

SENATOR ASHFORD: That's my understanding of what (inaudible).

SENATOR WITHEM: Okay, what I want to know is at what point do those diaper companies that have their packaging equipment all lined up ready to go to stamp the word "compostable" on their products, at what point do they know that they are going to be able to market that in Nebraska? Who says whether or not we have the facility, whether or not the facility is, in fact, one that does what it says it does, what standards does that facility have to meet? I supported your earlier amendment because I think it improves the bill, but I'm curious, the more I think about it, how do we know that the facility that Senator Pirsch has read something about in the newspaper and thinks exists over there in Council Bluffs, how do we know whether that is...the existence of that particular facility meets the standards that you intended here? And use the rest of my time, if you care to, to respond to that.

SENATOR ASHFORD: Well, that's a point that I was thinking about as well and my answer to that would be...or my intent would be that the DEC would make that determination that there is a facility, as defined in the act, suitable to provide the composting. I think there still is...are some questions in the bill as now written related to those exact points, and I, quite frankly, I don't have a specific answer except that I would say that if they go ahead and market today and there is no composting plant of any kind, it's a violation of the act. That would be my intent.

SENATOR WITHEM: Okay. I would suggest maybe, and not to delay things longer here, but I'd suggest maybe you and I work on some language. I think your idea of DEC certifying the existence would be a good triggering point, so I think that everybody needs some better definition of that so maybe we ought to work on that. Thank you.

SPEAKER BAACK: Senator Ashford, do you wish to...?

SENATOR ASHFORD: Just, thank you, Mr. Speaker, very briefly, I think I would...I intend to vote to advance this bill on General File but as we get to Select File I think Senator Withem and I will try and put some language together and, hopefully, it could be put on the bill on Select File so that there is something specific in the bill to trigger the application of the statute