

SENATOR HEFNER: Senator Murphy, the way it is now when the State Fire Marshal issues a statewide burning ban, the local fire chief does not have any jurisdiction over that. The only way that he can permit a waiver of this ban is to write to the State Fire Marshal or call him and then the State Fire Marshal has to set up a hearing and this takes twenty days, and, of course, this would...if this bill was passed they could do it immediately. I really don't see any reason why this form should be sent to the State Fire Marshal. If you would like to take it out, I am sure that I would go along with it.

SENATOR MURPHY: I think it is an exercise in paper work, Senator. I concur entirely in what you are doing, and would support your bill but possibly we should offer an amendment to strike that....I'll tell you, let's leave it for Select File, I'll contact the Fire Marshal and see if there is any reason he needs another piece of paper to file.

SENATOR HEFNER: Okay, I think that would be a very good idea.

SENATOR MURPHY: Fine.

SPEAKER MARVEL: The motion to advance the bill to E & R. I'm sorry, Senator Hoagland, your light is on.

SENATOR HOAGLAND: I have a brief question if Senator Hefner will yield to a question. Senator Hefner, like Senator Murphy I concur with the thrust of this bill and I think it is a good one. I just have a reservation of giving a local fire marshal complete authority to exempt an area. I wonder if maybe we want to give the State Fire Marshal the authority in a true emergency situation to overrule the local fire marshal. If, for instance, we have a couple of years of drouth and a local burning situation would be really dangerous but the local fire marshal is nonetheless intent on granting an exemption that should not really be granted, I wonder if we want to put in the bill some sort of remedy for that. For instance, in a legitimate emergency situation letting the State Fire Marshal nonetheless enforce the ban. I wonder what your reaction to that is.

SENATOR HEFNER: Senator Hoagland, we discussed this quite a little. I discussed it with the State Fire Marshal and with some of the local fire chiefs and they work very closely together. Like I said in my previous comments that the local fire chief would work very closely with the State Fire Marshal. I don't think that the local fire chief would go over the State Fire Marshal's head if the State Fire