

MINUTES OF THE HOUSE FEDERAL AND STATE AFFAIRS COMMITTEE

The meeting was called to order by Chairman William Mason at 1:30 p.m. on January 28, 2004 in Room 313-S of the Capitol.

All members were present except:

Representative Becky Hutchins- excused

Committee staff present:

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

Conferees appearing before the committee:

Representative Kathe Decker
Senator Barnett

Others attending:

See Attached List.

Without objection, a Constitutional amendment was introduced as requested by Representative Decker, defining marriage in the state of Kansas as a union between one man and one woman. She stated that since the issue was being addressed at the court level, to protect the definition of marriage, it should be on the November ballot giving Kansans the ability to vote on the issue (Attachment 1).

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

Ms. Torrence, Revisor of Statutes Office, explained technical amendments to **SB 254** (Attachment 2).

Senator Barnett spoke in support of the technical amendments.

Representative Cox moved the amendments as stated to SB 254. Representative Dahl seconded the motion. The motion carried.

Discussion followed regarding whether the definition of pyrotechnics would extend to the use of flames in a restaurant setting. Representative Lane, as an owner of a restaurant, voiced his opinion that the fire used under a grill hood would fall under current regulations for fire safety. Representative Freeborn moved SB 254, as amended, be passed out favorably. Representative Lane seconded the motion. The motion carried.

The meeting adjourned at 1:45 p.m. The next meeting is January 29, 2004

STATE OF KANSAS



TOPEKA

HOUSE OF
REPRESENTATIVES

PRESENTED BY
REP. KATHE DECKER

Dear Chairman Mason,

Due to the recent Massachusetts Supreme Court ruling, we believe that the Kansas statute defining marriage in Kansas may also be in jeopardy. Some remedy is necessary to prevent judges from striking down our current state laws, most especially one that concerns the sanctity of the wedding vow between husband and wife. Without a Constitutional amendment to protect the definition of marriage, this could also happen in Kansas by our own court system.

We strongly believe that marriage is a fundamental human institution that predates the law and the Constitution. Laws relating to marriage merely recognize and regulate an institution that already exists.

In order to protect this understanding of marriage we ask that a Constitutional amendment be introduced further defining marriage in Kansas as the union between one man and one woman.

Kathe Decker
Representative Kathe Decker

Janice Pauls
Representative Jan Pauls

Office of Revisor of Statutes

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MEMORANDUM

To: House Committee on Federal and State Affairs
From: Mary Torrence, Senior Assistant Revisor of Statutes
Date: January 28, 2004
Subject: Suggested Technical Amendments to Senate Bill No. 254

The following are the technical amendments to Senate Bill No. 254 that I mentioned on the day of the hearing:

Title

Amend to read:

“An Act concerning certain nuisances; restricting the use of pyrotechnics and pyrotechnic devices and materials and providing remedies for violations; concerning powers and duties of the state fire marshal; amending . . .”

Section 8

Amend to read:

“New Sec. 8. (a) Upon a conviction of a violation of K.S.A. 21-4106 or 21-4607, and amendments thereto, for maintaining a public nuisance on the premises of a club or drinking establishment licensed under the club and drinking establishment act, the court shall report such conviction to the director of alcoholic beverage control.

(b) Upon a conviction of a violation of K.S.A. 21-4106 or 21-4607, and amendments thereto, for maintaining a public nuisance on the premises of retailer licensed under K.S.A. 41-2701 *et seq.*, and amendments thereto, the court shall report such conviction to the governing body of the city or county which issued the license.”

Supplement Citations

Change statutory references from “2002 Supp.” to “2003 Supp.”

HS Federal & State Affairs
January 28, 2004
Attachment 2