

farmer, like myself, has an underground tank, and I pay the same fee that a retailer or a wholesaler pays. And to me that is unfair, because this is only for my own, private use. It's not for retail or wholesale purposes, there is not very much fuel goes through that tank as compared to a retailer, for instance. And so this piece of equipment that I have underground is going to cost me \$100 a year, which, frankly, it is not worth it. And I'll be digging up that tank, if this tank fee gets too high. May be too high already. But it's not too high for...I agree, it's not too high for the people in the business, either on the wholesale or retail. But I think by having that same fee for a private use tank is not the proper way to go, and I will not be supporting Senator Beutler's amendment because of that fact, although I think he has a good idea as far as retail and wholesale users. And I may have a little amendment up here, if his amendment gets on, which will exempt private users as distinguished from wholesale and retail users.

SPEAKER BAACK: Thank you, Senator Lamb. Senator Schmit, did you wish to discuss this amendment? No. Senator Rod Johnson, to discuss this amendment.

SENATOR R. JOHNSON: Mr. Speaker, members, again I'd like to relate some history to the body in the negotiations that took place under 409 in my office with the interested parties. And, as I said in my opening on the committee amendments, there was a concern among the consumer users of petroleum that the marketers were paying in, as the bill was originally written, nothing, it was, basically, the same. The fees would only be changed on the sale of fuel. And they felt that was unfair since the program was, basically, designed as an insurance...state insurance program for the marketers. So they asked if there wasn't a possibility that we could increase the tank fee to at least have the marketers helping participate in the program on a more even level with the consumers of the petroleum. So we worked it out, or at least the interested parties did, and came to the resolution that is now the committee amendments. I have no problem with what Senator Beutler is asking. I think as this program has worked we've seen a number of marketers make access to the fund, to cause remedial action to take place when they've got a leak, whether it's with the tank or a line, or whatever, they've taken steps to get that cleaned up. And I think that's what the goal of the program has been. But I also believe, as Senator Beutler and Senator Lamb have indicated, that the marketers should be paying at least their fair share in this