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FLOOR DEBATE

March 9, 2004            LB 888

prohibits variation from the state code and would require state review and approval on a case-by-case basis of any proposed variation from the state code. The amendment moves the current proposal change to Section 71-604 which would have required local variation to the code to be at least as restrictive as the state code and would prohibit any variation that reduced energy efficiency. Additionally, the amendment revised the proposed change in Section 81-1618 found in Section 13 of the bill which would have required state level review and approval of proposed variation from the state energy code on a building-by-building basis based upon a complex life cycle cost analysis. This language is replaced by a new requirement the code authorities submit to the energy office a local authority's analysis of any particular element of the state code which is proposed revised throughout the jurisdiction not on a building-by-building basis. The energy office would review the local analysis and would transmit to local code authority its findings and conclusion within a reasonable time. The local code authority would then submit to the energy office its explanation as to how the original revised code would address the concern raised by the energy office. Once that explanation has been submitted, the local authorities would be authorized to proceed to enforce the standards it has adopted, even if such standards did not fully comport to the findings and conclusions of the energy office. That is the committee amendment.

SENATOR CUDABACK: Thank you, Senator Hartnett. You've heard the opening on the committee amendments to LB 888. Mr. Clerk, motion on the desk.

ASSISTANT CLERK: Mr. President, Senator Chambers would move to amend the committee amendment with FA1535. (Legislative Journal page 945.)

SENATOR CUDABACK: Senator Chambers, you're recognized to open on your amendment to the committee amendments, FA1535.

SENATOR CHAMBERS: Mr. President and members of the Legislature, there are some people that Senator Friend has worked with on this bill and they might be having a little heartburn wondering exactly what it is that I'm going to do. When people would pose