

CHAPTER 78

SENATE BILL No. 500

AN ACT concerning agriculture; relating to phytosanitary fees; amending K.S.A. 2005 Supp. 2-2118 and repealing the existing section.

*Be it enacted by the Legislature of the State of Kansas:*

Section 1. K.S.A. 2005 Supp. 2-2118 is hereby amended to read as follows: 2-2118. Upon request the secretary may provide inspection services for any person who owns or possesses plants or plant products or for certification purposes of regulated articles intended for shipment interstate or internationally. Upon payment of the appropriate fee as established by rule and regulation and as inspection personnel are available, the inspection shall be conducted and a report or certificate setting forth the inspection results shall be issued if requested. Inspection fees shall not exceed \$30 per hour. Mileage incurred shall also be paid by the person requesting the inspection at the rate established by regulation. If certificate is requested an additional fee not to exceed \$50 *plus any fee amount charged by the United States government for the acquisition of federal certificates* shall be assessed. The fees for such inspection and certificate in effect on the day preceding the effective date of this act shall continue in effect until the secretary adopts rules and regulations fixing a different fee therefor under this subsection. In any case where any intended receiving state or country requires or authorizes the certification of plants or plant products, bees or beekeeping equipment or other regulated articles to be based on origin, special handling, treatment or any other procedure in addition to or in lieu of actual visual inspection of such articles, the secretary may provide such certification. The secretary may refuse to perform any inspection if the regulated article to be inspected is found to be in such condition that it cannot be adequately inspected or the environs in which the regulated article is located present a danger to the health and safety of the inspection personnel.

Sec. 2. K.S.A. 2005 Supp. 2-2118 is hereby repealed.

Sec. 3. This act shall take effect and be in force from and after its publication in the statute book.

Approved April 3, 2006.

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