

Senator Schmit, followed by Senators Beutler, Haberman, and Coordsen. Senator Schmit.

SENATOR SCHMIT: Mr. President and members, I agree with much of what Senator Landis has said, with the exception that I don't think that we need to worry about the staff being overworked. I read the newspaper obituaries every morning, and when I see an obituary in there where a staff member has dropped dead from overwork, then I'm going to be concerned about that. And I think that my staff works as hard as anybody's. But I want to say this, I do agree with what Senator Landis has said, we should not be shoving onto the staff responsibilities which are ours. Number two, I believe that the bill, as designed by Senator Coordsen, was well intended. Number three, I think that we should have legislative oversight. I believe that I will vote...I know that I will vote to advance the bill. I'm going to meet with Senator Coordsen and other legislators, Senator Beutler, anyone else who wants to do so, and try to place the responsibility where it belongs. If you think you can't get action out of this body, or on this floor, you all received a letter from the Fire Marshal, Mr. Barnett, a former colleague of ours, a very fine Fire Marshall, in which he defended his rule relative to the licensing of backhoe operators. And he proceeded to point out why it was necessary to license a backhoe operator who is taking out an underground tank. I've not read all of this, but I have read much of it. And it appears to me that virtually all of the incidents which resulted in deaths occurred as a result, not of some fellow operating a backhoe improperly, but because some individual took an acetylene torch to a tank and set off an explosion. Now, that is like blaming Senator Landis for some mistake I made on this floor. Happens, I suppose sometimes, Senator Landis, and I apologize, but the facts are that licensure of backhoe operators does not prevent some gentleman, well-intended individual, uninformed, taking an acetylene torch to a tank and setting off an explosion which kills that person. The point I want to make is this, you can use any set of facts you wish to justify what you are doing, if you want to, so long as we don't pay too much attention to those facts. I suggest you get out the information from Mr. Barnett, read it very carefully, and find out how many deaths have been prevented, or could have been prevented had the backhoe operators been licensed as they are now licensed in this state. That brings me back to the original bill. As I have said before, this Legislature operates with some degree of restraint, because we know that when we go back to our constituents someone