

## 2020 Kansas Statutes

**2-1314d. State noxious weed advisory committee; organization; duties.** (a) There is hereby created the state noxious weed advisory committee, referred to in this act as the state advisory committee. The state advisory committee shall consist of 13 voting members and the secretary as a non-voting ex officio member. The state advisory committee membership shall reflect the different geographic areas of the state equally to the greatest extent possible. Members of the state advisory committee shall receive no compensation for serving on the state advisory committee, but shall be paid subsistence allowances, mileage and other expenses as provided in K.S.A. 75-3223, and amendments thereto, from moneys appropriated therefor to the Kansas department of agriculture. The 13 voting members shall be appointed by the secretary as follows:

- (1) One member shall be a natural resource management professional from the Kansas department of wildlife, parks and tourism;
  - (2) two members shall be weed specialists from Kansas state university college of agriculture or Kansas state research and extension, with one such member having knowledge of non-chemical methods of weed control, and shall be appointed upon the recommendation of the dean of the college of agriculture and the director of Kansas state research and extension;
  - (3) one member shall be a county commissioner and shall be appointed upon the recommendation of the Kansas association of counties;
  - (4) four members shall be private landowners involved in agricultural production, one of whom shall be a Kansas producer who grows traditional Kansas crops, which, for the purposes of this paragraph, means wheat, corn, soybeans, milo, peanuts, cotton, hay or oats, one of whom shall be a Kansas producer who grows non-traditional Kansas crops, and one of whom shall be a certified organic producer;
  - (5) two members shall be weed supervisors and shall be appointed upon the recommendation of the board of directors of the county weed director's association of Kansas;
  - (6) one member shall represent the agricultural industries in the state and shall be appointed upon the recommendation of the board of directors of the Kansas agribusiness retailers association;
  - (7) one member shall be appointed upon the recommendation of the Kansas biological survey; and
  - (8) one member shall be appointed upon the recommendation of the board of directors of the Kansas cooperative council.
- (b) (1) Except as provided in this section, the term of office of each member of the committee shall be four years. The initial appointments to the committee shall be as follows:
- (A) Six members shall be appointed for a term of two years;
  - (B) four members shall be appointed for a term of three years; and
  - (C) three members shall be appointed for a term of four years.
- (2) The secretary shall designate the initial term of office for each member appointed to the first committee.
  - (3) Each member shall be limited to serving a total of two full terms and shall hold office until the expiration of the term for which such member is appointed or until a successor has been duly appointed.
  - (4) In the event of a vacancy on the state advisory committee, the recommending body of the vacating member shall make a recommendation to the secretary as prescribed in this section. The secretary shall, as soon as is reasonably possible, appoint a member to fill such vacancy for the remainder of the unexpired term.
  - (5) The secretary may remove any member of the state advisory committee for misconduct, incompetence or neglect of duty.
- (c) (1) A quorum of the state advisory committee shall be a majority of the members duly appointed to the state advisory committee.
- (2) A quorum of the state advisory committee shall elect or appoint annually a chairperson and a vice-chairperson.
- (d) The state advisory committee shall meet at least once per year, but not more

than four times per year.

(e) The state advisory committee shall, among other duties assigned by the secretary:

- (1) Review the state weed management plan every five years and recommend changes and updates to the secretary;
- (2) recommend the designation and classification of noxious weeds in the state through the use of a risk assessment designated by the secretary;
- (3) review the noxious weed act and the rules and regulations of the secretary declaring species of plants to be noxious weeds at least every four years and recommend changes to the secretary;
- (4) review the official methods for the control and eradication for each species of plant declared a noxious weed and recommend changes to the secretary that include both chemical and non-chemical options for such control and eradication; and
- (5) before January 1 of each odd-numbered year, report to the secretary on: (A) The expenditure of state funds on noxious weed control and how such funds were spent; (B) the status of the state and county noxious weed control programs; (C) recommendations for the continued best use of state funds for noxious weed control; and (D) recommendations on long-term noxious weed control needs.

(f) The state advisory committee shall only make recommendations approved by a majority vote of the members.

**History:** L. 2018, ch. 77, § 3; July 1.