

heard, over the last two days, several concerns that the Ag Department is the lead agency. This amendment maintains that, maintains that the Department of Agriculture will be the lead agency, they will do the regulations, the licensing and those administrative functions. What it does create though is a committee of all those agencies that are important to come up with the rules and regulations established for this act. Because the bill entails and has a lot of other concerns as far as pesticide use contamination, I think that all of these agencies need to play a part in establishing those rules and regulations. So, with that, I'll answer any questions.

PRESIDENT MOUL: Thank you, Senator Avery. Speaker Baack.

SPEAKER BAACK: Yes, Madam President and colleagues, Senator Avery, I'd like to ask you a question. On...you stated that we create this committee consisting of all these various directors. What happens in the case where all these various directors get together and they can't come to a consensus on the rules and regulations? Who does it then?

SENATOR AVERY: Well, it's...I would think with the...the...with the agriculture...it states that the Department of Ag will be the chairman. And otherwise we'll have to go with what EPA has...has set up, as far as the standards. I think that all these agencies, we had said before that they will be involved, and I think we can...they will come to an agreement. They're going to be involved anyway. I don't see where they won't come up with an agreement on the rules and regulations.

SPEAKER BAACK: Well, Senator Avery, I think you're going to run into the same problem with this as we discussed yesterday. You're not...you're...EPA is going to be real concerned with this because you're not going to have a lead agency for setting up rules and regulations. You're going to have rules and regulations by committee. And the EPA is not going to know who they need to work with and who, in Nebraska, is in charge of the program, because we're not going to have an agency that's in charge of the program. You're going to have...you're going to have rule and reg by committee, and I think you're going to run into exactly that same problem we were talking about yesterday. We do not...we would not have a designated lead agency here, we would (inaudible) a committee that's in charge of this program, and I don't think that EPA is going to accept that. So I...I would have to say that I'm going to have to rise in opposition