

SENATOR DIERKS: There are a number of biological agents, such as aphids, even fungi, I think some insects that are considered beneficial in their use and control of weeds, for instance. So some of those...there has to be a definition, all fungi and all bacteria, and all insects are not pests, per se, some of them are very beneficial.

SENATOR BEUTLER: Okay. But even with the...with regard to the items in subsection (a), they're not all pests, per se, either, it depends on whether they're defined by the department as pests.

SENATOR DIERKS: I'm not sure where you are, Chris,...

SENATOR BEUTLER: Right? That's what I (inaudible).

SENATOR DIERKS: ...in the bill. What page are you on?

SENATOR BEUTLER: I'm on page 10, line 8.

SENATOR DIERKS: I see. Now, what's your question again?

SENATOR BEUTLER: Well, I'm concerned because subsection (a) doesn't say as defined by the department, subsection (b) does.

SENATOR DIERKS: Well, I think that subsection (b)...

SENATOR BEUTLER: Is that...is that intended to apply both to A and to B?

SENATOR DIERKS: I think that B is a continuation of A. After A it says or.

SENATOR BEUTLER: All right. So all of those things, both in A and B, have to be defined by the department as a pest before they become a pest under the act.

SENATOR DIERKS: Yes, I'm sure that's right.

SENATOR BEUTLER: All right. The other thing I wanted to ask you about, with regard to the state management plan it says in there that the Department of Environmental Quality has the power to set certain standards and the Department of Health has the power to set certain standards. And the way I read that, that