

If you will notice in the original draft of LB 296 the word "shall" was "may" and from my perspective I don't believe that the state has the right to delegate responsibility. You can delegate authority but I don't think that we can delegate the responsibility. I think the responsibility is ours. I think that Senator Cope has a bill and I would like to support Senator Cope's bill. I would like to support his concept and his idea that he is trying to address a situation of potentially is very dangerous to the people of the State of Nebraska. But, again it seems to me that the state through the State Fire Marshal's office needs to keep the responsibility in all areas in the State of Nebraska and not delegate that responsibility or not be in a position where they shall delegate that responsibility to other areas in the state. They can certainly delegate the authority but the responsibility it seems to me should still remain the states. If it is a state law we should be responsible for it. So if we are going to put this in the statutes, as I think we should, I think we should put it in with the word "may" here instead of "shall" and I urge the body's adoption of this amendment.

SPEAKER MARVEL: Senator Kremer.

SENATOR KREMER: (no response)

SPEAKER MARVEL: Senator Haberman.

SENATOR HABERMAN: (no response)

SPEAKER MARVEL: Senator Marsh.

SENATOR MARSH: (no response)

SPEAKER MARVEL: Senator Wesely.

SENATOR WESELY: Mr. Speaker, members of the Legislature, I rise to support the Vickers amendment, although I must confess that when Senator...or Fire Marshal Barnett attended the hearing he did mention the fact that I think he wanted this word change that would have had it be a mandatory delegation of authority, but in our conversation that we just had with him over the lunch hour on another matter it became clear that when you force delegation of authority his hands are tied when there becomes a problem with enforcement. So I think what Senator Vickers is talking about is by making it "may" its intent is that he shall