

gas fumes in it, if you're not careful with that, you can have very serious dangers to public safety, and dangers to the individuals that are installing it. As far as whether or not the requirements are particularly onerous, it's my understanding that they are not. That the testing procedure that's used to give a certificate is really relatively simple. An individual that's in the business of digging in the ground, installing tanks, moving tanks, has an understanding of what is required of them. They are given a booklet to study. All of the questions on the test are taken from that booklet, so it's a simple matter of assuring the Fire Marshal's Office and the citizens of the state that we have licensed people carrying out these responsibilities. What will happen if the Schmit amendment passes? A couple of things will happen. We won't have any guarantee that the people that are doing these installations, in fact, are qualified, number one. Number two, the Fire Marshal's Office then, when they have a qualified, licensed installer, can, in fact, delegate a lot of the responsibilities to that person, because that person's license stands behind their installation. If they have unlicensed, unqualified people making the installations, you're going to see more and more fire marshal's time spent out on the job, making...supervising visits, paying attention to what's being done, and there are going to be more and more delays in the installation and removal of these. During the time that this amendment was brought up on the floor there were a number of people back here, who were saying, after they realized what the amendment had done, that yeah, it probably goes further and we need to do something to fix up the amendment. And, frankly, I tried to come up with some sort of a middle ground. And really, the more I look at it, that we ought to be able to allow the Fire Marshal's Office to continue to operate their licensure and certification program as it now exists. And so I am suggesting to the body that as a matter of good public policy we should strike the Schmit amendment that was adopted on General File.

**SPEAKER BAACK:** Thank you, Senator Withem. Discussion on the amendment offered by Senator Withem? Senator Schmit.

**SENATOR SCHMIT:** Mr. President and members, I rise in opposition to the Withem amendment. I want to point out that the rules and regs for the Fire Marshal's Office, at this time, do not require that a backhoe operator be certified, or even tested. That comes as a surprise to a great many backhoe operators. Why? Because certified installers have told backhoe operators, sorry