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FLOOR DEBATE

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LB 122

LB 122 addresses an exception to the Boiler Inspection Act. In the original bill, there are a couple of technical changes, such as renumbering and capitalizing the first word. But the substantive changes are now in the committee amendment, and I will go into those when I introduce the committee amendment.

SENATOR CUDABACK: Senator Cunningham, there are committee amendments, as stated, by Business and Labor. You're recognized to open.

SENATOR CUNNINGHAM: Thank you, Senator Cudaback and members. Last year, a bill was introduced for the Department of Labor that concerned the Boiler Inspection Act. At that time, the industry had expressed concern that the act was not up to date with advancing technology pertaining to unfired pressure vessels. The committee asked that the industry and the department work together on drafting legislation. And while LB 122 was introduced, it was not a result of a compromise. However, the committee amendment that I am introducing now, AM0204, is the result of a compromise with the Department of Labor, and addresses their concerns with the original language in LB 122. More specifically, it removes the registry language, limits the types of vessels covered, and requires that the vessel be installed properly. You will note that the amendment replaces all of the...or at least most of the substantive language in LB 122. The amendment provides a narrow exemption for unfired pressure vessels that do not exceed a maximum allowable working pressure of 500 pounds per square inch that do not contain flammable gasses. The gasses that are specifically listed in the amendment are carbon dioxide, helium, oxygen, nitrogen, argon, and hydrofluorocarbon refrigerant. But another gas could be granted the exemption if the commissioner determines that the gas is not a risk to the public. Additionally, the unfired pressure vessel must be manufactured and repaired in accordance with applicable American Society of Mechanical Engineers standards, and installed in accordance with manufacturer's specifications. In 1997, legislation was passed amending the Boiler Inspection Act to include unfired pressure vessels within the definition of "boiler." In 1998, an exemption was added for unfired pressure vessels not exceeding five cubic feet in volume, or pressure of 250 pounds per square