

been defined something to the extent of substantial compliance trying to lead towards reasonable.

SENATOR VICKERS: That's correct.

SENATOR HANNIBAL: Okay, thank you, Senator Vickers, for your comments. It concerns me greatly that you are putting this what I think would be a tremendous amount of power in the hands of an appointee of a Governor and substantial compliance has been the subject of court tests and court cases ad infinitum and it is a matter of, in many cases, subjectivity. And while Senator Vickers, I am sure, does not anticipate or envision that there would be any abuse or any overzealousness on the part of the Director, I am not sure that we would want to put into statute that possibility. I am very much aware of the concerns with the noxious weed program. Although I am a suburban dweller as opposed to a rural dweller, we do have our share of musk thistle, and as a builder, I have seen some we would like to tell our prospects that those are flowers and that we won't charge them any more for them, but we do take care of them.

SPEAKER NICHOL: One minute.

SENATOR HANNIBAL: Seriously, I am very concerned about the ramifications of this. And while I am in sympathy with what Senator Vickers and Senator Johnson are trying to do, I think that we are using an elephant gun to take care of a flea and I could not support the amendment in its present form.

SPEAKER NICHOL: Senator Harold Sieck, please.

SENATOR SIECK: Mr. President and members of the body, I have some problems with this also. The only way you are going to enforce something like this is the citizens themselves have to enforce it. I know in my particular area some of the citizens were concerned about some of the musk thistle and they reported it to the weed board and the weed board then notified the farmer if he didn't spray it, they would. It was sprayed, not by the farmer but by the county and the county then billed him for it. Now, you do this a few times in the county and I tell you the people start taking notice, we better take care of it. I think that is what it has to be. I have difficulty trying to get the state out here trying to say that we are going to take funds