

SESSION OF 2012

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2604

As Amended by Senate Committee of the Whole

Brief*

HB 2604 would repeal a statute concerning the Kansas Fertilizer Law (Chapter 2, Article 12). The statute, KSA 2011 Supp 2-1233, relates to the creation of a Fertilizer and Pesticide Compliance and Administration Fund and expenditures from the fund.

In addition, the bill would repeal statutes concerning agricultural seeds. The statutes (KSA 2-1426 and KSA 2011 Supp. 2-1424a and 2-1425) relate to a seed laboratory, seed testing, the seed examination fee fund, and the publication of reports of inspections and exams conducted under the provisions of Chapter 2, Article 14, on the sale and distribution of agricultural seeds.

Background

The Senate Committee of the Whole adopted an amendment that added the provisions of HB 2597 to HB 2604. HB 2597 would repeal statutes concerning agricultural seeds. Information regarding the original versions of both bills follows below.

HB 2604 was introduced at the request of the Governor's Office of the Repealer. A representative of the Department of Agriculture testified in favor of the bill before the House Committee on Government Efficiency and the Senate Committee on Agriculture, noting the fertilizer tonnage fee was modified by the 2002 Legislature to credit a portion of

*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 fertilizer tonnage fee to the newly created Fertilizer and Pesticide Compliance and Administration Fund, thus reducing the receipts going to the Fertilizer Fee Fund by a corresponding amount. The representative also stated the 2009 Legislature, at the request of the Department of Agriculture, eliminated the Fertilizer and Pesticide Compliance and Administration Fund fertilizer tonnage fee breakout established in 2002 and restored the requirement for the fertilizer and pesticide program's share to go to the Fertilizer Fee Fund. Further, the representative stated the Fertilizer and Pesticide Compliance and Administration Fund is carrying a zero balance and serves no function. No opposing or neutral testimony was presented to the House Committee or the Senate Committee.

HB 2597 was introduced at the request of the Governor's Office of the Repealer. A representative of the Department of Agriculture testified in favor of the bill before the House Committee on Government Efficiency, noting the state no longer has a seed lab, and the reports of seed inspections and lab testing have not been published for some time. The representative further testified the State contracts with the Kansas Crop Improvement Association to do the testing. No opposing or neutral testimony was presented to the House Committee.

The Senate Committee of the Whole amended HB 2604 to include the provisions of HB 2597, which would repeal statutes concerning agricultural seeds.

The fiscal notes on the original versions of HB 2604 and HB 2597 that were prepared by the Division of the Budget state that both bills are of a technical nature; therefore, enactment of either bill would have no fiscal effect.