

SESSION OF 2021

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2103

As Recommended by House Committee on
Agriculture

Brief*

HB 2103 would establish the Kansas Pesticide Waste Disposal Program (Program) that would be administered by the Secretary of Agriculture (Secretary) for the collection and disposal of pesticide waste in the state. The bill also would create in the State Treasury the Kansas Pesticide Waste Disposal Fund (Disposal Fund), with the purpose of funding the Program.

The bill would require all moneys credited to the Disposal Fund to be used by the Secretary for the Program and all expenditures from the Disposal Fund would be made in accordance with appropriation acts upon warrants of the Director of Accounts and Reports (Director) issued after vouchers are approved by the Secretary.

The bill would authorize the Kansas Agricultural Remediation Board (Board) to approve an annual transfer of moneys from the Kansas Agricultural Remediation Fund (Remediation Fund) to the Disposal Fund in an amount not exceeding \$50,000 in any calendar year.

The bill would require the Secretary to submit to the Board on or before January 1 of each year a report regarding the annual expenditures made from the Program.

The bill would also require the Director to transfer from the State General Fund to the Disposal Fund interest earnings based on the average daily balance of moneys in

*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>

the Disposal Fund for the preceding month and the net earnings rate of the pooled money investment portfolio for the preceding month.

The bill would add definitions for “Kansas Pesticide Waste Disposal Fund,” “Kansas Pesticide Waste Disposal Program,” “pesticide,” and “pesticide waste.” The bill would also amend law regarding the Remediation Reimbursement Program to allow this program to provide funding to the new Program.

The bill would also make technical amendments.

Background

The bill was introduced by the House Committee on Agriculture at the request of a representative of the Kansas Grain and Feed Association and Kansas Agribusiness Retailers Association.

[*Note:* The provisions of HB 2103 are the same as those of 2020 HB 2432, as passed by the House and recommended by the Senate Committee on Agriculture and Natural Resources.]

House Committee on Agriculture

In the House Committee hearing on the bill, a representative of the Kansas Agribusiness Retailers Association and Kansas Grain and Field Association and the Deputy Director of Agriculture provided **proponent** testimony on the bill, stating the bill would facilitate the proper disposal of unwanted pesticides by reducing the financial burden associated with the disposal and reduce the human exposure risk by having the waste pesticides packaged, shipped, and disposed of by professionals.

Written-only **proponent** testimony was provided by representatives of Kansas Cooperative Council, Kansas Corn Growers Association, Kansas Farm Bureau, and Kansas Grain Sorghum Producers Association.

No other testimony was provided.

Fiscal Information

According to the fiscal note prepared by the Division of the Budget on the bill, enactment of the bill would not result in additional costs or personnel requirements for the Kansas Department of Agriculture, as the Program previously funded by a federal grant would be continued with more stable support from the Remediation Fund. Receipts to the Remediation Fund consist of fees related to pesticide sales and products. Actual and estimated ending balances in the Remediation Fund should be more than adequate to support the Program. Any fiscal effect associated with the bill is not reflected in *The FY 2022 Governor's Budget Report*.

Kansas Department of Agriculture; Kansas Pesticide Waste Disposal Program; Kansas Pesticide Waste Disposal Fund; Kansas Agricultural Remediation Board; Kansas Agricultural Remediation Fund; pesticides; pesticide waste