

## House Substitute for SENATE BILL No. 60

By Committee on Agriculture

3-13

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1 AN ACT concerning agriculture; relating to the Kansas department of  
2 agriculture; certain fees; authorizing the Kansas secretary of agriculture  
3 to collect a fee for processing paper documents; amending K.S.A. 74-  
4 576 and K.S.A. 2016 Supp. 2-1205, 2-2440, 2-2440b, 2-2443a, 2-  
5 2445a, 2-3304, 2-3306, 65-778, 65-781, 82a-303b, 82a-708a, 82a-  
6 708b, 82a-708c, 82a-714 and 82a-727 and repealing the existing  
7 sections.  
8

9 *Be it enacted by the Legislature of the State of Kansas:*

10 Section 1. K.S.A. 2016 Supp. 2-1205 is hereby amended to read as  
11 follows: 2-1205. An inspection fee shall be collected upon all commercial  
12 fertilizers sold, offered or exposed for sale, or distributed in Kansas, which  
13 shall be at a rate per ton ~~of 2,000 pounds~~ fixed by rules and regulations  
14 adopted by the secretary of agriculture, except that such rate shall not  
15 exceed \$1.67 per ton ~~of 2,000 pounds~~. The secretary of agriculture may  
16 adopt rules and regulations establishing the inspection fee rate under this  
17 section. Each person registering any commercial fertilizer shall pay the  
18 inspection fee on such commercial fertilizer sold, offered or exposed for  
19 sale, or distributed in Kansas. Each such person shall keep adequate  
20 records showing the tonnage of each commercial fertilizer shipped to or  
21 sold, offered or exposed for sale, or distributed in Kansas. The secretary,  
22 and duly authorized representatives of the secretary, shall have authority to  
23 examine such records and other pertinent records necessary to verify the  
24 statement of tonnage.

25 Each person registering any commercial fertilizer shall file an affidavit  
26 semiannually, with the secretary, within 30 days after each January 1 and  
27 each July 1, showing the tonnage of commercial fertilizer sold or  
28 distributed in Kansas for the preceding six-month period. Each such  
29 person shall pay to the secretary the inspection fee due for such six-month  
30 period, except that the registrant shall not be required to pay the inspection  
31 fee or report the tonnage of commercial fertilizers or fertilizer materials  
32 sold and shipped directly to fertilizer manufacturers or mixers. The  
33 fertilizer manufacturers or mixers shall keep adequate records of the  
34 commercial fertilizers sold or distributed in this state, and report to the  
35 secretary the tonnage and pay the inspection fee due. If the affidavit is not  
36 filed and the inspection fee is not paid within the 30-day period, or if the

1 report of tonnage is false, the secretary may revoke the registrations filed  
2 by such person. If the affidavit is not filed and the inspection fee is not  
3 paid within the 30-day period, or any extension thereof granted by the  
4 secretary, a penalty of \$10 per day shall be assessed against the registrant,  
5 except that on and after July 1, ~~2015~~ 2023, a penalty of \$5 per day shall be  
6 assessed against the registrant, and the inspection fee and penalty shall  
7 constitute a debt and become the basis for a judgment against such person.  
8 The secretary may grant a reasonable extension of time.

9 The secretary of agriculture is hereby authorized and empowered to  
10 reduce the inspection fee by adopting rules and regulations under this  
11 section whenever the secretary determines that the inspection fee is  
12 yielding more than is necessary for the purpose of administering the  
13 provisions of this act as listed below and the plant pest act. The secretary is  
14 hereby authorized and empowered to increase the inspection fee by  
15 adopting rules and regulations under this section when it finds that such is  
16 necessary to produce sufficient revenues for the purposes of administering  
17 the provisions of this act, except that the inspection fee shall not be  
18 increased in excess of the maximum fee prescribed by this section. The  
19 secretary shall remit all moneys received by or for the secretary under  
20 article 12 of chapter 2 of Kansas Statutes Annotated, and amendments  
21 thereto, to the state treasurer in accordance with the provisions of K.S.A.  
22 75-4215, and amendments thereto. Upon receipt of each such remittance,  
23 the state treasurer shall deposit the entire amount in the state treasury and  
24 shall credit such remittance as follows: ~~(1)~~ (a) An amount equal to \$1.40  
25 per ton shall be credited to the state water plan fund created by K.S.A.  
26 82a-951, and amendments thereto; ~~(2)~~ (b) an amount equal to \$.04 per ton  
27 shall be credited to the fertilizer research fund; and ~~(3)~~ (c) the remainder  
28 shall be credited to the fertilizer fee fund. All expenditures from the  
29 fertilizer fee fund shall be made in accordance with appropriation acts  
30 upon warrants of the director of accounts and reports issued pursuant to  
31 vouchers approved by the secretary of agriculture or by a person or  
32 persons designated by the secretary.

33 Sec. 2. K.S.A. 2016 Supp. 2-2440 is hereby amended to read as  
34 follows: 2-2440. (a) Subject to the provisions of subsection (d), it is  
35 unlawful for any pesticide business which has not been issued a pesticide  
36 business license to:

37 (1) Advertise, offer for sale, sell or perform any service for the  
38 control of a pest on the property of another or apply a pesticide to the  
39 property of another within this state; or

40 (2) perform any service for the control of a pest or apply any  
41 pesticide on or at the premises of another person under any commission,  
42 division of receipts or subcontracting arrangement with a licensed  
43 pesticide business.

1 Nothing in this subsection shall be construed to require the licensing of  
2 any person applying restricted use pesticides to the property of another as  
3 a certified private applicator or under the supervision of a certified private  
4 applicator.

5 (b) Application for a pesticide business license or renewal shall be  
6 made on a form obtained from the secretary and shall be accompanied by  
7 an application fee per category in which the licensee applies, and an  
8 additional fee for each uncertified individual employed by the applicant to  
9 apply pesticides. The application fee per category shall be \$140 per  
10 category in which the licensee applies, except that on and after July 1,  
11 ~~2018~~ 2023, the application fee per category shall be \$112 per category in  
12 which the licensee applies. An additional fee of \$15 shall be paid for each  
13 uncertified individual employed by the applicant to apply pesticides,  
14 except that on and after July 1, ~~2018~~ 2023, an additional fee of \$10 shall  
15 be paid for each uncertified individual employed by the applicant to apply  
16 pesticides. The application fee per category and the additional fee for each  
17 uncertified employee in effect on the day preceding the effective date of  
18 this act shall continue in effect until the secretary adopts rules and  
19 regulations fixing a different fee under this subsection. Any uncertified  
20 individual employed for a period of more than 10 days in a 30-day period  
21 or for five consecutive days by a licensee to apply pesticides subsequent to  
22 such application shall be reported to the secretary within 30 days of such  
23 employee's hiring and the fee shall be paid at that time. Each application  
24 shall also include the following:

25 (1) The business name of the person applying for such license or  
26 renewal;

27 (2) if the applicant is an individual, receiver, trustee, representative,  
28 agent, firm, partnership, association, corporation or other organized group  
29 of persons, whether or not incorporated, the full name of each owner of the  
30 firm or partnership or the names of the officers of the association,  
31 corporation or group;

32 (3) the principal business address of the applicant in the state and  
33 elsewhere; and

34 (4) any other information the secretary, by rules and regulations,  
35 deems necessary for the administration of this act.

36 (c) The secretary may issue a pesticide business license to apply  
37 pesticides in categories for which an applicant has applied if the applicant  
38 files the bond, insurance, letter of credit or proof of an escrow account as  
39 required under K.S.A. 2-2448, and amendments thereto, satisfies the  
40 requirements of subsection (b), and pays the required fees. Such license  
41 shall expire at the end of the calendar year for which it is issued unless it  
42 has been revoked or suspended prior thereto. If a license is not issued as  
43 applied for, the secretary shall inform the applicant in writing of the

1 reasons therefor.

2 (d) The following persons shall be exempted from the licensing  
3 requirements of this act:

4 (1) State or federal personnel using pesticides or pest control services  
5 while engaged in pesticide use research;

6 (2) veterinarians or physicians using pesticides as a part of their  
7 professional services; and

8 (3) any person or such person's employee who applies pesticides on  
9 or at premises owned, leased or operated by such person.

10 (e) Subject to the provisions of subsection (d), it is unlawful for any  
11 governmental agency which has not been issued a government agency  
12 registration to apply pesticides within this state. Application for  
13 government agency registration shall be made on a form obtained from the  
14 secretary and shall be accompanied by a fee fixed by rules and regulations  
15 adopted by the secretary, except that such fee shall not exceed \$50, except  
16 that on and after July 1, ~~2018~~ 2023, such fee shall not exceed \$35. The  
17 governmental agency registration fee in effect on the day preceding the  
18 effective date of this act shall continue in effect until the secretary adopts  
19 rules and regulations fixing a different fee therefor under this subsection.  
20 No fee shall be required of any township located within a county which  
21 has previously applied for and received government agency registration.  
22 Each application for registration shall contain information including, but  
23 not limited to:

24 (1) The name of the government agency;

25 (2) the mailing address of the applicant;

26 (3) the name and mailing address of the person who heads such  
27 agency and who is authorized to receive correspondence and legal papers.  
28 Such person shall be: (A) The mayor or city manager for municipalities;  
29 (B) the chairperson of the board of county commissioners for counties; (C)  
30 the township trustee for townships; or (D) any person designated by any  
31 other governmental agency; and

32 (4) any other information the secretary, by rules and regulations,  
33 deems necessary for the administration of this act.

34 (f) If the secretary finds the application to be sufficient, the secretary  
35 shall issue a government agency registration. The government agency is  
36 not required to furnish a surety bond under this act. Such government  
37 agency registration shall expire at the end of the calendar year for which it  
38 is issued unless it has been revoked or suspended prior thereto. If a  
39 registration is not issued as applied for, the secretary shall inform the  
40 applicant in writing of the reasons therefor.

41 (g) A pesticide business license or government agency registration  
42 may be renewed by meeting the same requirements as for a new license or  
43 registration. Neither the pesticide business license nor the government

1 agency registration shall be transferable, except that, in the event of the  
2 disability, incapacity or death of the owner, manager or legal agent of a  
3 pesticide business licensee, a permit may be issued by the secretary to  
4 permit the operation of such business until the expiration period of the  
5 license in effect at the time of such disability, incapacity or death if the  
6 applicant therefor can show that the policies and services of such business  
7 will continue substantially as before, with due regard to protection of the  
8 public and the environment.

9 (h) No pesticide business license may be issued to any person until  
10 such person is or has in such person's employ one or more individuals who  
11 are certified commercial applicators in each of the categories for which the  
12 license application is made.

13 Sec. 3. K.S.A. 2016 Supp. 2-2440b is hereby amended to read as  
14 follows: 2-2440b. (a) It shall be unlawful for any pesticide business  
15 licensee to apply pesticides for the control of wood destroying pests,  
16 structural pests, ornamental pests, turf pests or interior landscape pests  
17 unless the applicator of the pesticide is a certified commercial applicator or  
18 is a registered pest control technician, except that an uncertified  
19 commercial applicator may apply pesticides when either a certified  
20 applicator or registered pest control technician is physically present.

21 (b) Any such employee applying for a pest control technician  
22 registration shall file an application on a form prescribed by the secretary.  
23 Application for such registration shall be accompanied by an application  
24 fee established by rules and regulations adopted by the secretary, except  
25 that such fee shall not exceed \$40, except that on and after July 1, ~~2018~~  
26 2023, such fee shall not exceed \$25, and shall be reduced, but not below  
27 zero, by an amount equal to the additional fee paid under ~~subsection (b) of~~  
28 K.S.A. 2-2440(b), and amendments thereto, for such uncertified  
29 individual.

30 (c) If the secretary finds the applicant qualified to be a registered pest  
31 control technician after meeting the training requirements determined by  
32 the secretary in rules and regulations, the secretary shall issue a pest  
33 control technician registration which will expire at the end of the calendar  
34 year.

35 (d) This section shall be part of and supplemental to the Kansas  
36 pesticide law.

37 Sec. 4. K.S.A. 2016 Supp. 2-2443a is hereby amended to read as  
38 follows: 2-2443a. An applicant for a commercial applicator's certificate  
39 shall show upon written examination that the applicant possesses adequate  
40 knowledge concerning the proper use and application of pesticides in the  
41 categories or subcategories for which the applicant has applied. A  
42 commercial applicator who holds a current certificate to apply pesticides  
43 commercially in any other state or political subdivision of the United

1 States may be exempted from examination for certification in this state  
2 upon approval of the secretary and payment of a \$75 fee per category,  
3 unless a fee not to exceed \$75 is established in rules and regulations  
4 adopted by the secretary.

5 Applicants shall submit with each application a fee per examination  
6 taken, including each category, subcategory and general core examination.  
7 The examination fee shall be fixed by rules and regulations adopted by the  
8 secretary, except that such fee shall not exceed \$45 per examination,  
9 except that on and after July 1, ~~2018~~ 2023, such fee shall not exceed \$35  
10 per examination. Applicants who fail to pass the examination may reapply  
11 and take another examination upon paying another examination fee, which  
12 fee shall be fixed by rules and regulations adopted by the secretary, except  
13 that such fee shall not exceed \$45 per examination, except that on and  
14 after July 1, ~~2018~~ 2023, such fee shall not exceed \$35 per examination.  
15 The general core examination shall include, but is not limited to, the  
16 following:

17 (a) The proper use of the equipment.

18 (b) The hazards that may be involved in applying the pesticides,  
19 including:

20 (1) The effect of drift of the pesticides on adjacent and nearby lands  
21 and other non-target organisms;

22 (2) the proper meteorological conditions for the application of  
23 pesticides and the precautions to be taken with such application;

24 (3) the effect of the pesticides on plants or animals in the area,  
25 including the possibility of damage to plants or animals or the possibility  
26 of illegal pesticide residues resulting on them;

27 (4) the effect of the application of pesticides to wildlife in the area,  
28 including aquatic life;

29 (5) the identity and classification of pesticides used and the effects of  
30 their application in particular circumstances; and

31 (6) the likelihood of contamination of water or injury to persons,  
32 plants, livestock, pollinating insects and vegetation.

33 (c) Calculating the concentration of pesticides to be used.

34 (d) Identification of common pests to be controlled and damages  
35 caused by such pests.

36 (e) Protective clothing and respiratory equipment for handling and  
37 application of pesticides.

38 (f) General precautions to be followed in the disposal of containers as  
39 well as the cleaning and decontamination of the equipment which the  
40 applicant proposes to use.

41 (g) Applicable state and federal pesticide laws and regulations.

42 (h) Any other subject which the secretary deems necessary.

43 Sec. 5. K.S.A. 2016 Supp. 2-2445a is hereby amended to read as

1 follows: 2-2445a. In lieu of obtaining a commercial applicator's certificate  
2 under the provisions of K.S.A. 2-2441a, and amendments thereto, a private  
3 applicator's certificate may be applied for by and issued to individuals  
4 using restricted use pesticides for the purpose of producing any  
5 agricultural commodity on property owned or rented by the individual or  
6 such individual's employer, or on the property of another for no  
7 compensation other than the trading of personal services between  
8 producers. Such certificates shall expire on the anniversary of the  
9 individual's date of birth occurring in the fifth calendar year following the  
10 year of issue. No certification shall be required hereunder for individuals  
11 operating under the supervision of a certified private applicator.

12 Certified private applicator certificates may be issued to individuals  
13 who have paid: (a) A fee fixed by rules and regulations adopted by the  
14 secretary, except that on and after July 1, ~~2018~~ 2023, such fee shall not  
15 exceed \$10; and (b) who have acquired practical knowledge of pest  
16 problems, proper storage, use, handling and disposal of pesticides and  
17 pesticide containers, pertinent information found on the pesticide labels,  
18 pesticide use safety and environmental considerations, either through  
19 Kansas state university extension service educational training or through  
20 individual study of educational materials available at county extension  
21 offices or the secretary. The certified private applicator certificate fee in  
22 effect on the day preceding the effective date of this act shall continue in  
23 effect until the secretary adopts rules and regulations fixing a different fee  
24 therefor under this section. Individuals shall indicate adequate knowledge  
25 of the subjects enumerated herein by passing an open-book examination  
26 approved by the secretary.

27 Educational materials and examination blanks shall be made available  
28 at county extension offices and at places where extension educational  
29 training is conducted. The examinations shall be scored by members of the  
30 extension or secretary's staff. If an individual passes the examination by  
31 equaling or exceeding a standard authorized by the secretary, a certified  
32 private applicator's certificate shall be issued to such individual. Such staff  
33 member shall send a copy of the certificate issued, together with the fee, to  
34 the secretary.

35 A certified applicator who holds a current certificate to apply pesticides  
36 as a certified private applicator in any other state or political subdivision of  
37 the United States may be exempted from examination for private  
38 applicator certification in this state upon payment of proper fees and  
39 approval by the secretary.

40 Sec. 6. K.S.A. 2016 Supp. 2-3304 is hereby amended to read as  
41 follows: 2-3304. (a) Any user of the chemigation process shall register and  
42 obtain a chemigation user's permit before using the process.

43 (b) Registration shall consist of making application on a form

1 supplied by the secretary. Such application shall include, but not be limited to:  
2

- 3 (1) The name of the persons to whom a permit is to be issued,  
4 including an owner or operator of land on which chemigation is to be used;
- 5 (2) a plan for using anti-pollution devices;
- 6 (3) a plan for handling tail water or accumulations of water;
- 7 (4) the number and locations, including a legal description, of  
8 wellheads which may be involved in the chemigation process and surface  
9 water supply withdrawal points, not to include siphon tubes; and
- 10 (5) payment of fees.

11 (c) The application fee for a chemigation user's permit shall be \$75  
12 plus \$15 for each additional point of diversion, except that on and after  
13 July 1, ~~2018~~ 2023, a chemigation user's permit shall be \$55 plus \$10 for  
14 each additional point of diversion. A chemigation user's permit may be  
15 renewed each year upon making an application, payment of the application  
16 fee and completing the report form providing information used in  
17 chemigation the previous year.

18 Sec. 7. K.S.A. 2016 Supp. 2-3306 is hereby amended to read as  
19 follows: 2-3306. (a) Any individual operating chemigation equipment  
20 under a chemigation user permit shall be responsible for the safe operation  
21 of such chemigation equipment and any such equipment shall be  
22 considered to be under the direct supervision of the chemigation user  
23 permit holder.

24 (b) The secretary shall not issue a chemigation user permit to any  
25 person unless such person is a certified chemigation equipment operator or  
26 has in such person's employment at least one certified chemigation  
27 equipment operator. A chemigation equipment operator is an individual  
28 who has successfully completed an examination given by the secretary or  
29 the secretary's designee. Except as provided in subsection (c), if the  
30 chemigation user permit is issued to an individual, that individual must  
31 have successfully completed the chemigation equipment operator  
32 examination. Such examination shall include, but not be limited to, the  
33 following:

- 34 (1) The proper use of anti-pollution devices;
- 35 (2) preparing the chemical solution and filling the chemical supply  
36 container;
- 37 (3) calibrating of injection equipment;
- 38 (4) supervision of chemigation equipment to assure its safe operation;
- 39 (5) environmental and human hazards that may be involved in  
40 chemigation;
- 41 (6) protective clothing and respiratory equipment;
- 42 (7) general precautions to be followed in disposal of containers and  
43 decontamination of the equipment;

1 (8) handling of tail water and other accumulations of water containing  
2 chemicals;

3 (9) information of procedures to be followed should chemicals  
4 inadvertently enter the water supply source as a result of the chemigation  
5 process;

6 (10) label information, especially chemigation instructions;

7 (11) applicable state and federal laws and regulations; and

8 (12) any other subject which the secretary deems necessary.

9 (c) The examination provided for in subsection (b) may be waived for  
10 any individual who has been certified as a pesticide applicator in the  
11 category of chemigation pursuant to the Kansas pesticide law.

12 (d) The chemigation equipment operator certification shall expire on  
13 December 31 of the fourth calendar year after the year of issue. A  
14 chemigation equipment operator certification shall be renewed for a  
15 succeeding five year period upon payment of the certification fee and  
16 passing the examination specified in either subsection (b) or (c).

17 (e) The fee for certification as a chemigation equipment operator or  
18 for renewal of such certification shall be \$25, except that on and after July  
19 1, ~~2018~~ 2023, such certification shall be \$10.

20 Sec. 8. K.S.A. 2016 Supp. 65-778 is hereby amended to read as  
21 follows: 65-778. (a) Any person who engages in business as a dairy  
22 manufacturing plant shall first apply for and obtain a dairy manufacturing  
23 plant license from the secretary and shall pay a license fee of \$120, or  
24 commencing July 1, 2002, and ending June 30, ~~2018~~ 2023, a license fee of  
25 \$200.

26 (b) Any person who engages in business as a distributor of milk, milk  
27 products or dairy products shall first apply for and obtain a milk distributor  
28 license from the secretary and shall pay a license fee of \$120, or  
29 commencing July 1, 2002, and ending June 30, ~~2018~~ 2023, a license fee of  
30 \$200. No milk distributor license shall be required for a licensed dairy  
31 manufacturing plant which distributes only those products which it  
32 manufactures.

33 (c) Any person who engages in business as a milk hauler shall first  
34 apply for and obtain a milk hauler license from the secretary and shall pay  
35 a license fee of \$25 or commencing July 1, 2002, and ending June 30,  
36 ~~2018~~ 2023, a license fee of \$35. As part of the application, the secretary  
37 may require the applicant to be tested regarding proper procedures for  
38 sampling, testing and weighing milk or cream and state laws and rules and  
39 regulations.

40 (d) Any person who operates a milk or cream transfer station or milk  
41 or cream receiving station shall first apply for and obtain a milk or cream  
42 station license from the secretary and shall pay a license fee of \$50, or  
43 commencing July 1, 2002, and ending June 30, ~~2018~~ 2023, a license fee of

1 \$100.

2 (e) Any person who engages in business as a manufacturer of single  
3 service dairy containers or manufacturer of single service dairy container  
4 closures shall first apply for and obtain a single service manufacturing  
5 license from the secretary and shall pay a license fee of \$50, or  
6 commencing July 1, 2002, and ending June 30, ~~2018~~ 2023, a license fee of  
7 \$100.

8 (f) Any person who operates a milk tank truck cleaning facility shall  
9 first apply for and obtain a milk tank truck cleaning facility license from  
10 the secretary and shall pay a license fee of \$100.

11 (g) Any license issued under this section shall be renewed annually.

12 (h) The dairy manufacturing plant license, milk distributor license,  
13 milk tank truck cleaning facility license, milk or cream station license and  
14 single service manufacturing license shall expire on December 31 of the  
15 year for which it was issued unless suspended or revoked by the secretary  
16 pursuant to this act. The milk hauler license shall expire on June 30  
17 following the date of issuance unless suspended or revoked by the  
18 secretary pursuant to this act.

19 (i) No license issued under this section shall be transferable. No  
20 license shall be renewed if any assessments or fees required under this act  
21 are delinquent.

22 (j) Each applicant for a license or for the renewal of such license shall  
23 submit an application on a form supplied by the secretary accompanied by  
24 the license fee. All licenses shall be conspicuously displayed in the  
25 applicant's place of business.

26 (k) The secretary ~~is authorized and directed to~~ shall reduce any  
27 license fee in subsections (a) through (f) *by adopting rules and regulations*  
28 whenever the secretary determines that such fee is yielding more than is  
29 necessary for administering the provisions of this act. The secretary ~~is~~  
30 ~~authorized to~~ may increase any license fee in subsections (a) through (f);  
31 *by adopting rules and regulations* when such license fee is necessary to  
32 produce sufficient revenues for administering the provisions of this act.  
33 License fees in subsections (a) through (f) shall not be increased in excess  
34 of the *maximum* amounts provided in this section.

35 Sec. 9. On and after January 1, 2018, K.S.A. 2016 Supp. 65-781 is  
36 hereby amended to read as follows: 65-781. The following fees for the  
37 statewide system of milk inspection and regulatory services are hereby  
38 established:

39 (a) A fee of \$.01, or commencing July 1, 2002, and ending June 30,  
40 ~~2018~~ 2023, a fee of \$.015 for each 100 pounds of milk produced by milk  
41 producers under Kansas grade A inspection shall be paid. Each producer is  
42 hereby charged with such fee which shall be paid to the milk producers'  
43 cooperative, milk processor or milk distributor to whom the milk is sold or

1 delivered. Each cooperative, processor or distributor is hereby charged  
2 with the duty of collecting such fees which shall be remitted to the  
3 secretary.

4 (b) A fee of \$.01, or commencing July 1, 2002, and ending June 30,  
5 ~~2018~~ 2023, a fee of \$.02 for each 100 pounds of packaged grade A  
6 pasteurized milk or milk products sold in Kansas at retail to the final  
7 consumer shall be paid. Each distributor is hereby charged with such fee  
8 which shall be remitted to the secretary.

9 (c) A fee of \$.01, or commencing July 1, 2002, and ending June 30,  
10 ~~2018~~ 2023, a fee of \$.02 per 100 pounds or fraction thereof of grade A raw  
11 milk for pasteurization delivered to a milk processor within the state of  
12 Kansas which is processed into grade A milk or grade A milk products  
13 shall be paid. Each milk processor is hereby charged with such fee which  
14 shall be remitted to the secretary. This fee shall not be paid if the milk is  
15 processed or manufactured at the dairy where such milk is produced *and*  
16 *less than 7,000,000 pounds of milk are processed annually.*

17 (d) A milk fee of \$.01, or commencing July 1, 2002, and ending June  
18 30, ~~2018~~ 2023, a fee of \$.015 per 100 pounds of milk or cream for  
19 manufacturing purposes produced by milk producers under Kansas  
20 manufacturing grade milk inspection shall be paid. Each producer is  
21 hereby charged with such fee which shall be paid to the milk producers'  
22 cooperative, dairy manufacturing plant or any other person to whom the  
23 milk or cream for manufacturing purposes is sold or delivered. Each  
24 cooperative, dairy manufacturing plant or other person is hereby charged  
25 with the duty of collecting such fees which shall be remitted to the  
26 secretary.

27 (e) A fee of \$.0075, or commencing July 1, 2002, and ending June 30,  
28 ~~2018~~ 2023, a fee of \$.02 per 100 pounds of Kansas produced milk or  
29 cream for manufacturing purposes or other Kansas produced milk  
30 delivered to a dairy manufacturing plant shall be paid on all Kansas milk  
31 used in the manufacturing of dairy products. As used in this subsection, the  
32 term dairy products shall not include any frozen dairy dessert or frozen  
33 dairy dessert mix. Each dairy manufacturing plant shall pay such fee  
34 which shall be remitted to the secretary. This fee shall not be paid if the  
35 milk is processed or manufactured at the dairy where such milk is  
36 produced *and less than 7,000,000 pounds of milk are processed annually.*

37 (f) In lieu of the fee prescribed in subsection (e), a fee of \$1, or  
38 commencing July 1, 2002, and ending June 30, ~~2018~~ 2023, a fee of \$2 per  
39 thousand gallons of frozen dairy dessert or frozen dairy dessert mix shall  
40 be paid by the manufacturer thereof. Each manufacturer of frozen dairy  
41 dessert or frozen dairy dessert mix is hereby charged with such fee which  
42 shall be remitted to the secretary. Frozen dairy dessert mix which is further  
43 processed into the corresponding frozen dairy dessert by the manufacturer

1 of the frozen dairy dessert mix shall not be subject to the fee required by  
2 this subsection.

3 (g) A fee of \$1, or commencing July 1, 2002, and ending June 30,  
4 ~~2018~~ 2023, a fee of \$2 per thousand gallons of frozen dairy dessert or  
5 frozen dairy dessert mix imported for retail sale in Kansas shall be paid by  
6 the milk distributor who imports these products.

7 (h) A fee of \$50 for the annual inspection of a milk tank truck as  
8 required by this act. The milk transportation company that owns or leases  
9 the milk tank truck shall pay such fee which shall be remitted to the  
10 secretary.

11 (i) If any fee computed pursuant to subsection (a) through (e) is less  
12 than \$2.50, then the sum of \$2.50 shall be paid in lieu of the computed fee.  
13 If any fee computed pursuant to subsection (f) or (g) is less than \$7.50, a  
14 minimum fee of \$7.50 shall be paid in lieu of the computed fee.

15 (j) All fees established herein shall be paid to the secretary in the  
16 following manner:

17 (1) The fees established in subsections (a) and (c) through (e) shall be  
18 remitted on or before the 30<sup>th</sup> day of each month for the calendar month  
19 immediately preceding and shall be accompanied by a report, in the form  
20 prescribed by the secretary, indicating the quantities upon which the  
21 remittance is based.

22 (2) The fees established in subsections (b), (f) and (g) shall be  
23 remitted on April 30, July 31, October 31 and January 31 for the three  
24 calendar months immediately preceding and shall be accompanied by a  
25 report, in the form prescribed by the secretary, indicating the quantities  
26 upon which the remittance is based.

27 (3) The fee established in subsection (h) shall be remitted within 60  
28 days from the date of inspection.

29 (k) Any person who fails to remit all or any part of the required fee or  
30 to submit the required report by the date due may be assessed an additional  
31 charge equal to 1% of the amount of delinquent fees for each day after the  
32 date due, or \$5, whichever amount is greater.

33 (l) ~~The secretary is hereby authorized and directed to~~ shall reduce any  
34 inspection fee in subsections (a) through (h) *by adopting rules and*  
35 *regulations* whenever the secretary determines that such fee is yielding  
36 more than is necessary for administering the provisions of this act. The  
37 ~~secretary is authorized to~~ may increase any inspection fee in subsections  
38 (a) through (h) *by adopting rules and regulations* when such inspection fee  
39 is necessary to produce sufficient revenues for administering the  
40 provisions of this act. License fees in subsections (a) through (h) shall not  
41 be increased in excess of the *maximum* amounts provided in this section.

42 Sec. 10. K.S.A. 74-576 is hereby amended to read as follows: 74-576.  
43 In addition to the specific powers and duties conferred upon the secretary

1 of agriculture by the laws of this state, the secretary is hereby authorized  
 2 to:

3 (a) Make and enter into contracts and agreements necessary or  
 4 incidental to the execution of the laws relating to the department of  
 5 agriculture; ~~and~~

6 (b) *charge and collect, by order, a fee necessary for the*  
 7 *administration and processing of paper documents, including*  
 8 *applications, registrations, permits, licenses, certifications, renewals,*  
 9 *reports and remittance of fees that are necessary or incidental to the*  
 10 *execution of the laws relating to the department of agriculture, when an*  
 11 *electronic system for processing such documents exists. Such fee shall be*  
 12 *in addition to any fee the secretary is authorized to charge by law and*  
 13 *shall not exceed \$50; and*

14 (c) foster and promote the development and economic welfare of the  
 15 agricultural industry of the state.

16 Sec. 11. K.S.A. 2016 Supp. 82a-303b is hereby amended to read as  
 17 follows: 82a-303b. (a) (1) In order to secure conformity with adopted rules  
 18 and regulations and to assure compliance with the terms, conditions or  
 19 restrictions of any consent or permit granted pursuant to the provisions of  
 20 K.S.A. 82a-301 through 82a-303, and amendments thereto, the chief  
 21 engineer or an authorized representative of the chief engineer shall have  
 22 the power and the duty to inspect any dam or other water obstruction.  
 23 Upon a finding pursuant to ~~subsection (a)~~ of K.S.A. 82a-303c(a), and  
 24 amendments thereto, by the chief engineer that a dam is unsafe, the chief  
 25 engineer shall order an annual inspection of the dam until it is either in  
 26 compliance with all applicable provisions of this act, any rules and  
 27 regulations promulgated pursuant to this act, permit conditions and orders  
 28 of the chief engineer; or the dam is removed. The safety inspection shall be  
 29 conducted by the chief engineer or authorized representative and the cost  
 30 shall be paid by the dam owner. The class and size of a dam shall be  
 31 defined by rules and regulations adopted by the chief engineer pursuant to  
 32 K.S.A. 82a-303a, and amendments thereto. *For inspections conducted by*  
 33 *the chief engineer or the chief engineer's authorized representative,*  
 34 *inspection fees are as follows:*

Size of Dam	Inspection fee
<i>Class 1</i>	<i>\$1,500</i>
<i>Class 2</i>	<i>\$1,500</i>
<i>Class 3</i>	<i>\$2,500</i>
<i>Class 4</i>	<i>\$4,000</i>

41 (2) Each hazard class C dam shall be required to have a safety  
 42 inspection conducted by a licensed professional engineer qualified in  
 43 design, construction, maintenance and operation of dams once every three

1 years, unless otherwise ordered by the chief engineer.

2 (3) Each hazard class B dam shall be required to have a safety  
3 inspection conducted by a licensed professional engineer qualified in  
4 design, construction, maintenance and operation of dams once every five  
5 years unless otherwise ordered by the chief engineer.

6 (4) Within 60 days of the date of inspection, a report of the inspection  
7 shall be provided to the chief engineer by the licensed professional  
8 engineer who conducted the inspection. The report shall document the  
9 physical condition of the dam, describing any deficiencies observed, an  
10 analysis of the capacity of the dam and its spillway works, compliance of  
11 the dam with approved plans and permit conditions, changes observed in  
12 the condition of the dam since the previous inspection, an assessment of  
13 the hazard classification of the dam including a statement that the engineer  
14 either agrees or disagrees with the current classification, and any other  
15 information relevant to the safety of the dam or specifically requested by  
16 the chief engineer.

17 (5) Upon failure of a dam owner to comply with the applicable  
18 inspection interval, the chief engineer or such chief engineer's authorized  
19 representative shall conduct a mandatory inspection of the dam and the  
20 costs as established by this act for the inspection shall be paid by the  
21 owner, in addition to any other remedies provided for violations of this act.

22 (6) The failure to file a complete and timely report as required by the  
23 provisions of this act, or the failure to submit the fees assessed for  
24 inspections conducted by the chief engineer or the chief engineer's  
25 authorized representative shall be deemed a violation of this act and  
26 subject to the penalties provided by K.S.A. 82a-305a, and amendments  
27 thereto.

28 (b) For the purpose of inspecting any dam or other water obstruction,  
29 the chief engineer or an authorized representative of the chief engineer  
30 shall have the right of access to private property. Costs for any work which  
31 may be required by the chief engineer or the authorized representative  
32 prior to or as a result of the inspection of a dam or other water obstruction  
33 shall be paid by the owner, governmental agency or operator of such dam  
34 or other water obstruction.

35 (c) All fees collected by the chief engineer pursuant to this section  
36 shall be remitted to the state treasurer as provided in K.S.A. 2016 Supp.  
37 82a-328, and amendments thereto.

38 Sec. 12. K.S.A. 2016 Supp. 82a-708a is hereby amended to read as  
39 follows: 82a-708a. (a) Any person may apply for a permit to appropriate  
40 water to a beneficial use, notwithstanding that the application pertains to  
41 the use of water by another, or upon or in connection with the lands of  
42 another. Any rights to the beneficial use of water perfected under such  
43 application shall attach to the lands on or in connection with which the

1 water is used and shall remain subject to the control of the owners of the  
2 lands as in other cases provided by law.

3 (b) Except as otherwise provided in subsections (d), (e) and (f), each  
4 application for a permit to appropriate water, except applications for  
5 permits for domestic use, shall be accompanied by an application fee fixed  
6 by this section for the appropriate category of acre feet in accordance with  
7 the following:

8 Acre Feet	Fee
9 0 to 100.....	\$200
10 101 to 320.....	\$300
11 More than 320.....	\$300 + \$20
	for each additional 100
	acre feet or any part thereof

14 On and after July 1, ~~2018~~ 2023, the application fee shall be fixed by  
15 this section for the appropriate category of acre feet in accordance with the  
16 following:

17 Acre Feet	Fee
18 0 to 100.....	\$100
19 101 to 320.....	\$150
20 More than 320.....	\$150 + \$10
	for each additional 100
	acre feet or any part thereof

23 The chief engineer shall render a decision on such permit applications  
24 within 150 days of receiving a complete application except when the  
25 application cannot be processed due to the standards established in K.A.R.  
26 5-3-4c. Upon failure to render a decision within 180 days of receipt of a  
27 complete application, the application fee is subject to refund upon request.

28 (c) Except as otherwise provided in subsections (d), (e) and (f), each  
29 application for a permit to appropriate water for storage, except  
30 applications for permits for domestic use, shall be accompanied by an  
31 application fee fixed by this section for the appropriate category of  
32 storage-acre feet in accordance with the following:

33 Storage-Acre Feet	Fee
34 0 to 250.....	\$200
35 More than 250.....	\$200 + \$20
	for each additional 250
	storage-acre feet or any part thereof

38 On and after July 1, ~~2018~~ 2023, the application fee shall be fixed by  
39 this section for the appropriate category of storage-acre feet in accordance  
40 with the following:

41 Storage-Acre Feet	Fee
42 0 to 250.....	\$100
43 More than 250.....	\$100 + \$10

1 for each additional 250  
2 storage-acre feet or any part thereof

3 The chief engineer shall render a decision on such permit applications  
4 within 150 days of receiving a complete application except when the  
5 application cannot be processed due to the standards established in K.A.R.  
6 5-3-4c. Upon failure to render a decision within 180 days of receipt of a  
7 complete application, the application fee is subject to refund upon request.

8 (d) Each application for a term permit pursuant to K.S.A. 2016 Supp.  
9 82a-736, and amendments thereto, shall be accompanied by an application  
10 fee established by rules and regulations of the chief engineer in an amount  
11 not to exceed \$400 for the five-year period covered by the permit.

12 (e) For any application for a permit to appropriate water, except  
13 applications for permits for domestic use, which proposes to appropriate  
14 by both direct flow and storage, the fee charged shall be the fee under  
15 subsection (b) or subsection (c), whichever is larger, but not both fees.

16 (f) Each application for a permit to appropriate water for water power  
17 or dewatering purposes shall be accompanied by an application fee of  
18 \$100 plus \$200 for each 100 cubic feet per second, or part thereof, of the  
19 diversion rate requested in the application for the proposed project.

20 (g) All fees collected by the chief engineer pursuant to this section  
21 shall be remitted to the state treasurer as provided in K.S.A. 82a-731, and  
22 amendments thereto.

23 Sec. 13. K.S.A. 2016 Supp. 82a-708b is hereby amended to read as  
24 follows: 82a-708b. (a) Any owner of a water right may change the place of  
25 use, the point of diversion or the use made of the water, without losing  
26 priority of right, provided such owner shall: (1) Apply in writing to the  
27 chief engineer for approval of any proposed change; (2) demonstrate to the  
28 chief engineer that any proposed change is reasonable and will not impair  
29 existing rights; (3) demonstrate to the chief engineer that any proposed  
30 change relates to the same local source of supply as that to which the water  
31 right relates; and (4) receive the approval of the chief engineer with  
32 respect to any proposed change. The chief engineer shall approve or reject  
33 the application for change in accordance with the provisions and  
34 procedures prescribed for processing original applications for permission  
35 to appropriate water. If the chief engineer disapproves the application for  
36 change, the rights, priorities and duties of the applicant shall remain  
37 unchanged. Any person aggrieved by an order or decision by the chief  
38 engineer relating to an application for change may petition for review  
39 thereof in accordance with the provisions of K.S.A. 2016 Supp. 82a-1901,  
40 and amendments thereto.

41 (b) Each application to change the place of use, the point of diversion  
42 or the use made of the water under this section shall be accompanied by  
43 the application fee set forth in the schedule below:

- 1 (1) Application to change a point of diversion 300
- 2 feet or less.....\$100
- 3 (2) Application to change a point of diversion more
- 4 than 300 feet.....200
- 5 (3) Application to change the place of use..... 200
- 6 (4) Application to change the use made of water..... 300

7 On and after July 1, ~~2018~~ 2023, the application fee shall be set forth in  
8 the schedule below:

- 9 (1) Application to change a point of diversion 300
- 10 feet or less..... \$50
- 11 (2) Application to change a point of diversion more
- 12 than 300 feet..... 100
- 13 (3) Application to change the place of use..... 100
- 14 (4) Application to change the use made of the water..... 150

15 The chief engineer shall render a decision on such permit applications  
16 within 150 days of receiving a complete application except when the  
17 application cannot be processed due to the standards established in K.A.R.  
18 5-3-4c. Upon failure to render a decision within 180 days of receipt of a  
19 complete application, the application fee is subject to refund upon request.

20 (c) All fees collected by the chief engineer pursuant to this section  
21 shall be remitted to the state treasurer as provided in K.S.A. 82a-731, and  
22 amendments thereto.

23 Sec. 14. K.S.A. 2016 Supp. 82a-708c is hereby amended to read as  
24 follows: 82a-708c. (a) A term permit is a permit to appropriate water for a  
25 limited specified period of time in excess of six months. At the end of the  
26 specified time, or any authorized extension approved by the chief engineer,  
27 the permit shall be automatically dismissed, and any priority it may have  
28 had shall be forfeited. No water right shall be perfected pursuant to a term  
29 permit.

30 (b) Each application for a term permit to appropriate water shall be  
31 made on a form prescribed by the chief engineer and shall be accompanied  
32 by an application fee fixed by this section for the appropriate category of  
33 acre feet in accordance with the following:

Acre Feet	Fee
34 0 to 100.....	\$200
35 101 to 320.....	\$300
36 More than 320.....	\$300 + \$20
37	for each additional 100
38	acre feet or any part thereof

39  
40 On and after July 1, ~~2018~~ 2023, the application fee shall be set forth in  
41 the schedule below:

Acre Feet	Fee
42 0 to 100.....	\$100

1	101 to 320.....	\$100
2	More than 320.....	\$150 + \$10
3		for each additional 100
4		acre feet or any part thereof

5 The chief engineer shall render a decision on such term permit  
6 applications within 150 days of receiving a complete application except  
7 when the application cannot be processed due to the standards established  
8 in K.A.R. 5-3-4c. Upon failure to render a decision within 180 days of  
9 receipt of a complete application, the application fee is subject to refund  
10 upon request.

11 (c) Each application for a term permit to appropriate water for  
12 storage, except applications for permits for domestic use, shall be  
13 accompanied by an application fee fixed by this section for the appropriate  
14 category of storage-acre feet in accordance with the following:

15	Storage-Acre Feet	Fee
16	0 to 250.....	\$200
17	More than 250.....	\$200 + \$20
18		for each additional 250
19		acre feet or any part thereof

20 On and after July 1, ~~2018~~ 2023, the application fee shall be set forth in  
21 the schedule below:

22	Storage-Acre Feet	Fee
23	0 to 250.....	\$100
24	More than 250.....	\$100 + \$10
25		for each additional 250
26		acre feet or any part thereof

27 The chief engineer shall render a decision on such term permit  
28 applications within 150 days of receiving a complete application except  
29 when the application cannot be processed due to the standards established  
30 in K.A.R. 5-3-4c. Upon failure to render a decision within 180 days of  
31 receipt of a complete application, the application fee is subject to refund  
32 upon request.

33 (d) Each application for a term permit pursuant to K.S.A. 2016 Supp.  
34 82a-736, and amendments thereto, shall be accompanied by an application  
35 fee established by rules and regulations adopted by the chief engineer in an  
36 amount not to exceed \$400 for the five-year period covered by the permit.

37 (e) Notwithstanding the provisions of K.S.A. 82a-714, and  
38 amendments thereto, the applicant is not required to file a notice of  
39 completion of diversion works nor pay a field inspection fee. The chief  
40 engineer shall not conduct a field inspection of the diversion works  
41 required by statute for purposes of certification nor issue a certificate of  
42 appropriation for a term permit.

43 (f) A request to extend the term of a term permit in accordance with

1 the rules and regulations adopted by the chief engineer shall be  
2 accompanied by the same filing fee applicable to other requests for  
3 extensions of time as set forth in K.S.A. 82a-714, and amendments thereto.

4 (g) An application to change the place of use, point of diversion, use  
5 made of water, or any combination thereof, pursuant to K.S.A. 82a-708b,  
6 and amendments thereto, shall not be approved for a term permit, except  
7 as provided in K.S.A. 82a-736, and amendments thereto.

8 (h) The chief engineer shall adopt rules and regulations to effectuate  
9 and administer the provisions of this section.

10 Sec. 15. K.S.A. 2016 Supp. 82a-714 is hereby amended to read as  
11 follows: 82a-714. (a) Upon the completion of the construction of the  
12 works and the actual application of water to the proposed beneficial use  
13 within the time allowed, the applicant shall notify the chief engineer to that  
14 effect. The chief engineer or the chief engineer's duly authorized  
15 representative shall then examine and inspect the appropriation diversion  
16 works and, if it is determined that the appropriation diversion works have  
17 been completed and the appropriation right perfected in conformity with  
18 the approved application and plans, the chief engineer shall issue a  
19 certificate of appropriation in duplicate. The original of such certificate  
20 shall be sent to the owner and shall be recorded with the register of deeds  
21 in the county or counties wherein the point of diversion is located, as are  
22 other instruments affecting real estate, and the duplicate shall be made a  
23 matter of record in the office of the chief engineer.

24 (b) Not later than 60 days before the expiration of the time allowed in  
25 the permit to complete the construction of the appropriation diversion  
26 works or the time allowed in the permit to actually apply water to the  
27 proposed beneficial use, the chief engineer shall notify the permit holder  
28 by certified mail that any request for extension of such time must be filed  
29 with the chief engineer before the expiration of the time allowed in the  
30 permit.

31 (c) Unless the applicant requests an extension or the certificate has  
32 not been issued due to the applicant's failure to comply with reasonable  
33 requests for information or to allow the opportunity to examine and inspect  
34 the appropriation diversion works, as necessary for certification, the chief  
35 engineer shall certify an appropriation:

36 (1) Before July 1, 2004, if the time allowed in the permit to perfect  
37 the water right expired before July 1, 1999, except in those cases in which  
38 abandonment proceedings pursuant to K.S.A. 82a-718, and amendments  
39 thereto, are pending on July 1, 2004;

40 (2) before July 1, 2006, in such cases in which an abandonment  
41 proceeding was pending pursuant to K.S.A. 82a-718, and amendments  
42 thereto, on July 1, 2004; or

43 (3) not later than five years after the date the applicant notifies the

1 chief engineer of the completion of construction of the works and the  
2 actual application of water to the proposed beneficial use within the time  
3 allowed, in all other cases.

4 If the chief engineer fails to issue a certificate within the time provided  
5 by this subsection, the applicant may request review, pursuant to K.S.A.  
6 2016 Supp. 82a-1901, and amendments thereto, of the chief engineer's  
7 failure to act.

8 (d) Except for works constructed to appropriate water for domestic  
9 use, each notification to the chief engineer under subsection (a) shall be  
10 accompanied by a field inspection fee of \$400, or on and after July 1, ~~2018~~  
11 2023, a fee of \$200, except that for applications filed on or after July 1,  
12 2009, for works constructed for sediment control use and for evaporation  
13 from a groundwater pit for industrial use shall be accompanied by a field  
14 inspection fee of \$200. Failure to pay the field inspection fee, after  
15 reasonable notice by the chief engineer of such failure, shall result in the  
16 permit to appropriate water being revoked, forfeiture of the priority date  
17 and revocation of any appropriation right that may exist.

18 (e) A request for an extension of time to: (1) Complete the diversion  
19 works; or (2) perfect the water right, shall be accompanied by a fee of \$50,  
20 or commencing July 1, 2002, and ending June 30, ~~2018~~ 2023, a fee of  
21 \$100.

22 (f) A request to reinstate a water right or a permit to appropriate water  
23 which has been dismissed shall be filed with the chief engineer within 60  
24 days of the date dismissed and shall be accompanied by a fee of \$100, or  
25 commencing July 1, 2002, and ending June 30, ~~2018~~ 2023, a fee of \$200.

26 (g) All fees collected by the chief engineer pursuant to this section  
27 shall be remitted to the state treasurer as provided in K.S.A. 82a-731, and  
28 amendments thereto.

29 Sec. 16. K.S.A. 2016 Supp. 82a-727 is hereby amended to read as  
30 follows: 82a-727. (a) Subject to existing water rights and the principle of  
31 beneficial use, the chief engineer may grant upon application made  
32 therefor temporary permits and extensions thereof to appropriate water in  
33 any case where the public interest in such water will not be unreasonably  
34 or prejudicially affected, except that the chief engineer shall not grant any  
35 such permit to appropriate fresh water in any case where other waters are  
36 available for the proposed use and the use thereof is technologically and  
37 economically feasible. No such temporary permit or any extension thereof  
38 shall be granted for a period of time in excess of six months. Each  
39 application submitted for a temporary permit or extension thereof shall be  
40 accompanied by an application fee of \$200, or on and after July 1, ~~2018~~  
41 2023, a fee of \$100.

42 (b) The chief engineer shall adopt rules and regulations to effectuate  
43 and administer the provisions of this section.

1 (c) Nothing in this section shall be deemed to vest in the holder of  
2 any permit granted pursuant to provisions of this section any permanent  
3 right to appropriate water except as is provided by such permit.

4 (d) All fees collected by the chief engineer pursuant to this section  
5 shall be remitted to the state treasurer as provided in K.S.A. 82a-731, and  
6 amendments thereto.

7 Sec. 17. K.S.A. 74-576 and K.S.A. 2016 Supp. 2-1205, 2-2440, 2-  
8 2440b, 2-2443a, 2-2445a, 2-3304, 2-3306, 65-778, 65-781, 82a-303b, 82a-  
9 708a, 82a-708b, 82a-708c, 82a-714 and 82a-727 are hereby repealed.

10 Sec. 18. On and after January 1, 2018, K.S.A. 2016 Supp. 65-781 is  
11 hereby repealed.

12 Sec. 19. This act shall take effect and be in force from and after its  
13 publication in the statute book.