

if you remove 101, there is nothing that spells out jails in the State statutes and would not allow the Fire Marshall to go in and inspect jails for fire safety.

SENATOR CARPENTER: To what extent is 101 now being considered in this bill?

SENATOR BARNETT: They're removing 101 from the bill.

SENATOR CARPENTER: That's in--this amendment?

SENATOR BARNETT: In my amendment--would put jails into the State statute and allow them to inspect jails.

SENATOR CARPENTER: I'd like to comment in answer to the question that the Judiciary Committee which I happen to be a member of, wrote some statute of some number in order to do something about these jails. I don't know what the Fire Marshall is doing beyond that but he's done a magnificent job of shutting a lot of hell holes that shouldn't have existed in the first place and I hope he'll do nothing in order to dilute the power that he now has in that specific area.

SENATOR BARNETT: Well then what you'd have to do, if you remove 101, you remove the inspection of the jails and if you adopt my amendment, you would have jails in the State statute.

SPEAKER: Senator Barnett has closed; that Senator Skarda has a question.

SENATOR SKARDA: That's exactly right sir. Senator Barnett, can we adopt Life Safety Code 101 as a rule or regulation and not as a statute?

SENATOR BARNETT: You could do that through the State Fire Marshall's office if they're allowed to--now they'd have to have a public hearing bill and I'm not sure that you could adopt it in whole.

SENATOR SKARDA: Why, why couldn't you?

SENATOR BARNETT: I think you can--you'd have to have this cleared before you can adopt any part that would remain--

SENATOR SKARDA: I think what--

SENATOR BARNETT: --to the statute, Bill.

SENATOR SKARDA: I think what the prime concern of the body is, they want some hand on the situation. I, they want to be able to--

SENATOR BARNETT: --I agree--

SENATOR SKARDA: --be afforded the opportunity to be questionable about anything that's propogated. I--you can't do it under the statute because if you do that, then you say this the law, the Legislature's at fault, but if you put it under rules and regulations, then you're coming in from in an area where it stands for constant review and consideration because this is what the main concern of the body as a whole is.

SENATOR BARNETT: Tha--that's right but they can only adopt a bill if--Senator Skarda, they could only adopt this if there is an area in 502 that refers to that part of 101 and