

or regional basis and he can do this when he makes certain kinds of findings, when he finds that the atmospheric conditions or local circumstances make such fires hazardous. Okay, then the bill goes on to provide the local fire chief can essentially waive the ban. Now the problem with the bill as I see it is that it doesn't give the local fire chief any criteria as to when he can waive that ban and so what my amendment does and the amendment is before you on your desk on a white sheet, what my amendment does is to tell the local fire chief that he should use the same criteria that the State Fire Marshal used. In other words, the same criteria that the State Fire Marshal used to impose the statewide ban would be the same criteria to be used by the local chief in order to waive the statewide ban and I am proposing this amendment because I think you can get into a problem where the local fire chief just decides on his own that he is going to waive the ban for no particular reason other than it actually happens to be his buddy that wants the ban waived. So I think we need to set out here, at least some minimal criteria for the waiving of the ban and that is the reason for the amendment. Thank you.

PRESIDENT: The Chair recognizes Senator Hefner.

SENATOR HEFNER: Mr. President, members of the body, I oppose bringing this bill back for this particular amendment because I really don't think we need it and the reason I don't think we need it is because these fire chiefs out there are not going to issue a waiver if the atmospheric conditions are not right. I was a member of a rural fire department for twenty-seven or twenty-eight years and these fire chiefs are very good. They know what they are supposed to do at the right time and so therefore, I feel that bringing this bill back for this particular amendment would take away this control. The state would be telling them again and if you notice in this amendment, it has two "shalls". They shall do this and they shall do that. I feel that if the atmospheric conditions are not right, well this local fire chief would not sign this waiver. If he does sign this waiver and it looks like it is a little risky, he may want to send a fire truck and several men out there to help out on where this particular person is burning. I talked to the State Fire Marshal. He doesn't think we need this amendment on it. I also talked to several fire chiefs and they don't think we need this amendment and let me say again to you that these fire chiefs are very dedicated people. They are well trained. They attend many seminars and training