

TRANSCRIPT PREPARED BY THE CLERK OF THE LEGISLATURE
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significant problem because we really didn't have any people to enforce the law, nor were livestock operators generally abiding by the law in terms of coming into DEQ and identifying their operations and getting them permitted or not permitted. I think all that's changing now to a certain extent.

SENATOR VRTISKA: But getting to the point, what this...what 822 does is, in from what I'm reading, is basically address the trout stream issue in Nebraska. We've got regulations I would assume that all...that at the present time regulate trout streams, as well as all streams in Nebraska, and I'm trying to figure out, even though...

SENATOR BEUTLER: Why you need special...

SENATOR VRTISKA: ...it's only in rule, it's in rule and regulation, but now we're trying to say we want it in statute that certain things have to be done and monitored by DEQ. Is that what we're saying? Rather than their set of rules, we're going say this is the way it's going to be.

SENATOR BEUTLER: Well, their set of rules derive from whatever rules we make,...

SENATOR VRTISKA: Well, but they...

SENATOR BEUTLER: ...you know, coming...they all come around (inaudible).

SENATOR VRTISKA: That's true, except the department has the latitude to write into rules even outside of the statute, based on the statute, as I understand it. And I'm trying to figure out right now where we're...where we're duplicating and saying, in the specific instance of trout streams, that we have stricter regulations in some instances in order to keep the damaging elements that come from whatever we apply on the soil or comes out of these lagoons or whatever gets into those specific streams, and I...I'm at a loss to understand why we're now trying to. Even though I don't oppose 822, all these amendments that are coming on are, in some instances, just a reaffirmation of what I thought was already in the statute...or not in statute but in rule and regulation.