

for crops that were treated by aerial applicators. I might add I'm getting a little bit of a reaction to that. As a former aerial applicator I guess I'm being accused of treason. But I want to tell you very frankly that many times when I used to fly over a field and leave it, miles from the farmer's home operations, I was concerned about whether or not a service man, an engine man, a fuel man, an REA service man might inadvertently drive right into that field and be subjected to chemicals. So we took great precautions to see to it that it did not occur. It was very easy for me, with a helicopter, to set the bird down and provide signs. It's not quite so easy for the airplane pilot. But nonetheless I think that posting of these fields is a situation which needs to be done. I know it is a nuisance, but I can tell you that a couple of good scares and I think most of us will agree that it is necessary. I want to point out also that not all chemicals, of course, are dangerous. Not all of them are a threat to life or limb. But those that are restricted chemicals I believe should require for posting the signs. It is kind of interesting my fellow spray pilots thought it was alright to post the signs for the chemigation practice. I hope they see the wisdom of posting it in their own operation. Section 31, reporting of spills and recovery plans. Section 32, tort claims for damages.

PRESIDENT: One minute, please.

SENATOR SCHMIT: Section 33, technical assistance by the department in the districts. Section 34 department duties; 35, district rules and regulations; 36, council rules and regulations; 37, affirmative defense, one of the most important parts. If you comply with the law, providing for chemigation, that shall be an affirmative defense in the event you would have a spill. Section 38, district actions following a violation, restraining order, schedule of compliance, the attorney general and/or county attorney responsibilities. Section 39, penalty for not getting a permit. Section 40, penalty for chemigating when permit has been suspended or revoked. I believe it is a Class II penalty, it is a \$1,000 fine and/or 6 months in jail and it's for each day that the violation occurs, I think a very substantial penalty. Section 41, penalty for tampering with equipment; 42, penalty for failure to notify of a spill; 43, penalty for other violations; 44, department hearing regarding the takeover enforcement. If a natural resource