

whether or not their plans are satisfactory.

SENATOR BEUTLER: Yeah. No, they can...they can require a separate plan and if that plan is not acceptable to them, under the procedures of the Ground Water Quality Act, they can ask that the plan be changed and modified. So they would have total control and if it didn't work out, they could...they could let go of the entire system if it proved to be ineffectual under the language of this amendment and do it in whatever way they thought was effectual.

SPEAKER BAACK: When you say that they have to determine it's ineffectual, what is...what exactly do you mean? You were talking about we have broad language in the bill, that seems to be fairly broad also.

SENATOR BEUTLER: Well, under the state management plan, you're setting up specific standards with regard to pesticides that have to be met all across this state and ineffectual has a clear meaning, in my mind, in the sense that if those standards are not met and the NRDs are not able to take reasonable action to enforce or to meet those standards then it's been ineffectual.

SPEAKER BAACK: Well, Senator Beutler, I'm not sure. I think it might be okay but I'm not real sure. I...I would like to look at the...you know, when you're talking about procedures with the Ground Water Management Protection Act, I would like to look at those procedures and I just don't want to see us getting into a situation where we're not leaving the ultimate authority with the Department of Agriculture. I think this maybe doesn't do that but I'm not sure. And so, at this point, I'm probably going to have to say I'm going to have to oppose this amendment because I'm just not certain exactly how far this goes. Thank you.

PRESIDENT MOUL: Thank you, Senator Baack. Senator Dierks.

SENATOR DIERKS: Madam President and members of the body, again, I would like to urge you to not support this amendment because I think that under this amendment nothing really changes. You...what you do is if you have a power hungry Department of Agriculture, this amendment makes it specific that they can exclude the NRDs and I don't think that was the intent of this bill. I guess that I'm having some difficulty with getting an amendment at the eleventh hour and not having a chance to go