

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

SENATOR BEUTLER: Madam President, one question I would have, please, of the sponsors of the bill, I guess, and I will start to frame my question, perhaps, Senator Baack. We've had discussion several times this morning with regard to what the federal statutes and the federal regulations require with regard to having a lead agency and with regard to having a lead agency that has ultimate authority with regard to pesticides. Now all of a sudden in the areas of transportation and storage, we guess we don't need a lead agency and I guess they don't need to have ultimate authority over pesticides. It seems to me that all of a sudden we have a contradiction in theories here and beyond that then if this particular part of the bill is not required by EPA in order to have an effectively functioning lead area, lead agency, I would ask if you if the other portions of that particular section having to do with use of pesticides and having to do with disposal of pesticides are also required in order to meet the federal law requirements.

SPEAKER BAACK: Senator Beutler, the use certainly would be because that's the application of them. That's what the use of the pesticides is and that certainly is part of it. I think that one of the things that we didn't want to necessarily try to...the reason that we agreed to saying that storage doesn't necessarily have to be part of it is we didn't want to get into the involvement, we didn't want to get involved in the containment issue. The containment issue is one of them that they are developing rules and regulations for right now. The Department of Environmental Quality is doing that. We did not necessarily want to drag that issue out here and say we were going to interfere with that process because we're not going to interfere with that process. I think it's spelled out very clearly in other places in the bill that we're not going to interfere with that process, but if people thought that we were going to interfere with that process here, that we'd take that word out. That's what they thought we were going to do.

SENATOR BEUTLER: Let me ask you this, Senator. If the label of a particular pesticide instructed that it be transported with certain precautions, what...would we not need jurisdiction as the lead agency in order to see that that label was followed with respect to transportation or storage?