motion was to end the annualization of KPERS and that legislators could choose either the non annualized KPERS or the deferred compensation plan with the 8% state share; it would grandfather in current legislators under the current law or they could choose the deferred compensation plan.

Chairman Oleen noted that if that was Senator Bleeker's motion then there was a misunderstanding concerning that motion and it needed to be brought back to the table for discussion and to be voted on again.

Senator Vratil stated that he had voted in favor of that issue and moved to have the motion reconsidered. Senator Jones seconded the motion. Chairman Oleen opened the motion for discussion by the committee. After discussion the committee decided to return the bill to the committee for further action. Senator Vratil moved to return the bill to committee. Senator Harrington seconded the motion. Motion passed.

Senator Vratil moved that the bill be drafted effective January 8, 2001 and that each legislator whether current or future will have the option of participating in KPERS with no annualized income or selecting a deferred compensation plan with a state contribution of 8% and with the option of the legislator contributing up to an additional 17% of the legislator's salary. Senator Gooch seconded the motion.

Chairman Oleen announced that several committee members had to leave for other meetings so the meeting would adjourn. The bill would stay in the committee and the committee would get back to it later in the week.

The meeting adjourned at 12:05 p.m. The next meeting of the committee will be February 10, 1999.

SENATE FEDERAL & STATE AFFAIRS COMMITTEE
GUEST LIST

DATE: Feb 9, 1999

NAME	REPRESENTING
Howard German	Fire District #2 & I.A.F.F. Local 1371
STEVE MONTOUR	TOPEKA FIRE LOCAL 83
Kelly Adams	Topeka Fire Fighters IAFF #83
JERRY MARLATT	KSCFF
Jack Hawn	KIFERS
Jim Lubbers	Parsons Fire Dept.
Pat Lehman	KS Fire Service Alliance

State of Kansas

Senate Chamber

ANTHONY HENSLEY
STATE SENATOR, NINETEENTH DISTRICT
SHAWNEE, DOUGLAS & OSAGE COUNTIES

HOME ADDRESS:
2226 S.E. VIRGINIA AVENUE
TOPEKA, KANSAS 66605-1357
(785) 232-1944—HOME



Office of Democratic Leader

ROOM 347-N, STATE CAPITOL
TOPEKA, KANSAS 66612-1504
(785) 296-3245
1-800-432-3924

COMMITTEE ASSIGNMENTS
VICE CHAIRMAN: CONFIRMATIONS OVERSIGHT

MEMBER: EDUCATION
HEALTH CARE REFORM
OVERSIGHT COMMITTEE
INTERSTATE COOPERATION
LABOR EDUCATION CENTER
ADVISORY COUNCIL
LEGIS. COORDINATING COUNCIL
LEGIS. POST AUDIT
STATE FINANCE COUNCIL
UTILITIES
WORKERS COMPENSATION
FUND OVERSIGHT

Senate Committee on Federal & State Affairs

Senate Bill No. 72

February 9, 1999

Senator Oleen and Committee Members:

I testify today in support of Senate Bill No. 72, a bill which would authorize a memorial to Kansas firefighters who were killed in the line of duty.

As you know, located on the grounds of our state capitol is a law enforcement memorial honoring those who have lost their lives in the line of duty. This bill authorizes the placement of a firefighters memorial on the northeast section of the grounds at a site to be selected by the Director of Architectural Services.

The firefighters memorial shall be approved and maintained by the Director with the assistance of the State Fire Marshal. Because the memorial will have inscribed upon it the names of firefighters who were killed in the line of duty, the State Fire Marshal must notify the Secretary of Administration no later than March 15th of each year of firefighters who were killed during the preceding year.

This bill establishes the Kansas Firefighters Memorial Fund and allows the Secretary of Administration to receive any grants, gifts, contributions, or bequests made to assist in the funding of the construction and upkeep of the memorial. All expenditures from this fund must be authorized by the eight-member Kansas Firefighters Memorial Advisory Committee.

The Advisory Committee shall be comprised of the State Fire Marshal and seven appointments by the Governor, each of which would represent the following organizations:

- Kansas State Firefighters Association
- Kansas State Association of Fire Chiefs
- Kansas Professional Fire Chiefs Association
- Kansas Council of Firefighters
- Fire Education Association of Kansas
- Kansas Chapter of the International Association of Arson Investigators
- Fire Marshal's Association of Kansas

I urge you to support Senate Bill No. 72, and help us memorialize the many Kansas firefighters who have made the ultimate sacrifice to ensure the safety of our citizens. I thank you for allowing me the time to testify and I am open to answer any of your questions.

2

Written Testimony to the
Senate Committee on Federal and State Affairs

Senate Bill 72 Firefighter Memorial

By tradition, firefighters have a history of honoring fallen comrades. The National Fire Academy in Emmitsburg, Maryland, hosts the National Fallen Fire Fighters Memorial.

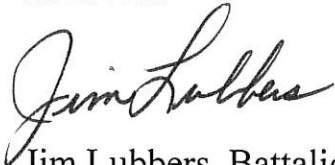
The State of Kansas needs to take its rightful place in honoring the fallen Kansas firefighters.

The impact of losing a firefighter is devastating not only to fire department members but members of their community as well. Our department and community has just endured such a loss.

A memorial would recognize the sacrifice of these individuals, a place where those persons can be remembered and the proud heritage of the fire service can be recalled. The Parsons Fire Department would consider it a privilege to have Norman Almond and Craig Brown listed on such a memorial.

The families and friends of the fallen firefighters would have a sense of comfort knowing that respect was shown for the firefighters sacrifice that went above and beyond the call of duty.

The impact firefighters have on our daily lives is often not thought of until tragedy affects us. We are here to support Senate Bill 72 and honor not only our two firefighters but all who have answered their final call.



Jim Lubbers, Battalion Chief
Parsons Fire Department