



816 SW Tyler St., Topeka, KS 66612
KCC: 785-233-4068 www.kansasco-op.coop
KARA: 783-234-0461 www.kansasag.org

Oct. 22, 2015

TO: Special Committee on Agriculture & Natural Resources

From: Leslie Kaufman, Kansas Cooperative Council (KCC)
Ron Seeber, Kansas Agribusiness Retailers Assoc. (KARA)

RE: **SB 134 - Support for moving noxious weed designation to regulatory process; request for amendment relative to noxious weed advisory committee.**

Chairman Schwartz, Vice-chair Love and members of the Special Committee on Agriculture & Natural Resources, thank you for the opportunity to comment today in support of SB 134 as it pertains to the designation of noxious weeds through the rule and regulatory process. We do favor that concept and, additionally, we respectfully request an amendment regarding the noxious weed advisory committee.

I am Leslie Kaufman and I appear today on behalf of the co-op members of the Kansas Cooperative Council. Our membership includes farm marketing and ag supply cooperatives, rural electric and telecommunications companies, insurance and risk management operations, credit unions and the Farm Credit system. KARA is a voluntary trade association whose membership includes over 700 agribusiness firms that are primarily retail facilities supplying fertilizers, crop protection chemicals, and seed to Kansas farmers. Together, our agribusiness members provide many of the crop protection products needed by producers and landowners to control noxious weeds. Thus, this bill is of interest to our associations and our members.

The current legislative process for designating noxious weeds can be time consuming and cumbersome. At times, it can become political, too. Thus, the existing structure might not allow for a quick response in addressing damaging weed issues, and that does concern us.

Our associations have typically expressed a general preference for legislating by statute over rule and regulation. So, it may seem odd to some that we are supporting a move away from a statutory designation structure to a regulatory framework under the Kansas Dept. of Agriculture (KDA). Our organizations also support regulation that is science-based and has practical application in the real world. We see the proposed regulatory management approach contained in SB 134 as a means of strengthening the science behind the noxious weed designation. As an added bonus, this is done through a mechanism that decreases the politics surrounding a listing and encourages industry participation through the advisory committee. As such, the advantages inherent in the regulatory proposal contained in SB 134, in our opinion, outweigh our general bent toward regulating through statute. Thus, we are supportive of the proposed legislation.

We do respectfully request one change in the bill regarding the make-up of the noxious weed advisory committee. Overall, SB 134's panel composition has an appropriate balance of interests. We certainly appreciate the KDA creating 2 spots on the committee for the agribusiness industry. Currently, the bill allows for the appointment of both those 2 representatives based on the recommendation of the Kansas Agribusiness

Retailers Association (KARA) board of directors. KARA and the KCC work very closely together. But, if there are 2 seats available to the agribusiness industry, our associations would ask that the Kansas Cooperative Council board of directors have the ability to offer the recommendations for one of those seats.

An in-line version of our amendment is included at the end of our statement and a revisor's balloon amendment outlining the requested change is attached, too. We certainly hope this committee will be supportive of our suggested change and, at the proper time, incorporate it into SB 134, should the bill move forward.

Thank you for your consideration and we note again our appreciation for the opportunity to voice support for SB 134. Please let us know if you have any questions: Leslie Kaufman, 785-220-4068 or Ron Seeber, 785-234-0461. I will be glad to stand for questions at the appropriate time.

SB 134 KCC/KARA proposed amendment In line changes – at page 3, lines 5-7

(6) two members shall represent the agricultural industries in the state.
~~and~~ One member shall be appointed upon the recommendation of the Kansas agribusiness retailers association board of directors and one member shall be appointed upon the recommendation of the Kansas cooperative council board of directors.

Proposed amendment to SB 134
2/10/2015

One member of state advisory committee appointed upon recommendation of the
Kansas cooperative council board of directors

Prepared by David Wiese, Office of Revisor of Statutes

1 (4) three members shall be private landowners;

2 (5) two members shall represent county weed directors and shall be

3 appointed upon the recommendation of the county weed directors

4 association of Kansas board of directors; and

5 (6) two members shall represent the agricultural industries in the state

6 ~~and shall be appointed upon the recommendation of the Kansas~~

7 ~~agribusiness retailers association board of directors;~~

8 (b) (1) Except as provided in this section, the term of office of each

9 member of the committee shall be four years. The initial appointments to

10 the committee shall be as follows:

11 (A) Four members shall be appointed for terms of two years;

12 (B) four members shall be appointed for terms of three years; and

13 (C) three members shall be appointed for terms of four years.

14 (2) The secretary shall designate the term of office for each member

15 appointed to the first committee. Appointees shall be limited to serving a

16 total of two full terms each. Each state advisory committee member shall

17 hold office until the expiration of the term for which such member is

18 appointed or until a successor has been duly appointed.

19 (3) In the event of a vacancy on the state advisory committee, the

20 appointing body of the vacating member shall fill such vacancy for the

21 remainder of the unexpired term before the next meeting.

22 (4) The secretary may remove any member of the state advisory

23 committee for misconduct, incompetence or neglect of duty.

24 (5) A quorum of the state advisory committee shall be six of the

25 members duly appointed to the state advisory committee.

26 (6) A quorum of the state advisory committee shall elect or appoint

27 annually a chairperson and a vice-chairperson.

28 (7) The state advisory committee shall meet at least quarterly.

29 (c) The state advisory committee shall, among other duties assigned

30 by the secretary:

31 (1) Review the state weed management plan every five years and

32 recommend changes and updates to the secretary for approval;

33 (2) through the use of a risk assessment, designated by the secretary,

34 recommend the designation and classification of state noxious weeds;

35 (3) review the noxious weed act and the list of species declared to be

36 noxious weeds by rules and regulations of the secretary every four years

37 and recommend changes to the secretary;

38 (4) review the official eradication and control methods for each state

39 noxious weed and recommend changes to the secretary; and

40 (5) before January 1 of each odd-numbered year report to the

41 secretary on the expenditure of state funds on noxious weed control;

42 specifically how such funds were spent; the status of the state and county

43 programs; and recommendations for the continued best use of state funds

One member

and one member shall be appointed upon the recommendation of the Kansas cooperative council board of directors