

to jurisdiction and the splintering of jurisdictions, and who's going to have authority for what as opposed to having one integrated program under one agency looking at the overall problem of groundwater quality. There are a number of aspects of that, one that I wanted to quiz you about a little bit right now is simply this, let's say, as you know with regard to groundwater control areas, that's the responsibility of the NRDs and/or the Department of Environmental Control, under current law. And let's say that acting together they determine that there should be a control area in a particular situation where atrazine, which I think is an economic poison under the definition of this bill, is a problem. And let's say that the NRD in that particular control area then subsequently puts some kind of regulations with regard to the application of products containing atrazine. Is it...is it clear in the bill, as it's presently drafted, that they could do that, or will we be involving ourselves in enhancing payment to the lawyers, once again, by inviting a lawsuit by someone who is...who doesn't want to be regulated saying the NRDs can't do this because the Department of Agriculture has jurisdiction under the Economic Poisons Act, or whatever this is called. Do you see what I'm getting at?

SENATOR R. JOHNSON: Yes, Senator. The example you use is obviously a fictitious one at this point because I'm not aware that an NRD has ever implemented a protection agency...or area because of atrazine, at this point. But Senator Hillman and I were just having a conversation shortly...or just a moment ago about the crossover of jurisdictions, the concern that some people have that the Department of Agriculture, the Department of Health, the Department of Environmental Control, Natural Resource Districts, all have to have something to do with this issue, because they all are in and of themselves probably helping regulate chemicals in Nebraska, or register chemicals, as the Department of Agriculture does now. And obviously I don't want to see us create a program that simply is a stipend for attorneys. But somewhere I think you have to have a lead agency in this state to address the basic concerns that the federal government is coming down with, the pesticide and groundwater strategy. About four or five years ago, when I first got involved with this issue, when I was Chairman of the Ag Committee, we met with a variety of farm organizations and agribusiness organizations, and we wrote the bill, basically, taking into consultation all of their opinions, and that included the fertilizer association and others. And to the