

January 25, 2016

The Honorable Sharon Schwartz, Chairperson
House Committee on Agriculture and Natural Resources
Statehouse, Room 149-S
Topeka, Kansas 66612

Dear Representative Schwartz:

SUBJECT: Fiscal Note for HB 2479 by House Committee on Agriculture and Natural Resources

In accordance with KSA 75-3715a, the following fiscal note concerning HB 2479 is respectfully submitted to your committee.

HB 2479 would consolidate existing statutes concerning noxious weeds to create the Noxious Weed Act. The bill would also create the Noxious Weed Advisory Committee which would have 11 voting members and one non-voting *ex officio* member. Responsibility for enforcement of the provisions of the Act would be vested in the boards of Kansas county commissioners. The bill defines the circumstances under which the Secretary of Agriculture may make an emergency declaration of noxious weeds and prohibits bringing any form of noxious weeds into the state. All alfalfa, grass, hay or other forage, straw or mulch brought onto lands owned or managed by the state would be required to be certified as noxious weed free.

In addition, the bill would amend existing law to remove the state noxious weed list from statute and place it into regulation within a year of enactment of the law, as well as make changes to requirements for annual surveys of infestations and how funds associated with county noxious weed programs would be collected and spent. The fine for violating or failing to comply with this Act would be increased from \$100 per day of noncompliance to \$200 per day of noncompliance.

While the Kansas Department of Agriculture estimates that passage of HB 2479 would result in an increased demand for weed-free forage certification inspections that are provided as a fee-based service of the Plant Protection and Weed Control Program, it is unable to determine what effect that increase would have on agency revenue. Because the Program is already in place and operating, additional expenditures should be minimal. Expenditures associated with the cost of the Noxious Weed Advisory Committee are expected to be approximately \$4,000, assuming four meetings per year and an average of seven members claiming per diem and travel costs of approximately \$142 per person per meeting.

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The regulatory authority for noxious weed control is assigned to counties; thus, the agency states that counties would have an increase in revenue due to the increase in fines, but could also have an increase in expenditures because of the increase in regulatory weed control conducted by county weed departments. The increase in expenditures should, however, be offset by the counties' ability to collect the cost of weed control. The Kansas Association of Counties did not respond to a request for information on a fiscal effect of passage of this bill. Any fiscal effect associated with HB 2479 is not reflected in *The FY 2017 Governor's Budget Report*.

Sincerely,

A handwritten signature in black ink, appearing to read "Shawn Sullivan", with a horizontal line extending to the right.

Shawn Sullivan,
Director of the Budget

cc: Justin Law, Agriculture
Larry Baer, League of Municipalities
Melissa Wangemann, Association of Counties