

Approved: March 28, 2012

---

## MINUTES OF THE HOUSE LOCAL GOVERNMENT COMMITTEE

The meeting was called to order by Chairperson Steve Huebert at 3:30 PM on Tuesday, March 13, 2012 in 144-S of the Capitol.

All members were present except Representative Carlin and Representative Lane, both of whom were excused.

Committee staff present:

Martha Dorsey, Kansas Legislative Research Department  
Jay Hall, Kansas Legislative Research Department  
Eunice Peters, Office of Revisor of Statutes  
Florence Deeter, Committee Assistant

Conferees appearing before the Committee:

Representative Arpke, District 69  
Terry L. Maple, Acting Fire Marshal, State of Kansas  
Trudy Aron, Executive Director, American Institute of Architects in Kansas

Others in attendance:

See attached list.

Hearing On: **HB 2776 – State fire marshals; prohibit adoption of certain fire codes**

The Chairman opened the meeting by asking Staff Martha Dorsey to provide background on the bill. Ms. Dorsey said that the highlighted section of the Kansas Register reveals the implementation of the new rules and regulations, which became effective in 2011 and caused problems in some communities (Attachment 1). She indicated that **HB 2776** is intended to nullify sub-section b of **K.S.A. 22-1-3**. Ms. Dorsey referenced sub-section b in the Proposed Administrative Regulations (Attachment 2), saying that it has very different language when compared with the original statute.

Representative Arpke, District 69, spoke in favor of the bill, saying that the bill will repeal some provisions in the Kansas Fire Prevention Codes published in 2011. He indicated the issue is quite complicated and included in his testimony some documentation for the committee to review (Attachment 3). Representative Arpke provided a balloon amendment for consideration of changes in the bill.

Terry L. Maple, Acting Fire Marshal, State of Kansas, speaking as an opponent to the bill, said that the ideal is to have a unified code for all Kansas communities (Attachment 4). He indicated

---

Unless specifically noted, the individual remarks recorded herein have not been transcribed verbatim. Individual remarks as reported herein have not been submitted to the individuals appearing before the committee for editing or corrections.

## CONTINUATION SHEET

Minutes of the HOUSE LOCAL GOVERNMENT Committee at 3:30 PM on Tuesday, March 13, in 144-S of the Capitol.

---

that here are potential problems in rural areas where a lower level of fire safety is regulated by the communities that have adopted the International Fire Code (IFC) of 2006. Mr. Maple said that a variance process is in place for communities requesting a change and the abolishment of 2006 IFC is not necessary and could have a negative impact on fire safety for residents in Kansas.

Trudy Aron, Executive Director, American Institute of Architects, spoke as an opponent to the bill, saying that building and fire codes must be updated periodically in order to include new construction methods, materials and technology (Attachment 5). She commented on the importance of allowing variances and/or exemptions for entities unable to meet the requirements of fire and safety codes and regulations. Ms. Aron noted that removing the 2006 IFC edition in the Kansas Fire Code would be tampering with the safety of occupants in various buildings.

The hearing on **HB 2776** was closed.

The meeting was adjourned at 4:20 p.m. The next meeting will be announced at a later time.