

March 5, 1982

LB 792

the State Fire Marshal's Office couldn't have any control over existing buildings, then it certainly wouldn't be much sense to have a State Fire Marshal's Office. So I certainly urge the adoption of LB 792.

SPEAKER MARVEL: Senator Wesely, is your light on?

SENATOR WESELY: Mr. Speaker, just a question of Senator Nichol please, if he will yield.

SPEAKER MARVEL: Senator Nichol.

SENATOR NICHOL: Yes.

SENATOR WESELY: What kind of rules and regulations are we talking about exactly here? Could you explain?

SENATOR NICHOL: Okay, if you will turn to your bill on 792, on page 2 of the bill, it says starting right on line 3, "It is the duty of the Fire Marshal"..so and so..on down to "investigate the cause and origin of fires; promote safety; or investigation; teach prevention of fires; storage, sale flammable liquids" and all of this under the informational part of the bill as to what the Fire Marshal shall do. This is all old law, Senator Wesely, and you will notice down on line 21 it says, at the end of line 21 it says "and all other buildings". Now as I was saying in the original statement one judge in Omaha said that didn't include existing buildings. So you will notice in the new language starting with the last word on page 792 of the bill and continuing on to lines 1, 2, 3 of page 4, it says that section and rules and regulations adopted pursuant to this section shall apply to existing as well as new buildings. So we added "existing buildings" is all.

SENATOR WESELY: Thank you, Senator. Okay, I didn't realize that. Having dealt with the high rise fire safety code bill last year with Senator Vickers and I worked on and got some legislation that provided some additional authority to the Fire Marshal, I guess we had assumed that all that was clear and evidently it wasn't. So I think what Senator Nichol is doing here is absolutely a good idea. The Fire Marshal's role is primarily that of making sure that our buildings, all existing buildings are safe. Without this proposal, evidently, he would not be clear as to that authority and that is a job he has to do and that should be the responsibility he has so I support LB 792.

SPEAKER MARVEL: Motion is to advance the bill. All those