

KANSAS OFFICE *of*  
**REVISOR *of* STATUTES**

LEGISLATURE *of* THE STATE *of* KANSAS  
*Legislative Attorneys transforming ideas into legislation.*

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**MEMORANDUM**

**To:** The House Standing Committee on Agriculture

**From:** The Office of Revisor of Statutes

**Date:** January 28, 2021

**Re:** HB 2103

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HB 2103 would create the Kansas pesticide waste disposal program and would allow up to \$50,000 to be transferred annually from the existing Kansas agricultural remediation fund to the new program.

Section 1 would establish the new program, which would be administered by the secretary of agriculture for the collection and disposal of pesticide waste in the state.

Section 2 would create a new fund to accompany the program. All money credited to the new fund would have to be used by the secretary of agriculture for the pesticide waste disposal program. Subsection (b), on page 1, line 22, states that the Kansas agricultural remediation board may approve an annual transfer of moneys from the existing remediation fund to the new Kansas pesticide waste disposal fund in an amount that shall not exceed \$50,000 in any calendar year. Subsection (c) would require the secretary to send the remediation board a report on or before January 1 of each year that would concern the expenditures made from the pesticide waste disposal program that year. Subsection (d) would ensure that any interest produced from the fund gets credited to the fund.

Section 3, on page 2, would amend the remediation act's existing definitions section to add definitions for the terms "Kansas pesticide waste disposal fund," "Kansas pesticide waste disposal program," and then on page 3, starting on line 5, "Pesticide,"<sup>1</sup> and "Pesticide waste."

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<sup>1</sup> K.S.A. 2-2202 states that the term "pesticide" includes: "substances used for both agricultural and non-agricultural uses and shall mean and include any substance or mixture of substances labeled, designed or intended for use in preventing, destroying, repelling, or mitigating any insects, rodents, predatory animals, fungi, weeds, nematodes and

would be defined. The term “pesticide waste” would mean any pesticide that: (A) Is not exempt from registration under a federal law, called FIFRA; (B) is not eligible for sale or distribution; and (C) is not otherwise eligible for return or disposal. The rest of the definition of “pesticide waste” is a nonexhaustive list of examples of pesticides that fall under the definition.

Finally, Section 4 would amend the statute that states the purpose of the existing remediation reimbursement program. A line would be added to state that one purpose of the program is to provide funding to the new Kansas pesticide waste disposal program.

HB 2103 would become effective upon publication in the statute book, on July 1, 2021.

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other forms of plant or animal life or viruses, which the secretary shall declare to be a pest, and any substance labeled, designed or intended for use as a defoliant, and any substance or mixture of substances, labeled, designed or intended for use as a plant regulator, or desiccant. Viruses on or in living man or other animals are specifically excepted and excluded from this definition. Drugs recognized by the United States pharmacopoeia or the national formulary, the label of which bears the descriptive abbreviations for these compendia, U.S.P. or N.F. as the case may be, are specifically excepted and excluded from this definition.”