

REVISED
SESSION OF 2017

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2136

As Recommended by House Committee on
Agriculture

Brief*

HB 2136 would establish maximum license application fees for each service company that works with motor fuel dispensing devices. Beginning with the 2017 license year, the Secretary of Agriculture would be authorized, by order, to set the fees with the following maximum amounts:

- Commencing July 1, 2017, the maximum amount would be \$100;
- Commencing July 1, 2019, the maximum amount would be \$110;
- Commencing July 1, 2021, the maximum amount would be \$120; and
- Commencing July 1, 2023, the maximum amount would be \$130.

The fees for license renewals would be equal to the license application fees provided for each place of business.

The bill would also change the continuing education requirements for licensed fuel service technical representatives (technical representative). Beginning on July 1, 2017, each technical representative who has had ten years of continuous licensure with no administrative enforcement actions would be eligible to obtain a three-year license. The bill would establish the three-year license fee at an amount not to exceed \$300 and require those technical representatives to complete continuing education at a frequency not exceeding once every three years.

*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 Secretary would be authorized to promulgate rules and regulations to require technical representatives in violation of this legislation or rules and regulations to seek renewal of a license on an annual basis, as well as establish criteria for reinstatement of eligibility for the three-year license.

In addition, the bill would give authority to the Kansas Department of Agriculture (KDA) to charge a fee to the attendees of continuing education seminars in an amount not more than is necessary to cover the expenses incurred by the agency.

The bill would be in effect upon publication in the *Kansas Register*.

Background

The bill was introduced by the House Committee on Agriculture. At the House Committee hearing, a Deputy Secretary of the KDA provided background and testimony in favor of the bill. The Deputy Secretary stated the current fee per motor fuel service company is \$50, because the previous fee of \$100 had sunset in 2010. Additionally, the Deputy Secretary stated the 2016 Legislature passed HB 2490, which made the same changes to scale service companies and passage of this bill would mirror those 2016 changes. No other testimony was provided.

The fiscal note prepared by the Division of the Budget states enactment of the bill would have no fiscal effect. Because the same service company licenses are used for both weights and measures and motor fuel dispensing devices, the increases in licensing fees shown in the bill were included in the 2016 HB 2490 fiscal note and are already in statute and included in the agency budget for FY 2017 and out years.