

ask that you would recognize that fact, save the state considerable time and money in promulgating an additional set of rules and regulations within an agency that does not...that really doesn't have the ability to enforce transportation or the storage areas near as well as the Fire Marshal's Office, the State Patrol and the DEQ who are already involved in this and have rules and regulations already in place. And I'd ask your adoption of this amendment.

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

SPEAKER BAACK: Yes, Madam President and colleagues, I think Senator Elmer's amendment is okay to this bill. I think it just takes two areas out of the Department of Ag that are already very heavily regulated by the other departments, as he stated, and I would rise in support of the amendment.

PRESIDENT MOUL: Thank you, Senator Baack. Does anyone else wish to speak to this amendment? Senator Beutler.

SENATOR BEUTLER: Madam President, I find this remarkable, I guess, in this sense. I wish you all would look at this particular section of the statutes. Page 15, it says the safe handling, transportation, storage, display, distribution, use and disposal of pesticides and their containers. Well, I'm not sure what is happening here in terms of what people are thinking in their minds, but you've just wiped out a whole two...two whole areas that we've been discussing the first two times of debate just like that. We talked about the conflict with the containment law with those structures that are being built around pesticide storage tanks and now the Department of Ag is going to have nothing to do with storage any longer, and nothing to do with transportation. It seems to me that we're getting back where we want to go but, again, it's being done with a broad brush instead of looking carefully at who has jurisdiction in different areas. But if this broad brush approach is acceptable to the proponents of the bill, then really the only other area under that provision that is troublesome to me is the basic use language on page 15, on line 25, "and disposal" which gets into the area of the landfill law that we passed last year. So, I guess, I'll just go ahead and propose an amendment to Senator Elmer's amendment including striking "use and disposal" and then probably we're pretty close to where we should be. But it would be on the same theory that those areas are already regulated in other ways by other agencies which would be the