

SPEAKER MARVEL: The motion is the advancement of the bill. There is an amendment on the desk.

CLERK: Mr. President, Senator Vickers moves to amend the bill and the amendment is found on page 1495 of the Journal.

SPEAKER MARVEL: Senator Vickers.

SENATOR VICKERS: Mr. President and members, I think this bill meets with the introducer's...or this amendment meets with the bill's introducer's approval and I will give the Legislature a little bit of a history as to the reason for this amendment and for my interest in this area. I also asked Senator Wesely to be included as a cointroducer of LB 266 not because I have any high rise buildings in my district. I don't intend to attempt to do anything with the silos out there. That is about the tallest buildings we have got but I think it should be a matter of concern to everybody in the State of Nebraska the safety of the buildings of the State of Nebraska as it relates to fire hazards, in particular the high buildings it would be difficult to get people out of. Because of some information that I had brought to me a couple of years ago from a contractor that did some work or had a contract to do some work in the Omaha area, and as a result of that information, I had several meetings with the State Fire Marshal's Office. We have had a few meetings with a few members of this body and the problem seemed to be quite simply that the State Fire Marshal's Office has to delegate the authority to the local people as far as regulations and codes are concerned, local authorities in cities that have home rule, such as, Omaha, Lincoln and so forth. The statute, if you will look on page 1496, the statute says the Fire Marshal shall delegate the authority. I am changing that to the State Fire Marshal may delegate the authority, and under the present system you will also notice that the local authority, their decision shall prevail subject to established appeal procedures, which means the local people can do as they choose unless the State Fire Marshal's Office appeals from the top down. It seems to me that that is backwards from the way it should be when you realize the state has the responsibility through the State Fire Marshal's Office of making sure that fire codes in the buildings are adhered to and the buildings are constructed safely. So what we are attempting to do...what I am attempting to do with this amendment is to change it around so that the Fire Marshal may delegate the authority, that the Fire Marshal then may overrule the decision, act or policy of the local fire prevention personnel, and if he does, then the local personnel may follow the same appeals procedure that the State Fire