

## LEGISLATIVE BILL 570

Approved by the Governor March 16, 1971

Introduced by Wally Barnett, Jr., 26th District; William H. Hasebroock, 18th District

AN ACT relating to the State Fire Marshal; to provide an Advisory Committee to the office of the State Fire Marshal as prescribed.  
Be it enacted by the people of the State of Nebraska,

Section 1. For the purposes of advising the State Fire Marshal in matters pertaining to the performance of his duties, there is hereby established an Advisory Committee to the office of the State Fire Marshal. Such committee shall consist of the following members: (1) A representative of the fire insurance industry with experience in fire prevention inspections, (2) an architect registered in this state, (3) a member of a board of education of a public school district, (4) a fire protection engineer, (5) a member of the inspection division of a paid fire department in this state, (6) an active member of a volunteer fire department in this state, (7) a representative of the Department of Health, (8) a representative of the Nebraska Hospital Association, and (9) a representative of the Department of Public Welfare. The members shall be appointed by the Governor within two months of the effective date of this act and shall serve for a term of four years.

Sec. 2. The committee shall select from among its members a chairman and establish rules to govern its procedures. Any vacancy occurring in the committee shall be filled in the manner in which original appointments are made. No person shall receive any compensation for services rendered as a member of the committee. Each member of the committee shall be reimbursed for his actual and necessary expenses on the same basis and subject to the same conditions as full-time state employees. The committee shall meet at such times and at such places as may be established by its chairman, but in no case shall the committee meet fewer than three times annually. When requested to do so by the State Fire Marshal, it shall be the duty of the committee to make a study of the specific problems or questions presented to the committee. No member of the committee shall sit in hearing upon any question in which he, or any corporation of which he is a shareholder or employee, is a party. Nothing in this

act shall be construed as reducing the statutory powers of the State Fire Marshal.

Sec. 3. In case of disagreement concerning the propriety of any action taken or proposed to be taken by the State Fire Marshal or the application of any statute, rule, or regulation of his office with respect to any establishment or installation, the State Fire Marshal may, and upon application of any party in interest, shall provide for a hearing in his office of which at least ten days' written notice shall be given to the governing body responsible for the establishment involved and to any public official having jurisdiction and upon such hearing before the State Fire Marshal and his Advisory Committee, the State Fire Marshal shall make a decision based upon the evidence brought forth in the hearing and issue his order accordingly. Nothing in this act shall prevent the State Fire Marshal, where actual and immediate danger to life exists, from ordering and requiring the occupants to vacate a building or structure subject to his jurisdiction.