

MINUTES OF THE HOUSE COMMITTEE ON AGRICULTURE.

The meeting was called to order by Chairman Dan Johnson at 3:30 p.m. on March 7, 2001, in Room 423-S of the Capitol.

All members were present except: Representative Flora - absent
Representative Hutchins - excused

Committee staff present: Raney Gilliland, Legislative Research Department
Gordon Self, Revisor of Statutes Office
Kay Scarlett, Committee Secretary

Conferees appearing before the committee:

Jamie Clover Adams, Secretary, Kansas Department of Agriculture
Steve Woolington, Director, Division of Operations, Kansas Department of Transportation
Randy Allen, Executive Director, Kansas Association of Counties
Tracy Lasher, Reno County Noxious Weed Director, and President, County Weed Director Association of Kansas
Rodney Biesenthal, Pottawatomie County Noxious Weed Director
Russ Frey, Riley County Commissioner
Kerri Ebert, Chairman, Kansas Agricultural Alliance
Bill Fuller, Associate Director, Public Policy Division, Kansas Farm Bureau
Doug Wareham, Kansas Fertilizer and Chemical Association and Kansas Grain and Feed Assn.
Mike Beam, Executive Secretary, Cow-Calf/Stocker Division, Kansas Livestock Association
Chris Wilson, Kansas Seed Industry Association and Kansas Agricultural Aviation Association
Joe Lieber, President, Kansas Cooperative Council

Others attending: See attached list

Hearing on HB 2468 - Enacting the land stewardship and productivity act.

Chairman Johnson opened the hearing on **HB 2468**. Raney Gilliland explained that **HB 2468** to be known as the Land Stewardship and Productivity Act would rewrite and update Kansas noxious weed law. The bill defines "responsible party" and establishes three categories and two subcategories of noxious weeds. The Kansas Department of Agriculture would be required to adopt, through rules and regulations, an official control plan for each noxious weed identified in the state and to adopt official methods for the management of noxious weeds.

The bill would require that each county weed director prepare a weed management plan and offer a financial incentive for the control of noxious weeds in the containment category and primary management subcategory. The county may offer a financial incentive for the control of noxious weeds in the secondary management subcategory and offer for sale products and materials for the control and management of noxious weeds. The bill provides for both criminal and civil penalties for failure to control and manage noxious weeds. Hay used as mulch on public lands or along public right-of-way must be certified to be free of noxious weeds. A number of drafting errors in the bill were identified.

Jamie Clover Adams, Secretary, Kansas Department of Agriculture, appeared in support of **HB 2468** providing a history of the current noxious weed law which has had no major changes since it was enacted in 1937. She explained that a group of Kansans from various organizations, facilitated by KDA staff, began meeting in January 1999 to review the current law and develop proposals to improve the control and management of noxious weeds in Kansas. Included with her testimony is a balloon containing technical amendments and clarification of the proposed language. (Attachment 1)

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Steve Woolington, Director, Division of Operations, Kansas Department of Transportation, discussed the requirements in **HB 2468** that pertain to the control and management of noxious weeds that infiltrate public right-of-ways and the use of certified mulch. Because of the limited availability of certified mulch and time frames associated with letting of projects, KDOT asked for an amendment that would allow them sufficient time to phase in the use of certified mulch. KDOT could support this bill provided that all projects let before January 1, 2002, were excluded from this provision. (Attachment 2)

Randy Allen, Executive Director, Kansas Association of Counties, expressed support for **HB 2468**. He reported that from a financial perspective, county budgets reflect an annual investment of about \$18 million in noxious weed programs, compared to approximately \$200,000 in state funds appropriated for program oversight. The Kansas Association of Counties supports enactment of a standard classification system based on acreage of noxious weeds in each county to enable prioritization of resources to eradicate noxious weeds, as long as financial incentives for various control practices are locally determined and that the list of state-declared noxious weeds continues to be accomplished by legislative enactment. KAC also supports strengthened enforcement penalties. (Attachment 3)

Tracy Lasher, Reno County Noxious Weed Director and President of the County Weed Director Association of Kansas, appeared in support of **HB 2468**. Their association feels the minimum and maximum acres for the classifications may be too low and deserves more study. The Association supports the practice of listing noxious weeds through the legislative process; believes the cost share certificate program should remain a county option; supports strengthened enforcement strategies; supports greater collaborative efforts involving counties, KDA, KSU Research and Extension, and others; and supports continued or increased funding for noxious weed control within the Department of Agriculture. (Attachment 4)

Rodney Biesenthal, Pottawatomie County Noxious Weed Director, shared his concerns in regard to **HB 2468**. He noted several technical errors with the bill as written and outlined various recommendations and amendments. (Attachment 5)

Russ Frey, Riley County Commissioner, and Vice President of the Kansas Association of Counties, testified in support of **HB 2468** on behalf of County Commissioners and KAC leadership. He expressed the need for maximum local flexibility in management of programs by counties for compliance and cost share of chemicals used in noxious weed control. (Attachment 6)

Kerri Ebert, Chairman, Kansas Agricultural Alliance, representing 21 agricultural associations, appeared in support of **HB 2468**. She offered an amendment on behalf of the Alliance that would require the same financial incentive apply whether the responsible party purchases chemicals from the county noxious weed department or a registered Kansas pesticide dealer. (Attachment 7)

Bill Fuller, Associate Director, Public Policy Division, Kansas Farm Bureau, testified in support of **HB 2468** and the amendment presented by the Kansas Agricultural Alliance that would allow landowners to acquire chemical controls from registered pesticide providers and receive the same savings as available through the county weed department. (Attachment 8)

Doug Wareham, representing both the Kansas Fertilizer and Chemical Association and the Kansas Grain and Feed Association, appeared in support of **HB 2468** and the mandatory cost-share certificate program amendment proposed by the Kansas Agricultural Alliance. (Attachment 9)

Mike Beam, Executive Secretary, Cow-Calf/Stocker Division, Kansas Livestock Association, testified in support of **HB 2468** and the proposed amendment by the Kansas Agricultural Alliance. The Kansas Livestock Association also proposed an amendment that would authorize the Department of Agriculture, through the rules and regulation process, to list noxious weeds in Kansas. (Attachment 10)

Chris Wilson, representing both the Kansas Seed Industry Association and the Kansas Agricultural Aviation Association, appeared in support of **HB 2468** and the amendment offered by the Kansas Agricultural Alliance. (Attachment 11)

CONTINUATION SHEET

Joe Lieber, President, Kansas Cooperative Council, testified in support of **HB 2468** and the amendment proposed by the Kansas Agricultural Alliance. (Attachment 12)

As there were no other conferees, the Chairman closed the hearing on **HB 2468**.

Raney Gilliland provided a summary of Federal Title IX - Trade Sanctions Reform and Export Enhancement legislation as published in the Federal Register in late February 2001. This information relates to **HCR 5017** heard in committee on February 28, 2001. (Attachment 13)

The meeting adjourned at 5:40 p.m. The next meeting is scheduled for March 12, 2001.