

SESSION OF 2004

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2622

As Amended by Senate Committee on Agriculture

Brief*

HB 2622 would extend the sunset for a number of fees within the Kansas Department of Agriculture. These fees were increased by the enactment of 2002 SB 438. The 2002 enactment required that the fees being increased return to prior levels on July 1, 2005.

The following outlines the fees which were increased by the 2002 legislation and which would sunset and return to their prior levels on July 1, 2010 under 2004 HB 2622. The section number refers to the section in HB 2622 where the fees are proposed for extension.

Program	Service	Charge Prior to 2002 Enactment	Current Charge to Sunset on June 30, 2006, Under Proposed Bill	Last Fee Incr.	Sec . No.
Pesticide & Fertilizer	Failure to file affidavit and pay inspection fees	\$5 per day	\$10 per day		1
Pesticide & Fertilizer	Pesticide Product Registration	\$130	\$150	1987	2
Pesticide & Fertilizer	Business License Application	\$112 per category	\$140 per category	1987	3
Pesticide & Fertilizer	Uncertified Applicator Registration	\$10	\$15	1982	3
Pesticide & Fertilizer	Government Agency Registration	\$35	\$50	1982	3
Pesticide & Fertilizer	Technician Registration	\$25	\$40	1987	4

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

Program	Service	Charge Prior to 2002 Enactment	Current Charge to Sunset on June 30, 2006, Under Proposed Bill	Last Fee Incr.	Sec . No.
Pesticide & Fertilizer	Commercial Certification Application	\$35 per category	\$50 per category	1982	5
Pesticide & Fertilizer	Commercial Certification Examination per category and re-exam per category	\$25	\$35	1982	6
Pesticide & Fertilizer	Private Certification Application	\$10	\$25	1982	7
Pesticide & Fertilizer	Soil Amendment Product Registration	\$50	\$60	1982	8
Pesticide & Fertilizer	Soil Amendment Inspection Fee	\$0.020 / ton	\$0.28 / ton	1976	9
Pesticide & Fertilizer	Soil Amendment Penalty—failure to file accurate & timely inspection fee or registration	\$1 per day	\$10 per day	1976	9
Pesticide & Fertilizer	Agricultural Liming Material Registration	\$25	\$30	1976	10
Pesticide & Fertilizer	Agricultural Liming Material Inspection Fee	\$0.05 / ton	\$0.07/ton	1976	11
Pesticide & Fertilizer	Chemigation User Permit	\$55	\$75	1985	12
Pesticide & Fertilizer	Chemigation User Permit for additional points of diversion	\$10	\$15	1989	12
Pesticide & Fertilizer	Chemigation Equipment Operator Certification or renewal	\$10	\$25	1989	13
Dairy Inspection	Dairy Manufacturing Plant License	\$120	\$155	1991	14
Dairy Inspection	Distributor License	\$120	\$155	1991	14
Dairy Inspection	Milk Hauler License	\$25	\$35	1993	14

Program	Service	Charge Prior to 2002 Enactment	Current Charge to Sunset on June 30, 2006, Under Proposed Bill	Last Fee Incr.	Sec . No.
Dairy Inspection	Receiving/Transfer Station License	\$50	\$65	1991	14
Dairy Inspection	Single Service License	\$50	\$65	1991	14
Dairy Inspection	Grade "A" Milk Produced	\$0.01 per hundred wt.	\$0.015 per hundred wt.	1991	15
Dairy Inspection	Grade "A" Milk Distributed	\$0.01 per hundred wt.	\$0.015 per hundred wt.	1991	15
Dairy Inspection	Grade "A" Milk Processed	\$0.01 per hundred wt.	\$0.015 per hundred wt.	1991	15
Dairy Inspection	Mfg Grade Milk Produced	\$0.01 per hundred wt.	\$0.015 per hundred wt.	1991	15
Dairy Inspection	Mfg Grade Milk Processed	\$0.0075 per hundred wt.	\$0.01 per hundred wt.	1991	15
Dairy Inspection	Frozen Dessert—Mfg or Imported	\$0.001 per gallon	\$0.0015 per gallon	1991	15
Water Appropriations	Permit to appropriate 0-100 acre foot	\$100	\$200	1989	16
Water Appropriations	Permit to appropriate 101-320 acre foot	\$150	\$300	1989	16
Water Appropriations	Permit to appropriate More than 320 acre foot	\$150 plus \$10 /ea. additional 100 acre foot	\$300 plus \$20 /ea. additional 100 acre foot	1989	16
Water Appropriations	Water Storage Permit 0 to 250 acre-feet	\$100	\$200		16
Water Appropriations	Water Storage Permit more than 250 acre feet plus an amount for each additional 250 acre feet	\$100 plus \$10 for each additional 250 acre feet	\$200 plus \$20 for each additional 250 acre feet		16

Program	Service	Charge Prior to 2002 Enactment	Current Charge to Sunset on June 30, 2006, Under Proposed Bill	Last Fee Incr.	Sec . No.
Water Appropriations	Change Point of Diversion – 300 ft or less	\$50	\$100	1989	17
Water Appropriations	Change Point of Diversion – more than 300 ft	\$100	\$200	1989	17
Water Appropriations	Change Place of Use	\$100	\$200	1989	17
Water Appropriations	Use Made of Water	\$150	\$300	1989	17
Water Appropriations	Any Two Above	\$150	not to exceed \$300	1989	17
Water Appropriations	Any Three Above	\$250	not to exceed \$500	1989	17
Water Appropriations	Field Inspection Fee	\$200	\$400	1989	18
Water Appropriations	Extension Requests	\$50	\$100	1989	18
Water Appropriations	Water Right or Permit to Appropriate Reinstatement	\$100	\$200	1989	18
Water Appropriations	Temporary permit	\$100	\$200	1989	19
Weights & Measures	Scale Co. License	\$50	\$100	1996	20
Weights & Measures	Scale Co. License Renewal	\$50	\$100		20

The 2002 enactment also created the Fertilizer and Pesticide Compliance and Administration Fund where an amount equal to \$.05

per ton of fertilizer is deposited. The fee which was new in 2002 would end on June 30, 2010. (Sec. 2)

Background

This bill was requested by a spokesperson from the Kansas Department of Agriculture. At the hearing on the bill, proponents included the Secretary of Agriculture and the Chief Engineer of the Division of Water Resources. Also appearing in support were representatives of the Kansas Agribusiness Retailers Association and the Kansas Cooperative Council. Appearing in opposition to the fees which are imposed on Kansas watershed districts included the Executive Director of the State Association of Kansas Watersheds, a spokesperson representing six watershed districts in northeast Kansas, and testimony (written) from a person representing another watershed district in northeast Kansas.

The House Committee of the Whole amended the bill to sunset the fee increases on June 30, 2006, rather than to make the fees permanent as proposed in the original bill.

The Senate Committee on Agriculture amended the bill to sunset the fee increases on June 30, 2010.