

As Amended by House Committee

Session of 2009

SENATE BILL No. 204

By Committee on Agriculture

2-4

10 AN ACT concerning ~~the secretary of agriculture, relating to food safety~~
11 ~~and lodging, disposition of moneys, creating the food safety and lodg-~~
12 ~~ing fee fund, amending K.S.A. 2008 Supp. 74-591 and repealing the~~
13 ~~existing section, also repealing K.S.A. 2008 Supp. 36-512 cities; re-~~
14 ~~lating to annexation.~~

15
16 *Be it enacted by the Legislature of the State of Kansas:*

17 ~~Section 1. K.S.A. 2008 Supp. 74-591 is hereby amended to read as~~
18 ~~follows: 74-591. (a) The balances of all funds or accounts thereof appro-~~
19 ~~riated or reappropriated for the department of health and environment~~
20 ~~relating to the powers, duties and functions transferred by this act are~~
21 ~~hereby transferred within the state treasury to the Kansas department of~~
22 ~~agriculture and shall be used only for the purpose for which the appro-~~
23 ~~riation was originally made. On and after October 1, 2004, all such bal-~~
24 ~~ances shall be deposited in the food safety fee fund and may be used to~~
25 ~~carry out the responsibilities and duties of the division of food safety of~~
26 ~~the Kansas department of agriculture, as established by this act. (b) There~~
27 ~~is hereby created the food safety and lodging fee fund. The Kansas de-~~
28 ~~partment of agriculture shall remit all moneys received by or for it from~~
29 ~~fees, charges or penalties from the powers, duties and functions trans-~~
30 ~~ferred to and imposed upon the department of agriculture and secretary~~
31 ~~of agriculture pursuant to K.S.A. 2008 Supp. 74-581 and 74-5,104, and~~
32 ~~amendments thereto, and any rules and regulations or orders issued there-~~
33 ~~under, to the state treasurer in accordance with the provisions of K.S.A.~~
34 ~~75-4215, and amendments thereto. Upon receipt of each such remittance,~~
35 ~~the state treasurer shall deposit the entire amount in the state treasury~~
36 ~~to the credit of the food safety fee fund. (1) An amount equal to the fees~~
37 ~~and charges in the state treasury to the credit of the food safety and~~
38 ~~lodging fee fund, and (2) an amount equal to the penalties in the state~~
39 ~~treasury to the credit of the state general fund. Expenditures from the~~
40 ~~food safety and lodging fee fund shall be made to reimburse each local~~
41 ~~agency under contract with the secretary of agriculture for food safety~~
42 ~~and lodging inspection services in an amount equal to 80% of the money~~
43 ~~received from such inspections in the municipality served by the local~~

1 ~~agency. All expenditures from the food safety and lodging fee fund shall~~
2 ~~be made in accordance with appropriation acts upon warrants of the di-~~
3 ~~rector of accounts and reports issued pursuant to vouchers approved by~~
4 ~~the secretary of agriculture or by a person or persons designated by the~~
5 ~~secretary.~~

6 ~~(b) On July 1, 2009, the director of accounts and reports shall transfer~~
7 ~~all moneys in the food service inspection reimbursement fund and the~~
8 ~~food safety fee fund to the food safety and lodging fee fund. On July 1,~~
9 ~~2009, all liabilities of the food service inspection reimbursement fund and~~
10 ~~the food safety fee fund are hereby imposed on the food safety and lodging~~
11 ~~fee fund and the food service inspection reimbursement fund and the food~~
12 ~~safety fee fund are hereby abolished. Upon the abolition of the food service~~
13 ~~inspection reimbursement fund and the food safety fee fund, any reference~~
14 ~~to the food service inspection reimbursement fund, the food safety fee fund~~
15 ~~or any designation thereof, in any statute, contract or other document~~
16 ~~shall mean the food safety and lodging fee fund.~~

17 ~~Sec. 2. K.S.A. 2008 Supp. 36-512 and 74-501 are hereby repealed.~~

18 **Section 1.** Except as provided in this section no land shall be
19 annexed pursuant to subsections (a)(1), (4), (5) and (6) of K.S.A. 12-
20 520, and amendments thereto, unless the board of county com-
21 missioners determines by resolution adopted within 30 days fol-
22 lowing the conclusion of the hearing on the proposed annexation
23 that the proposed annexation will not have an adverse effect on
24 such county. The board of county commissioners shall deliver a
25 copy of such resolution to the city. If the board of county commis-
26 sioners fails to adopt such a resolution within the 30-day period,
27 the annexation shall be deemed to have been approved by the
28 board of county commissioners.

29 **Sec. 2.** This act shall take effect and be in force from and after its
30 publication in the statute book.