

environmental concern than would somebody selling it in 100-gallon drums to be applied in big fields. I would assume that would be correct, that the volume sold for under one label would be entirely different than volume sold under another product.

**SPEAKER BAACK:** The volume would be different, there is no doubt about that, but whether or not and how that was applied and whether that person followed label directions would determine more as to how much environmental danger there is going to be.

**SENATOR WITHEM:** Okay, somebody like me spraying it and drifting over and hitting my neighbor's tomato plants might cause more damage than somebody that knew what they were doing with it. Are you attacking my personal abilities to handle this product? No. Thank you very much, Senator Baack, for enlightening me on that. With that understanding, I think the Beutler amendment does make some sense. I don't understand why it is a particular problem of separating this out by volume. If we're going to have a majority of the work done by this Department of Agriculture, and I assume if it's in the Department of Agriculture, the majority of the product is going to be used in the agricultural arena. If that is the case, I don't understand why we should not have a fee structure that puts the majority of the fees out into the agriculture part of the economy that uses the majority of these products. I think it is being somewhat inconsistent here. On one hand, we're saying it has to stay with the Department of Agriculture. They have to be in charge. They have to be the ones who control the program. At the same time, we're now arguing that, no, we have to maintain a fee structure that doesn't target agriculture and doesn't make agriculture pay the largest share of the cost of administration. Again, being somewhat of a novice to this issue, but somebody that has become interested with it as the debate has gone on, I find the Beutler amendment has some appeal and I plan to vote for it at this point.

**PRESIDENT MOUL:** Thank you, Senator Withem. Senator Dierks.

**SENATOR DIERKS:** Madam President and members of the body, I rise in opposition to the amendment. There is a 100 dollar fee with the bill, \$40 of which has nothing to do with the bill. There already is a collection fee of \$40. So even if one of these small volume products was sold in such a small amount that only \$1 is added to its fee, its fee is still \$41. That would