

**Neutral Testimony on HB 2155
to the Senate Committee on Agriculture and Natural Resources
by Kenneth Titus, Chief Counsel
Kansas Department of Agriculture
March 12, 2021**

Chairman Kerschen and members of the committee, I am Kenneth Titus and I serve as Chief Counsel to the Kansas Department of Agriculture (KDA). I appreciate the opportunity to provide neutral testimony regarding House Bill 2155.

The KDA Pesticide and Fertilizer Program is responsible for administering various laws and regulations in the state, including the Kansas Agricultural Chemical Act of 1947, K.S.A. 2-2201 *et seq.*; the Kansas Pesticide Law, K.S.A. 2-2438a *et seq.*; and the Kansas Fertilizer Law, K.S.A. 2-1201 *et seq.*

The Kansas Agricultural Chemical Act of 1947 provides for the registration of agricultural chemicals within the state. The Kansas Pesticide Law establishes requirements relating to the use, storage, and handling of pesticide products. Finally, the Kansas Fertilizer Law establishes requirements relating to fertilizer products; ensures that such products are properly labeled and safely stored; and requires reporting to KDA when fertilizer products are improperly released or discharged.

House Bill 2155 clarifies the responsibilities of KDHE with respect to soil and water pollutant releases and cleanup while recognizing the role of agricultural chemicals, including fertilizer products and anhydrous ammonia, in agricultural activities.

KDA is committed to working with KDHE to develop a mechanism wherein KDHE's Spill Reporting Hotline satisfies the notification requirements imposed by KDA's laws after an improper release or discharge of agricultural chemicals. A one-call system such as KDHE's Spill Reporting Hotline will provide a straightforward process for persons to report releases, including the improper release of agricultural chemicals, while providing necessary notifications to governmental agencies.

Thank you for the opportunity to provide this testimony regarding House Bill 2155.