

April 30, 1973

SENATOR BARNETT: As the Attorney General said, and I gave you a copy of the Attorney General's opinion, with the addendum that said on there that they have no authority under State Statute, 81-502 which sets out the responsibility of the fire marshals office. Gives them no responsibility or not authority to promulgate rules and regulations on nursing homes, jails, or old peoples homes, and it has to be spelled out before they can promulgate the rules.

SENATOR FELLY: In other words, we're of the opinion that the fire marshals office can not go in to those places with any regulations until we spell it out in the statute.

SENATOR BARNETT: That's right. If you remove 101, which I have not said, don't remove it. I'm saying going ahead and remove it if you want to, but they can not promulgate a rule in a nursing home or a jail or an old persons home.

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

SENATOR CARPENTER: Yes. Senator, my only interest in the bill is jails. Now what does this do, if anything if and what the fire marshal has been doing.

SENATOR BARNETT: At the present time under life safety code, 101, which is in the State Statute, 81-502, it gives them the authority to inspect jails, for fire hazards and fire safety. If you remove 101, there is nothing that spells out jails, in the State Statute and would not allow the fire marshal to go in and inspect jails for fire safety.

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

SENATOR BARNETT: Their removing

(End of Belt # 4)