

have to set up a process if they're going to...they're going to have to develop a set of rules and regulations for the implementation of FIFRA and part of that rule and regulation process is going to be a hearing process. They're going to have to have hearings on the rules and regulations that they implement. And if they're going to make any major changes, they're going to have to have hearing on those. I don't think we need to specifically spell that out here because we have public hearings on most things that take place in this state and the department assures me that that will be part of their rule and regulation, it will be public hearings to be held. If they're going to designate areas as problem areas, they're going to have public hearings in those areas. They're not going to simply just walk out and do that. I think we run some real risks by doing this. I think the main risk is that we take the Department of Ag out as the lead agency and we insert three agencies as the lead agencies and I don't think that we are going to see that be a plan that is going to be approved by the department...I mean, by the environmental protection agency because you don't have any single agency that has the ultimate hammer. You've got three agencies all with coequal power and I don't think you're going to see them approve that. So I would stand in opposition to the amendment.

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

SENATOR WITHEM: Yes, Madam President, members of the body, I have, up until now have been like, unfortunately, like too many members of the body that have been attending to probably other matters and I know all matters are important to us when we're working for our constituents here, but too often what tends to happen when a bill like this hits the floor that is fairly technical in nature that is referenced as a have-to bill, we all let other people do the battles over it and kind of half listen to the arguments. Maybe I was half listening to the wrong arguments here but I'm beginning to get a little concerned about the process that I see unfolding. As I understand this bill, it is a bill that under which Nebraska will be creating its own regulatory environment for pesticides. As I see the bill, it is designed for protection of all Nebraskans, not just the agriculture community. I recognize the concerns coming from the ag community because they are the predominant users of chemicals that if there are major changes in the way in which they are applied or what can be used and what can't, it's going to be a major change in the way their lives operate. I understand their