

SENATOR HOHENSTEIN: Madam President and members of the body, I understand what Senator Beutler is attempting to do here and I generally support the concept. I think there is some concern. I served on an NRD for five years and I do support the NRDs really having the first front-line control of the situation. There is some concern I have, the same that Speaker Baack talked regarding the definitions used here and I think maybe that's something that Senator Beutler could work on, but I think it's difficult to determine that enforcement in a designated area is ineffectual unless we've really told the NRDs specifically what they have to do. If there are some specific standards and rules and regulations that they need to follow, there may be...there may be situations that arise where, by virtue of the limitations we have placed on the NRDs themselves it's not really ineffectual but it just doesn't work. They may have done everything we've asked them to do but because of the problem or the nature of the overflow into maybe other multiple NRDs or areas that we just haven't considered that their enforcement is as effective as we've allowed them to be, but it's simply not...it needs more of a master plan, and I think there may be some need to do this. I'm just wondering whether the rules and regulations that would be developed for the administration of this act would include this sort of provision and I don't know whether it would or not and I will give a little bit of time left to Senator Beutler, maybe he could respond to that. But I'm wondering whether we would be able to effectively develop rules and regulations that would cover this situation, that would allow in two situations, one where the NRDs simply cannot handle the problem because it's bigger than a particular district. And the other situation which I think is maybe something that Senator Beutler is concerned about and possibly rightfully so where the rules and regulations are simply not being administered or the goals sought to be administered by a particular NRD are not sufficient to solve the problem. Senator Beutler, would you just give us some idea of whether the rules and regulations do you think could solve that problem or whether this...you feel this has to be something that has to be placed in the statutes?

SENATOR BEUTLER: Senator, as you well know, we always have an option on those matters but in any situation where basic fundamental ways of doing things are concerned, especially controversial things, we have always been careful in this Legislature to build into statute protections that we think might not get there if it were left to rule and regulation.