

2023 Kansas Statutes

2-1316. Responsibility for enforcement; weed supervisors; duties; salary; annual surveys, progress report and submission of a prospective management plan. (a) The responsibility for the enforcement of the provisions of this act shall be vested in the board of county commissioners as to all lands within the boundaries of such county, unless otherwise provided for. Cities and townships may enter into an agreement with the board of county commissioners to take upon themselves the responsibility of the enforcement of the provisions of this act. If, at any time, a board of county commissioners determines that a city or township within the boundaries of the county that has taken upon itself the responsibility of the enforcement of the provisions of this act is unable or unwilling to fulfill those responsibilities, the board of county commissioners may revoke the agreement and resume the responsibility for the enforcement of the provisions of this act.

(b) The board of county commissioners of each county shall, and the governing body of any incorporated city, township board, or any group of counties or cities may, employ with the approval of the secretary, a county, township, city or district weed supervisor.

(c) The weed supervisor shall: (1) Consult and cooperate with the secretary in all matters pertaining to the best and most practical methods for noxious weed control and eradication; (2) render every possible assistance and direction for the most effective control and eradication of noxious weeds within the weed supervisor's jurisdiction; (3) investigate or aid in the investigation and prosecution of any violation of this act and report violations of which the weed supervisor has knowledge to the county attorney; and (4) before applying any chemical control of noxious weeds to any public or private lands, determine if such lands or adjacent lands are registered on the registry or registries identified by the secretary to provide location information about organic, sensitive or specialty crops.

(d) The salary of the county weed supervisor shall be paid out of the county noxious weed fund or, if the noxious weed program is funded primarily through county general funds, the salary shall be paid from the county general funds, prorated as may be decided at the time of such employment by the governing body or bodies employing such supervisor. If the noxious weed program is funded from more than one source, the salary shall be paid from each source in proportion to its contribution to the noxious weed program.

(e) The weed supervisor shall make annual surveys of noxious weed infestations and ascertain the approximate amount of land and highway or any kind of right-of-way infested with each kind of noxious weed and its location in the county not later than October 31 of each year. The weed supervisor shall compile data on areas eradicated and under treatment and any other data the secretary may deem necessary and submit, by March 15 of each year, an annual weed eradication progress report for the preceding calendar year to the board of county commissioners for their approval and then to the secretary for review. By March 15 of each year, the weed supervisor shall prepare and submit a management plan for the coming year to the board of county commissioners for approval and to the secretary for review.

History: L. 1937, ch. 1, § 3; L. 1945, ch. 3, § 3; L. 1957, ch. 7, § 2; L. 1995, ch. 32, § 1; L. 2004, ch. 101, § 27; L. 2018, ch. 77, § 8; July 1.