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or any member of this committee, and I would like that particular part of this argument left out of it, because this is not the intent. Our intent is to, get these organizations rather these agencies to coordinate each other, so they will not harass all of these nursing homes, hospitals, jails and everybody else. Let's get it in a sensible manner. I fully realize the emergency clause should not be on this bill. But the matter of fact if we detail it too much, we're going to be right back where we were before.

SPEAKER: Does anyone else wish to discuss this? If not, we'll let Senator Barnett close on his motion to return LB 180 to select file for specific amendment. Senator Barnett.

SENATOR BARNETT: Mr. President, members of the Legislature, I couldn't agree more with Senator Duis. I don't think theres any argument, that the fire marshal and also the' Governors office, if you've noticed some letters, have said it was the Legislature that passed this harassment bill. I'm not arguing with that, I'm trying to tell you that, the Attorney Generals opinion that we have before us, that I gave to you, says they can not promigate rules and regulations unless it is in a State Statute. I don't put 101 in the State Statute, I put what they can promulgate from. Thats all its doing. Its clarifying that in the area of nursing homes, jails and old peoples homes, they can promulgate rules and regulations. It doesn't do any more than that, and I can't understand why Senator Lewis seems to think that it does more than that, for some unknown reason. I definitely agree with you Senator Duis, that these letters that have gone out from the Fire marshal to people saying, it was the Legislatures fault, is misleading. I couldn't agree with you more because I was in the marshals office when we came down here and asked you men to pass that law. The fire marshals office asked us to pass it. You men did it. Now the new marshal turns around and blames the, the Legislature for the law. I can understand your concern, and all I'm trying to do with this Amendment is to remove that restriction and let the fire marshals office promulgate the rules and regulations for inspecting jails, nursing homes, and old peoples homes. Thats just what the amendment does.

SPEAKER: A, Senator Lewis, did you have a question of Senator Barnett?

SENATOR LEWIS: Yes. Senator Barnett, will you yield?

SENATOR BARNETT: Sure.

SENATOR LEWIS: Senator Barnett, what makes you think that any regulations brought out by the fire marshals office would be any different than the ones they had previously brought out?

SENATOR BARNETT: Well to start with, the rules and regulations, if your talking about the ones they promulgate, well the ones they would promulgate, would have to have a public hearing before they could be adopted. Any other?

SPEAKER: Senator Kelly did you have a question of Senator Barnett?

SENATOR KELLY: A yes Mr. President, members of the body, Senator Barnett, how does the Bill as it stands now without your amendment prohibit the fire marshals office from writing rules and regulations for jails, nursing homes, and so forth.