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MEMORANDUM

To: House Committee on Agriculture
From: Kyle Hamilton, Assistant Revisor of Statutes
Date: February 6, 2017
Subject: Bill Brief on HB 2134

HB 2134 would extend sunsets on various agricultural fees to 2025 and allow the secretary of the Kansas department of agriculture to charge an administrative fee to cover the costs of collecting such fees.

Section 1 would extend the penalty for late commercial fertilizer inspection fees to 2025. 84% percent of the fees collected would be credited to the state water plan fund, 2.5% would be credited to the fertilizer research fund and 13.5% would go to the fertilizer fee fund. It would also allow the secretary of the Kansas department of agriculture to charge an administrative fee to cover credit card transaction fees. The administrative fee would apply for any fertilizer inspection or penalty fee that is collected by the department via credit card, remitted to the state treasurer, and then distributed to state funds or programs outside the department.

Section 2 would allow the secretary to charge and collect an administrative fee for moneys collected under the agricultural chemical act of 1947 before remitting the remainder to the state treasurer. 67% of the amount remitted would be credited to the state water plan fund and 33% would be credited to the agricultural chemical fee fund.

Section 3 would amend language in K.S.A. 2016 Supp. 2-2212 to clarify that the secretary can collect an administrative fee before remitting agricultural chemical fees to the state treasurer.

Sections 4 through 8 would extend sunsets on various fees within the Kansas pesticide law to 2025 and allow the secretary to charge and collect an administrative fee.

Section 9 would clarify that the secretary can collect an administrative fee before remitting pesticide fees to the state treasurer.

Sections 10 and 11 would extend current sunsets for chemigation fees to 2025.

Section 12 would allow the secretary to charge an administrative fee for collecting annual environmental assessments before those assessments are remitted to the state treasurer and credited to the Kansas agricultural remediation fund.

Section 13 would restore the inspection fees for Class 1 and Class 2 dams, which were deleted in 2013 HB 2363.

Sections 14 through 18 would extend current sunsets for various water fees to 2025.

HB 2134 would become effective upon publication in the statute book.