

SESSION OF 2013

**SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2049**

As Amended by House Committee on  
Agriculture and Natural Resources

**Brief\***

HB 2049 would extend the sunset provisions for numerous fees within the Kansas Department of Agriculture, making those current fees the same until July 1, 2019. The fees are currently set to return to FY 2002 levels on July 1, 2015.

The bill also would add a new provision to the law concerning milk processing fees. The new language would exempt Grade A and manufacturing milk dairy operations from processing fees when the milk is processed or manufactured at the dairy where it was produced, eliminating duplication of the production and processing fees for those facilities.

In addition, the bill would require applicants for pesticide business licenses to file a certificate of liability insurance with the Secretary of the Department of Agriculture before such a license can be issued. Under current law, applicants can file a bond, insurance, letter of credit, or proof of an escrow account when applying for a pesticide business license.

The following table outlines the proposed fees to be extended by the bill as well as fees as they would be on July 1, 2015, under existing law, if the provisions were allowed to sunset.

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\*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>

<b>Sec. No.</b>	<b>Program</b>	<b>Service</b>	<b>Fees if Existing Sunset Occurs Under Existing Law</b>	<b>Fee Amounts Proposed to be extended in HB 2049</b>
1	Pesticide & Fertilizer	Business License Application and Renewal	\$112 per category	\$140 per category
1	Pesticide & Fertilizer	Uncertified Applicator Registration	\$10.00	\$15.00
1	Pesticide & Fertilizer	Government Agency Registration	\$35.00	\$50.00
2	Pesticide & Fertilizer	Technician Registration	\$25.00	\$40.00
3	Pesticide & Fertilizer	Commercial Certification Examination per category	\$35.00	\$45.00
4	Pesticide & Fertilizer	Private Application Certification	\$10.00	\$25.00
5	Pesticide & Fertilizer	Chemigation User Permit	\$55.00	\$75.00
5	Pesticide & Fertilizer	Chemigation User Permit for additional points of diversion	\$10.00	\$15.00
6	Pesticide & Fertilizer	Chemigation Equipment Operator Certification and Renewal	\$10.00	\$25.00
7	Dairy Inspection	Dairy Manufacturing Plant License	\$120.00	\$200.00
7	Dairy Inspection	Milk Distributor License	\$120.00	\$200.00
7	Dairy Inspection	Milk Hauler License	\$25.00	\$35.00
7	Dairy Inspection	Receiving/Transfer Station License	\$50.00	\$100.00
7	Dairy Inspection	Single Service License	\$50.00	\$100.00
8	Dairy Inspection	Grade "A" Milk Produced	\$0.01 per hundred lbs.	\$0.015 per hundred lbs.
8	Dairy Inspection	Grade "A" Milk Distributed	\$0.01 per hundred lbs.	\$0.02 per hundred lbs.
8	Dairy Inspection	Grade "A" Milk Processed	\$0.01 per hundred lbs.	\$0.02 per hundred lbs.
8	Dairy Inspection	Mfg Grade Milk Produced	\$0.01 per hundred lbs.	\$0.015 per hundred lbs.
8	Dairy Inspection	Mfg Grade Milk Processed	\$0.0075 per hundred wt.	\$0.02 per hundred wt.
8	Dairy Inspection	Frozen Dessert–Mfg or Imported	\$1 per hundred lbs.	\$2 per hundred lbs.
9	Water	Permit to Appropriate	\$100.00	\$200.00

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	Appropriations	0-100 acre foot		
9	Water Appropriations	Permit to Appropriate 101-320 acre foot	\$150.00	\$300.00
9	Water Appropriations	Permit to Appropriate More than 320 acre foot	\$150 plus \$10/ea. additional 100 acre feet or part thereof	\$300 plus \$20/ea. additional 100 acre feet or part thereof
9	Water Appropriations	Water Storage Permit 0 to 250 acre-feet	\$100.00	\$200.00
9	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 or part thereof	\$200 plus \$20 for each additional 250 acre feet or part thereof
10	Water Appropriations	Change Point of Diversion – 300 ft or less	\$50.00	\$100.00
10	Water Appropriations	Change Point of Diversion – more than 300 ft	\$100.00	\$200.00
10	Water Appropriations	Change Place of Use	\$100.00	\$200.00
10	Water Appropriations	Use Made of Water	\$150.00	\$300.00
11	Water Appropriations	Term Permit to Appropriate Water – 0 to 100 acre-feet	\$100.00	\$200.00
11	Water Appropriations	Term Permit to Appropriate Water – 101 to 320 acre-feet	\$100.00	\$300.00
11	Water Appropriations	Term Permit to Appropriate Water – 320 acre-feet and above	\$150 plus \$10 for each additional hundred acre feet or any part thereof	\$300 plus \$20 for each additional hundred acre feet or part thereof
11	Term Permit to Appropriate Water – 0 to 100 acre-feet	Term Permit to Appropriate Water for Storage – 0 to 100 acre-feet	\$100.00	\$200.00
11	Water	Term Permit to	\$100 plus \$10 for	\$200 plus \$20

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	Appropriations	Appropriate Water for Storage – 101 to 320 acre-feet	each additional hundred acre feet or part thereof	for each additional hundred acre feet or part thereof
12	Water Appropriations	Field Inspection Fee	\$200.00	\$400.00
12	Water Appropriations	Extension Requests	\$50.00	\$100.00
12	Water Appropriations	Water Right or Permit to Appropriate Reinstatement	\$100.00	\$200.00
13	Water Appropriations	Temporary permit	\$100.00	\$200.00

With respect to weights and measures service company licenses, the bill would set the license fee at \$100. The sunset on that fee went into effect in 2010, lowering the license fee from \$100 to \$50. The \$100 fee also would apply to service company license renewals.

### Background

A spokesperson from the Kansas Department of Agriculture appeared as a proponent of the bill.

A spokesperson from the Kansas Farm Bureau provided neutral testimony.

The House Committee on Agriculture and Natural Resources amended the bill by extending the sunset provisions to July 1, 2019.

According to the fiscal note, the Department of Agriculture has indicated the fiscal impact of HB 2049 would be negligible in FY 2014 and 2015. If the bill is not passed, the Department estimates an annual reduction in revenue of up to \$746, 528 for Dairy, Water Appropriations, and Pesticide

Programs beginning in FY 2016.