

ONE HUNDRED SIXTH LEGISLATURE - FIRST SESSION - 2019
COMMITTEE STATEMENT (CORRECTED)
LB301

Hearing Date: Monday January 28, 2019
Committee On: Business and Labor
Introducer: Lowe
One Liner: Transfer duties under the Boiler Inspection Act, the Nebraska Amusement Ride Act, and the Conveyance Safety Act from the Department of Labor to the State Fire Marshal

Roll Call Vote - Final Committee Action:
Advanced to General File

Vote Results:

Aye:	6	Senators Crawford, Halloran, Hansen, B., Hansen, M., Lathrop, Slama
Nay:		
Absent:	1	Senator Chambers
Present Not Voting:		

Oral Testimony:

Proponents:

John Lowe Sr.
John Albin
Christopher Cantrell
Josh Josoff
Steven Simpson

Representing:

Senator District 37
Department of Labor
State Fire Marshal
Elevator Constructors IUEC #28
Elevator Constructors Union

Opponents:

Representing:

Neutral:

Representing:

Written Testimony:

Proponents:

Michael Haplin

Representing:

Elevator Industry Work Preservation Fund

Opponents:

Representing:

Neutral:

Representing:

Summary of purpose and/or changes:

LB 301 transfers the Boiler Inspection Act, the Nebraska Amusement Act, and the Conveyance Safety Act, from the Department of Labor to the State Fire Marshal.

Currently the Department of Labor and the State Fire Marshal both have jurisdiction over parts of these industries. By placing the authority with the State Fire Marshal it will help streamline the inspections and both agencies have worked together on this legislation.

The only substantive change is a change in the definition of Boiler on page 2, lines 15-23, in order to match a Federal

definition. Currently state law requires inspections of boilers not required under national standards. The new definition is less restrictive than the current definition. According to the Department of Labor approximately 20 units would no longer be subject to inspections.

Section-by-Section Summary:

Sections 1 through 25: Transfers the Boiler Inspection Act to the State Fire Marshal.

Sections 26 through 45: Transfers the Nebraska Amusement Act to the State Fire Marshal.

Sections 46 through 79: Transfers the Conveyance Safety Act to the State Fire Marshal.

Section 80: Changes the reference in the Mechanical Safety Inspection Fund to the State Fire Marshal.

Section 81: Changes a reference for the Risk Manager.

Section 82: Removes a reference from the Department of Labor.

Section 83: Assigns the sections of law.

Section 84: Makes the operative date July 1, 2019.

Section 85: Repeals the original sections.

Section 86: Outright repeals Neb. Rev. Stat. 48-1820 which contains an outdated reference.

Section 87: Emergency Clause.

Matt Hansen, M., Chairperson