

SENATOR HEFNER: Mr. President and members of the body, this is a Revenue Committee bill. It is called the Petroleum Products Act and it deals with the testing of alcohol in gasoline that is sold in our state. Gasohol or super unleaded must have 10 percent alcohol and the alcohol in gasoline is real hard to test. And this amendment would require that a sample be obtained in such a manner to minimize the distortion and the contamination. Alcohol is hard to mix with gasoline and it is hard to keep the alcohol mixed. So what it says in this bill, that after the Department of Agriculture has taken a five-gallon sample from the pump, to calibrate the pump, well, then they take a little of this gasohol or the gasoline mixed with alcohol and put it in a sample, but besides that they would also have to take a sample from the bottom of the tank, the middle of the tank and the top of the tank and then mix them together and send this sample in. It also says that if the alcohol equals or exceeds 9 percent, it shall be deemed to pass the test. And so with this in mind, I move for the adoption of the Revenue Committee amendment to this bill.

SENATOR CARSTEN: Senator Warner, on the committee amendments.

SENATOR WARNER: Mr. President, if Senator Hefner would answer a question. I understand...I assume that the 9 percent is because there may be variance but are we not as a practical matter just reducing the 10 percent to 9, because all you have to meet is 9 in the test. I can't imagine anybody shooting for 10 percent if you only have to have 9 percent to get by on a test.

SENATOR HEFNER: I don't think this would happen because the law says that you must mix 10 percent alcohol with this. And all we would have to do is go back to the pipeline or the place where they added the alcohol and check with that. So I don't think so, but if we keep it at...if we require the testing to be at 10 percent, well, it is very hard to test this, and in some of the samples that they are testing now, we have seen to it that 10 percent alcohol was added, and then when the Department of Revenue went out to test it or the Department of Agriculture, the test really varied and so this is quite a problem and I am hoping that this will answer the problem, and if it doesn't, well, we will come back next year with another bill.