

Approved April 6, 1987  
Date

MINUTES OF THE HOUSE COMMITTEE ON AGRICULTURE AND SMALL BUSINESS

The meeting was called to order by Representative Clifford V. Campbell at  
Chairperson

9:10 a.m./~~p.m.~~ on March 31, 1987 in room 423-S of the Capitol.

All members were present except: Representatives Dean and Gross, who were excused.

Committee staff present: Norman Furse, Revisor of Statutes Office  
Raney Gilliland, Legislative Research Department  
Pat Brunton, Committee Secretary

Conferees appearing before the committee:

Discussion was held on Senate Bill 277, the commodities commission refund bill.

Representative Beauchamp made a motion to amend SB 277, Attachment I.  
Representative Bryant seconded. After discussion, the committee voted and the motion passed.

Representative Hamm moved to pass favorably SB 277 as amended.  
Representative Bryant seconded and the motion carried.

Discussion was held on Senate Bill 123 - modifying the Kansas pesticide law.

Representative Apt made a motion to amend SB 123, Attachment II.  
Representative Sallee seconded and the motion passed.

Representative Freeman made a motion to amend SB 123 by changing 5 years to 3 years on line 240 of the bill. This would be consistent with other record keeping policies of the pesticide program. Representative Crumbaker seconded and the motion passed.

Representative Apt made a motion to recommend favorably Senate Bill 123 for passage. Representative Mollenkamp seconded and the motion passed.

Discussion was held on Senate Bill 282 with Chris Wilson explaining the fee changes that would be agreeable with the Kansas Fertilizer and Chemical Association, Kansas Cooperative Council, and the Plant Health Division of the State Board of Agriculture.

Representative Solbach made a motion to take SB 282 from the table and work it. Representative Crumbaker seconded. A vote was taken with 6 yeas and 8 nays. The motion was defeated.

The meeting adjourned at 9:51 a.m.

Proposed Committee Amendment

## Proposed amendments:

On page 2, in line 72, preceding the period by inserting the following: "and a refund for any one commodity shall not be issued unless the amount of the refund is \$5 or more for such commodity";

On page 3, following line 97, by inserting the following section:

"Sec. 3. K.S.A. 1986 Supp. 75-3170a is hereby amended to read as follows: 75-3170a. (a) The 20% credit to the state general fund required by K.S.A. 1-204, 2-2609, 2-3008, 9-1703, 16-609, 16a-2-302, 17-1271, 17-2236, 17-5609, 17-5610, 17-5612, 17-5701, 20-1a02, 20-1a03, 34-102b, 44-324, 44-926, 47-820, 49-420, 55-~~1317~~ 55-155, 55-609, 55-711, 55-901, 58-3074, 65-6b10, 65-1718, 65-1817a, 65-2011, 65-2418, 65-2855, 65-2911, 65-4610, 66-1,155, 66-1503, 74-715, 74-1108, 74-1405, 74-1503, 74-1609, 74-2704, 74-2902a, 74-3903, 74-5805, 74-7009, 74-7506, 75-1119b~~7~~ and 75-1308 and ~~75-1509~~ and K.S.A. 1986 Supp. 65-5413 and 65-5513 and acts amendatory of any of the foregoing including amendments by other sections of this act is to reimburse the state general fund for accounting, auditing, budgeting, legal, payroll, personnel and purchasing services, and any and all other state governmental services, which are performed on behalf of the state agency involved by other state agencies which receive appropriations from the state general fund to provide such services.

(b) Nothing in this act or in the sections amended by this act or referred to in subsection (a) of this section, shall be deemed to authorize remittances to be made less frequently than is authorized under K.S.A. 75-4215 and amendments thereto.

(c) Notwithstanding any provision of any section referred to in or amended by this act or referred to in subsection (a) of this section, whenever in any fiscal year such 20% credit to the

state general fund in relation to any particular fee fund is \$200,000, in that fiscal year the 20% credit no longer shall apply to moneys received from sources applicable to such fee fund and for the remainder of such year the full 100% so received shall be credited to such fee fund, except as otherwise provided in subsection (d) of this section.

(d) Notwithstanding any provision of K.S.A. 2-2609 and 2-3008 and amendments thereto or any provision of any section referred to in subsection (a) of this section, the 20% credit to the state general fund no longer shall apply to moneys received from sources applicable to the Kansas wheat commission fund, the Kansas corn commission fund, the Kansas grain sorghum commission fund and the Kansas soybean commission fund, as specified for each such fund by this subsection, and for the remainder of a fiscal year the full 100% of the moneys so received shall be credited to the appropriate fund of such funds, whenever ~~in any fiscal year~~:

(1) (A) With respect to the Kansas wheat commission fund during the fiscal year ending June 30, 1988, such 20% credit to the state general fund in relation to such fund in that fiscal year is equal to that portion of ~~\$200,000~~ \$150,000 that bears the same proportion to ~~\$200,000~~ \$150,000 as the amount credited to the Kansas wheat commission fund during the preceding fiscal year bears to the total of the amounts credited to the Kansas wheat commission fund, the Kansas corn commission fund, the Kansas grain sorghum commission fund and the Kansas soybean commission fund during the preceding fiscal year;

(B) with respect to the Kansas wheat commission fund during the fiscal year ending June 30, 1989, such 20% credit to the state general fund in relation to such fund in that fiscal year is equal to that portion of \$100,000 that bears the same proportion to \$100,000 as the amount credited to the Kansas wheat commission fund during the preceding fiscal year bears to the total of the amounts credited to the Kansas wheat commission fund, the Kansas corn commission fund, the Kansas grain sorghum

commission fund and the Kansas soybean commission fund during the preceding fiscal year; and

(C) with respect to the Kansas wheat commission fund during the fiscal year ending June 30, 1990, such 20% credit to the state general fund in relation to such fund in that fiscal year is equal to that portion of \$50,000 that bears the same proportion to \$50,000 as the amount credited to the Kansas wheat commission fund during the preceding fiscal year bears to the total of the amounts credited to the Kansas wheat commission fund, the Kansas corn commission fund, the Kansas grain sorghum commission fund and the Kansas soybean commission fund during the preceding fiscal year;

(2) (A) with respect to the Kansas corn commission fund during the fiscal year ending June 30, 1988, such 20% credit to the state general fund in relation to such fund in that fiscal year is equal to that portion of \$200,000 \$150,000 that bears the same proportion to \$200,000 \$150,000 as the amount credited to the Kansas corn commission fund during the preceding fiscal year bears to the total of the amounts credited to the Kansas wheat commission fund, the Kansas corn commission fund, the Kansas grain sorghum commission fund and the Kansas soybean commission fund during the preceding year;

(B) with respect to the Kansas corn commission fund during the fiscal year ending June 30, 1989, such 20% credit to the state general fund in relation to such fund in that fiscal year is equal to that portion of \$100,000 that bears the same proportion to \$100,000 as the amount credited to the Kansas corn commission fund during the preceding fiscal year bears to the total of the amounts credited to the Kansas wheat commission fund, the Kansas corn commission fund, the Kansas grain sorghum commission fund and the Kansas soybean commission fund during the preceding year; and

(C) with respect to the Kansas corn commission fund during the fiscal year ending June 30, 1990, such 20% credit to the state general fund in relation to such fund in that fiscal year

is equal to that portion of \$50,000 that bears the same proportion to \$50,000 as the amount credited to the Kansas corn commission fund during the preceding fiscal year bears to the total of the amounts credited to the Kansas wheat commission fund, the Kansas corn commission fund, the Kansas grain sorghum commission fund and the Kansas soybean commission fund during the preceding year;

(3) (A) with respect to the Kansas grain sorghum commission fund during the fiscal year ending June 30, 1988, such 20% credit to the state general fund in relation to such fund in that fiscal year is equal to that portion of \$200,000 \$150,000 that bears the same proportion to \$200,000 \$150,000 as the amount credited to the Kansas grain sorghum commission fund during the preceding fiscal year bears to the total of the amounts credited to the Kansas wheat commission fund, the Kansas corn commission fund, the Kansas grain sorghum commission fund and the Kansas soybean commission fund during the preceding fiscal year; and

(B) with respect to the Kansas grain sorghum commission fund during the fiscal year ending June 30, 1989, such 20% credit to the state general fund in relation to such fund in that fiscal year is equal to that portion of \$100,000 that bears the same proportion to \$100,000 as the amount credited to the Kansas grain sorghum commission fund during the preceding fiscal year bears to the total of the amounts credited to the Kansas wheat commission fund, the Kansas corn commission fund, the Kansas grain sorghum commission fund and the Kansas soybean commission fund during the preceding fiscal year; and

(C) with respect to the Kansas grain sorghum commission fund during the fiscal year ending June 30, 1990, such 20% credit to the state general fund in relation to such fund in that fiscal year is equal to that portion of \$50,000 that bears the same proportion to \$50,000 as the amount credited to the Kansas grain sorghum commission fund during the preceding fiscal year bears to the total of the amounts credited to the Kansas wheat commission fund, the Kansas corn commission fund, the Kansas grain sorghum

commission fund and the Kansas soybean commission fund during the preceding fiscal year;

(4) (A) with respect to the Kansas soybean commission fund during the fiscal year ending June 30, 1988, such 20% credit to the state general fund in relation to such fund in that fiscal year is equal to that portion of \$200,000 \$150,000 that bears the same proportion to \$200,000 \$150,000 as the amount credited to the Kansas soybean commission fund during the preceding fiscal year bears to the total of the amounts credited to the Kansas wheat commission fund, the Kansas corn commission fund, the Kansas grain sorghum commission fund and the Kansas soybean commission fund during the preceding fiscal year;

(B) with respect to the Kansas soybean commission fund during the fiscal year ending June 30, 1989, such 20% credit to the state general fund in relation to such fund in that fiscal year is equal to that portion of \$100,000 that bears the same proportion to \$100,000 as the amount credited to the Kansas soybean commission fund during the preceding fiscal year bears to the total of the amounts credited to the Kansas wheat commission fund, the Kansas corn commission fund, the Kansas grain sorghum commission fund and the Kansas soybean commission fund during the preceding fiscal year; and

(C) with respect to the Kansas soybean commission fund during the fiscal year ending June 30, 1990, such 20% credit to the state general fund in relation to such fund in that fiscal year is equal to that portion of \$50,000 that bears the same proportion to \$50,000 as the amount credited to the Kansas soybean commission fund during the preceding fiscal year bears to the total of the amounts credited to the Kansas wheat commission fund, the Kansas corn commission fund, the Kansas grain sorghum commission fund and the Kansas soybean commission fund during the preceding fiscal year; and

(5) on and after July 1, 1990, any money is received for credit to the Kansas wheat commission fund, the Kansas corn commission fund, the Kansas grain sorghum commission fund and the

Kansas soybean commission fund, 100% of the moneys so received shall be credited to the appropriate fund."

Also on page 3, in line 98, by striking "3" and inserting in lieu thereof "4"; also in line 98, by striking "and 2-3007" and inserting in lieu thereof ", 2-3007 and 75-3170a"; in line 100, by striking "4" and inserting in lieu thereof "5";

On page 1, in the title, line 18, following the semicolon by inserting the following: "concerning certain moneys credited to the state general fund;"; in line 19, by striking "and 2-3007" and inserting in lieu thereof ", 2-3007 and 75-3170a";

0121 and when needed, even though such other person is not physi-  
0122 cally present at the time and place the act is done.

0123 (t) (u) "Weed" means any plant or part thereof which grows  
0124 where not wanted.

0125 New Sec. 2. It shall be unlawful for any pesticide business  
0126 employee licensee to apply pesticides for the control of wood  
0127 destroying pests or structural pests unless that employee the  
0128 applicator of the pesticide is a certified commercial applicator or  
0129 is a licensed pest control technician, registered pest control  
0130 technician, except that an uncertified commercial applicator  
0131 may apply pesticides when either a certified applicator or reg-  
0132 istered pest control technician is physically present. Any such  
0133 employee applying for a pest control technician license regis-  
0134 tration shall file an application on a form prescribed by the  
0135 secretary. Application for such license registration shall be ac-  
0136 companied by an application fee which is determined by rules  
0137 and regulations adopted by the board secretary, except that such  
0138 fee shall not exceed \$25. If the secretary finds the applicant  
0139 qualified to be a licensed registered pest control technician after  
0140 meeting the training requirements determined by the secretary  
0141 in rules and regulations, the secretary shall issue a pest control  
0142 technician license registration which will expire in three years.  
0143 If a license is not issued as applied for, the secretary shall inform  
0144 the applicant in writing of the reasons for denial at the end of the  
0145 calendar year. This section shall be part of and supplemental to  
0146 the Kansas pesticide law.

established  
board

and shall be reduced by an amount equal to the additional  
fee paid under subsection (b) of K.S.A. 2-2440 and amend-  
ments thereto for uncertified individuals

*Just not. No lower zero*  
*such*

0147 New Sec. 3. A pesticide business licensee applying pesti-  
0148 cides for the public for compensation shall ensure that licensed  
0149 control of wood destroying pests or structural pests shall ensure  
0150 that registered pest control technicians who handle, mix or apply  
0151 pesticides or pesticide contaminated materials have been trained  
0152 as provided in this act. The pesticide business licensee shall  
0153 notify the secretary within 15 working days of the employment of  
0154 a licensed by the 10th of the month following the date of  
0155 employment of the employment of a registered pest control  
0156 technician or a person to be trained as a licensed registered pest  
0157 control technician. The pesticide business licensee shall ensure