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March 31, 2003 LB 265

SENATOR CUDABACK: Senator Tyson, would you respond to a question?

SENATOR TYSON: Senator Cudaback.

SENATOR CHAMBERS: Senator Tyson, what is the purpose of this section, before I discuss my amendment, my proposed amendment?

SENATOR TYSON: The purpose of it is just what is stated. In other words, any rules and regulations that the State Patrol think are necessary to carry out the act can be made by them.

SENATOR CHAMBERS: What my amendment would do is strike "may" and insert "shall".

SENATOR TYSON: Okay.

SENATOR CHAMBERS: Because it seems to me that if they are playing an important role, they should be required to do this rules and regulation activity. But if it's unnecessary to have any rules and regulations, I don't think we ought to leave it open-ended like this. So I'm going to ask you, if I were to strike that word "may" in line 14 and put "shall", do you see harm in that? And I will tell you in front...

SENATOR TYSON: Yes. Yes, I do.

SENATOR CHAMBERS: Okay. So would you...?

SENATOR TYSON: Can I tell you why?

SENATOR CHAMBERS: Yes.

SENATOR TYSON: I don't know, I do not know, what rules and what regulations may become necessary in the future. I think what we have here is a very good bill that have all the... every question answered. That may not be so. If it is not so, and a rule or regulation will make it unnecessary to come back to this body, then I think the State Patrol "may" issue that rule or that regulation, and obviate the necessity of doing so.