

approximately 700 retail applications in the few weeks prior to the fireworks season. This processing has to be done in a timely manner so that a complete list of licensed and, therefore, legal retailers is available to distributors to ensure that they don't break the law by selling to a retailer who is unlicensed. The \$50 covers the Fire Marshal's administrative costs and provides an incentive for retailers to submit their applications in a timely manner. The Fire Marshal's Office estimates that there are between five and ten of these late applications per year so that the total fee collected will be between 250 and \$500. Section 4 of LB 251 will amend statute to make it clear that the Fire Marshal's Office has the authority to inspect occupancies for code compliance. Although the Fire Marshal has authority to promulgate regulations concerning occupancy, a recent county court case concluded that the Fire Marshall could only inspect those occupancies specifically listed in Nebraska statute Section 81-502. It appears that the original intent was to permit the Fire Marshal's Office to conduct these types of inspections and this change will clarify that intent. Section 4 also adds a penalty for plan reviews of \$50 per plan submitted for reviews after construction or remodeling has commenced. Statute already requires that plans be submitted to the Fire Marshal for review for compliance with fire codes prior to the commencement of construction. However, a number of contractors fail to submit these plans before construction and wait until the work has begun. In the past this has resulted in changes to the work already completed because it wasn't up to code. This penalty is intended to encourage compliance and to avoid costs associated with compliance after construction has been completed. Section 5 and 6 add language which updates the references to the Fire Marshal's statutory duties. Section 7 changes language referring to buildings owned by the public to owned by a government entity. The intent is to clarify that these are buildings owned by a government entity and not by a member of the public. Section 8 clarifies language dealing with the 24-hour compliant language for an abatement order. Some hazardous situations require immediate abatement while others may be abated over a longer period of time. In some cases, waiting 24 hours for an abatement may seriously endanger the public safety. To conclude, most of these changes are clarifying or technical in nature and are noncontroversial in nature. I ask for your favorable consideration of LB 251 and its advancement to Select File. Thank you.