

SENATOR COORDSEN: What is the background on it?

SENATOR KRISTENSEN: There is a federal law that requires them to have and become part of a system that does that.

SENATOR COORDSEN: Um-huh.

SENATOR KRISTENSEN: Now, the penalty is, and I've not stood up, nor would I think it's fair for anybody else to stand up and say that this is a federal mandate that we must do it under heavy penalty of federal law, because the penalty is a fairly small penalty to the state fire marshal's office. But it is a federal law, and eventually it's going to evolve, I think, to a lot more, because as you have more states become mandatory you... I think you'll see other industries come in and want that same system. But...

SENATOR COORDSEN: Second, second question then, so for those people who are transporting those sorts of substances in buried pipes, there is no need for the word mandatory, because they must be part of it, under federal regulation? Would that be a...would that be a correct statement?

SENATOR KRISTENSEN: They need to be under some system, yes. The state needs to have that system or we'll suffer some of the...the small penalties, that's probably my interest, I guess. But it's not...it's not like losing 5 or 10 percent of your federal highway funds.

SENATOR COORDSEN: But...but it is at the encouragement...well, I have certainly no disagreement with...with that system, because in those particular cases, and there is...exists a possibility, I suppose, within certain areas for buried electrical cables. But other than that, I really, certainly with the inclusion of the Withem amendment, I would question at this time the need to make this mandatory. There was reference made to two years before this act becomes applicable. It's an indication that the system itself is just now being put into place. We don't know for sure how it's going to work. I'm making an assumption that it's going to work very well and that it will be heavily utilized. And if observation of what has happened in the past has any value, given the low cost of participating, on the part of the operators of all types of buried utilities, it is...would be my prediction that even without the mandatory part that all of the people who operate