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SENATOR CHAMBERS: Yes.

SENATOR BRASHEAR: And in the section you're dealing with, Section 17, that's a grant of authority they may or may not, as they determine.

SENATOR CHAMBERS: But if they decide that they're going to do it, they could adopt rules and regulations relative to any aspect of this bill, even where we have not given them guidance.

SENATOR BRASHEAR: That is correct.

SENATOR CHAMBERS: Do you think that is too broad a grant, and would result in an improper delegation of legislative authority?

SENATOR BRASHEAR: I do not. But I'm just...that's just my opinion. And...

SENATOR CHAMBERS: And that's all that I'm...oh, go ahead.

SENATOR BRASHEAR: And if I may,...

SENATOR CHAMBERS: Sure.

SENATOR BRASHEAR: ...I believe we could adopt your amendment or not adopt your amendment. I'm going to support not adopting this particular one. I don't think it's in error the way it is. It's discretionary. It doesn't obligate the State Patrol to do it. But I do recognize that it will...the act would not fail if your amendment were adopted.

SENATOR CHAMBERS: Well, let us look...let's look at Section 18, which immediately follows. Without going into the specifics of it, the State Patrol could adopt rules and regulations relative to that section, couldn't they?

SENATOR BRASHEAR: Yes They may adopt rules and reg...they "may" adopt rules and regulations, as drafted, with regard to any section. But again, I put in that Section 5 obligates them to draft them, whether they want to or not.