

January 27, 1982

LB 347

CLERK: Mr. President, there are E & R amendments to LB 347 pending.

SENATOR CLARK: Senator Kilgarin. Senator Kilgarin, will you take the E & R amendments to 347?

SENATOR KILGARIN: I move the E & R amendments to LB 347.

SENATOR CLARK: You have heard the motion. All those in favor say aye, opposed no. The amendments are adopted.

CLERK: Mr. President, the first amendment I have to the bill is from Senator Nichol and Senator Nichol's amendment is found on page 381 of the Legislative Journal.

SENATOR CLARK: Senator Nichol.

SENATOR NICHOL: Mr. Chairman, members of the Legislature, this amendment was brought to the Judiciary Committee by State Fire Marshal Wally Barnett to handle a very specific problem that Fire Departments are having in certain parts of the state. There seems to be some confusion regarding the current law governing false reporting of fire alarms. Because of some of the modern methods and modern technology used in some of the facilities which relay information directly to Fire Departments regarding the need for the Fire Department's assistance, some county attorneys are reluctant to use present language in the false reporting law to cover some of these instances. The State Fire Marshal Office has determined that it would be most helpful if current statutory provisions were modified so that there is no doubt in anyone's mind that setting off one of these automatic fire alarms either by electric, electronic, telephonic, or mechanical means comes within the provisions of the false reporting law. This has been a particular problem in some college dormitories and, of course, there is expense wherever you have fire departments or emergency personnel responding to these false alarms and false calls. In areas where the county attorney has declined prosecution because he does not feel present law is adequate, the problem of false...as I was saying, Mr. Chairman, in areas where the county attorney has declined prosecution because he does not feel present law is adequate, the problem of false reporting or setting off these automatic alarms has worsened. The amendment to 347 would amend the Criminal Code by drafting in language which would clarify the false reporting law making sure that it applies to setting off these automatic alarms. I ask for the adoption of the amendment.

SENATOR CLARK: Senator Beutler, do you want to talk on the