

HOUSE BILL No. 2657

By Representative Otto

2-7

1 AN ACT creating the joint committee on the oversight of the state fire
2 marshal's office; amending K.S.A. 46-1001 and 46-1004 and repealing
3 the existing sections.
4

5 *Be it enacted by the Legislature of the State of Kansas:*

6 New Section 1. (a) There is hereby established a joint committee on
7 the oversight of the state fire marshal's office. The committee shall consist
8 of three senators and four members of the house of representatives. The
9 senate members shall be appointed by the president of the senate. The
10 house of representative members shall be appointed by the speaker of the
11 house of representatives. The speaker of the house of representatives shall
12 designate a representative member to be chairperson or vice-chairperson of
13 the joint committee.

14 (b) A quorum of the joint committee on the oversight of the state fire
15 marshal's office shall be four. All actions of the committee may be taken
16 by a majority of those present when there is a quorum. In odd-numbered
17 years the chairperson shall be the designated member of the house of
18 representatives from the convening of the regular session of that year until
19 the convening of the regular session in the next ensuing year. In even-
20 numbered years the chairperson shall be the designated member of the
21 senate from the convening of the regular session of that year until the
22 convening of the regular session of the next ensuing year. The vice-
23 chairperson shall exercise the powers of the chairperson in the absence of
24 the chairperson.

25 The joint committee on the oversight of the state fire marshal's office
26 shall:

- 27 (1) Investigate the operations of the state fire marshal's office;
- 28 (2) review decisions of the state fire marshal affecting local units of
29 government and the private sector;
- 30 (3) review the specific statutes, codes and rules and regulations the
31 fire marshal's office enforces; and
- 32 (4) hold a public hearing at least annually to allow various persons or
33 groups to comment on the operations and enforcement policies of the state
34 fire marshal's office.

35 (c) The joint committee shall report to the legislature on or before
36 December 31 each year any findings and recommendations concerning the

1 state fire marshal's office. The joint committee may introduce legislation
2 as it deems necessary.

3 (d) The joint committee shall meet on call of the chairperson as
4 authorized by the legislative coordinating council. Members of the joint
5 committee shall receive compensation and travel expenses and subsistence
6 expenses or allowances as provided in K.S.A. 75-3212, and amendments
7 thereto, when attending meetings of such committee authorized by the
8 legislative coordinating council.

9 (e) Amounts paid under the authority of this section shall be paid
10 from appropriations for the legislative expense and vouchers therefor shall
11 be prepared by the legislative administrative services and approved by the
12 chairperson or vice-chairperson of the legislative coordinating council.

13 Sec. 2. K.S.A. 46-1001 is hereby amended to read as follows: 46-
14 1001. As used in this act, unless the context otherwise requires,
15 "investigating committee" means any of the following:

16 (a) A standing, special or select committee of either the house of
17 representatives or the senate, a joint committee of both houses of the
18 legislature, or an authorized subcommittee of any such committee; or

19 (b) the legislative coordinating council, the legislative budget
20 committee, the joint committee on special claims against the state, the joint
21 committee on administrative rules and regulations, the legislative post
22 audit committee, *the joint committee on the oversight of the state fire*
23 *marshal's office*, any special or select committee appointed by the
24 legislative coordinating council; or any authorized subcommittee of any
25 such committee or ~~said~~ council; or

26 (c) any committee, commission or board created by the legislature by
27 concurrent resolution or enactment when, as one or all of its duties, it is to
28 perform an inquiry, study or investigation for the legislature, except that an
29 advisory committee is not an investigating committee; or

30 (d) any committee heretofore or hereafter created by law or resolution
31 of either house of the legislature or by concurrent resolution, when all of
32 the members of such committee, who are authorized to vote on actions of
33 the committee, are legislators.

34 Sec. 3. K.S.A. 46-1004 is hereby amended to read as follows: 46-
35 1004. (a) The following investigating committees are authorized to
36 exercise the powers of compulsory process in connection with any
37 authorized subject of inquiry, study or investigation at any time without
38 further authorization:

39 The legislative coordinating council, the legislative budget committee,
40 the standing committee on ways and means of the senate, the standing
41 committee on appropriations of the house, the legislative post audit
42 committee, *the joint committee on the oversight of the state fire marshal's*
43 *office* or any committee which is specifically granted powers of

1 compulsory process by legislative enactment or by concurrent resolution
2 of the legislature or any authorized subcommittee of any such committee
3 or the council.

4 (b) When the legislature is in session, or adjourned for not more than
5 30 days, the following investigating committees are authorized to exercise
6 the powers of compulsory process in connection with any authorized
7 subject of inquiry, study or investigation:

8 (1) Any standing, special or select committee of the house of
9 representatives, when authorized by the speaker; or

10 (2) any standing, special or select committee of the senate, when
11 authorized by the president.

12 (c) The following investigating committees are authorized to exercise
13 the powers of compulsory process in connection with any authorized
14 subject of inquiry, study or investigation only when specifically authorized
15 to do so by the legislative coordinating council:

16 (1) Any special or select committee appointed by the legislative
17 coordinating council, except the legislative budget committee; ~~or~~

18 (2) the joint committee on special claims against the state or the joint
19 committee on administrative rules and regulations; or

20 (3) any investigating committee as described in subsection (c) or
21 subsection (d) of K.S.A. 46-1001, and amendments thereto, when no
22 specific statute or resolution of the legislature authorizes the exercise by
23 such committee of compulsory process.

24 (d) The limitations of subsections (b) and (c) do not apply to
25 subsection (a). The limitations of subsection (b) do not apply to
26 subsection (c) and the limitations of subsection (c) do not apply to
27 subsection (b).

28 Sec. 4. K.S.A. 46-1001 and 46-1004 are hereby repealed.

29 Sec. 5. This act shall take effect and be in force from and after its
30 publication in the statute book.

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