

SENATOR WITHEM: Yes, I believe so.

SPEAKER BAACK: No objection, so ruled. Senator Withem.

SENATOR WITHEM: Yes, Mr. Speaker, members of the body, my amendment to LB 409...my amendment to LB 409 does one very simple thing, and that is it strikes the Schi...the Schmit amendment from, sorry about that, sorry about that, the Schmit amendment from LB 409. On General File, Senator Schmit had adopted an amendment which prohibits the Fire Marshal's Office from establishing any licensure and certification requirement for contractors doing installation and replacement of underground storage tanks. What we heard on the floor, during the time that this amendment was discussed, was that there is a problem with backhoe operators out there digging holes for installations of these tanks being subjected to this unreasonable regulation by the Fire Marshal's Office. I don't think it was clear to many members on the floor at the time that what we were doing was striking an existing program for licensure and certification of people that are involved in this installation. Since that time, I've got some information from the Fire Marshal's Office, I've distributed that to you. The current situation is that in Nebraska we currently have 70 licensed installers, we have 259 installation certificates, we have 150 closure licenses, and 340 certificates. It goes much beyond the person that is just doing the backhoe operation, it goes to the individual who was responsible for the job. My amendment very simply puts the bill back in its current state, which would be the...the bill would then be silent on this question of certification or licensure. It would allow the State Fire Marshal's Office to continue the program that they now have in effect. Why do we need such a program? Obviously, those of you that have been involved in underground storage tank issues over the last few years know the dangers probably far better than I do. But it's such a problem the federal government has very strict requirements, and in order to protect our groundwater we make sure that underground storage tanks do not leak. Well, the people that put those in make a big determination as to whether they're going to leak or not, whether they take care in putting the tank in, whether they hook up the joints right, whether the pipes don't have any leaks in them, those individuals need to have some sort of knowledge of what can happen to a tank. Likewise, somebody removing a tank. When you're taking a tank out of the ground that's had gasoline in it, in many ways you're dealing with a live bomb. With the