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committee amendment strikes the word "pesticide" which would have allowed the natural resource district to regulate the rate and timing of pesticides. The natural resource districts cannot regulate the rate and timing of pesticides. Control of rate and timing of pesticides are governed by federal law under FIFRA, and the Department of Agriculture has the responsibility for enforcement of this act.

SENATOR ENGEL: Senator Beutler, you're recognized.

SENATOR BEUTLER: Mr. President, members of the Legislature, I think what the NRDs are trying to do here with regard to the rate and timing of fertilizers is very, very good. However, I want to go back and give you some perspective on this pesticide issue because I don't think that the indication that federal law requires that to be in the Department of Agriculture is correct, if that implication was intended. The fact of the matter is, a few years ago we had a major debate in this body about whether FIFRA, the pesticide act, would be a part of what the NRDs did, that is, enforcement of it would be part of what the NRDs did. And that was at a time when we were starting, just starting to develop the management areas and allow the NRDs to form whole plans for how water would be protected. And the decision was made by this Legislature, and I think erroneously, to put all of the regulation of pesticide, by and large, with the Department of Agriculture. What should have happened is that the rate and timing of pesticide applications should have clearly been put with the NRDs, because just like fertilizer, pesticide is something that leeches down into the ground water and can be a problem, depending on the area and the application rates and the timing of the application. So if you're trying to protect the quality of the ground water, you need to protect for fertilizer and you need to protect for pesticides. And what we did a few years ago was wrong in the sense that it injected the Department of Agriculture into the local NRD decision about what is the right balance to protect the ground water in their area. It's okay for the Department of Agriculture to determine what should be on the label of a pesticide and to have rules and regulations about the uses of particular pesticides. But when it comes to the question, not of whether a pesticide is being properly used in accordance with its label and in accordance