

one specific department or agency preference over another. The committee inserted the preemption clause, which addresses potential problems raised by a recent U.S. Supreme Court ruling, and I think Senator...yeah, Senator Coordsen. I think we will let him explain that after a bit because I think he has studied it more than some of the rest of us. The committee provides funds for the state's cost share for drafting and implementing a statewide plan, and the third committee amendment would increase from \$40 to \$55 the annual registration fee on approximately 6,700 chemicals currently registered annually for sale in the state. The department estimates that this will generate approximately \$100,000 annually, and they will be sufficient to meet the state's share of the funds needed to draft and implement a statewide management plan. The bill designates these funds to be placed in the Economic Poison Administration Cash Fund and no General Funds of the state will be needed for this bill. I would note that the major portion of the cost of drafting a statewide plan and implementing FIFRA will be picked up by EPA. The current federal-state cost share ratio was 85 percent federal, 15 percent local and this ratio is consistent with other states. Finally, the committee adopted an amendment regarding operative dates for certain provisions of the bill. For instance, the increased registration fees, the preemption clause, and the provision designating the Department of Ag as the lead agency would become operative on the effective date of this act, while other provisions pertaining to a statewide management plan would go into effect when a statewide management plan is approved by EPA. For many years, opponents of FIFRA have raised legitimate questions about the necessity of the state assuming the responsibility for its administration, and I was among them, but I continue to share the concerns about the potential cost to the state and the impact that FIFRA may have on ag and businesses that will require the use of chemicals. However, I feel that by naming the Department of Ag as the lead agency and responsible for contracting with other state agency making the department ultimately responsible for the enforcement of FIFRA, I am confident that a sensible plan can be developed. I would emphasize that LB 349 establishes a means by which the state can apply for and receive federal grants and monies for the administration of FIFRA. Many have also raised the question why Nebraska should assume this responsibility when the federal government appears to be doing a reasonable job. I can argue about the reasonableness of EPA regulations for FIFRA in Nebraska and cite some horror stories that have already occurred in this state, but I think we have