

MINUTES OF THE SENATE NATURAL RESOURCES COMMITTEE

The meeting was called to order by Chairperson Larry Powell at 8:30am on Wednesday, March 09, 2016, 159-S of the Capitol.

All members were present except:

Senator Michael O'Donnell – Excused
Senator Dan Kerschen – Excused

Committee staff present:

Tamera Lawrence, Office of Revisor of Statutes
Heather O'Hara, Legislative Research Department
Toni Beck, Kansas Legislative Committee Assistant

Conferees appearing before the Committee:

Mike Beam, Kansas Livestock Association
Paul Johnson, Kansas Rural Center
Sean Gatewood, Kansas Farmers Union
Jackie Keller, Citizen Landowner

Others in attendance:

No list available

Introductions

Chairman Powell introduced Katie Lyberger, from Garnet, Kansas, who is shadowing Senator Tyson today. Lynna Hill, Belair, Kansas, was introduced, who is shadowing Senator Bowers today as well.

Hearing on: HB2479 — Amendments to the Kansas noxious weed law.

Chairman Powell opened the continuation hearing on the bill.

Mike Beam testified on behalf of the bill stating it would improve the manner noxious weeds are designated and updates the weed statutes to reflect how noxious weed programs are administered and funded at the local level.

[\(Attachment 1\)](#)

Gwen Rodriguez provided written testimony in favor of the bill commenting changing the way invasive weeds are declared noxious from legislative action to regulation under the secretary of agriculture will allow invasive weeds to be dealt with in a timelier manor when infestations occur. [\(Attachment 2\)](#)

Randall Allen provided written testimony in favor of the bill commenting counties can budget funds for any legal purpose in their general fund, in lieu of budgeting for specific purposes in separate funds, which would be a good alternative. [\(Attachment 3\)](#)

CONTINUATION SHEET

MINUTES of the Committee on Natural Resources at 8:30am on Wednesday, March 09, 2016 in Room 159-S of the Capitol.

Paul Johnson testified in opposition to the bill stating the fundamental change from statute to rule and regulation is unrepresentative democracy and unnecessary. He contended it should not abrogate a fundamental responsibility to protect the property rights of landowners. ([Attachment 4](#))

Jackie Keller testified in opposition to the bill commenting her certified organic farm would have a tragic economic impact of losing certification if drift damage occurred on her property as well as forced chemical control. ([Attachment 5](#))

Sean Gatewood testified in opposition to the bill stating it gives too much power to the Department of Agriculture. He was concerned over the appointed advisory committee as having a conflict of interest for one of the members involved in the agribusiness and co-op business for profits of their products. ([Attachment 6](#))

Sharon Ashworth submitted written testimony in opposition to the bill stating it does not provide adequate protection for organic crop producers. ([Attachment 7](#))

Tom Buller submitted written testimony in opposition to the bill stating concerns with the control from the elected legislature to bureaucrats and restrictive government. ([Attachment 8](#))

Jill Elmers submitted written testimony in opposition to the bill with concerns the bill does not address keeping the land free from synthetic chemicals in organic farming. ([Attachment 9](#))

Zack Pistora submitted written testimony in opposition to the bill that current weak management practices focus on using chemical on all property, endangering the organic landowners rights. ([Attachment 10](#))

Ed Reznicek submitted written testimony in opposition stating the organic farmers suffer reductions in yield and possibly the entire crop from the affected acres by toxins. ([Attachment 11](#))

Discussion:

Concerns are discussed over the enforcement for noxious weeds. It was requested rules and regulations would be considered to be an appropriate action instead of creating a new process of regulation. Highway easements are sprayed by either local or county governments. Blanket amnesty does apply for over spray that would harm private property. There are currently 26 resistant weeds in Kansas; we place second in the nation in that category. It was requested to have an organic producer on the Noxious Weed Advisory Committee to provide balanced information, assessment, and voting among the committee. Chad Bontrager, Department of Agriculture, commented the department would be agreeable to Rules and Regulations directives.

Chairman Powell closed the hearing on **HB2479-Act concerning agriculture, relating to noxious**

Unless specifically noted, the individual remarks recorded herein have not been transcribed verbatim. Individual remarks as reported herein have not been submitted to the individuals appearing before the committee for editing or corrections.

CONTINUATION SHEET

MINUTES of the Committee on Natural Resources at 8:30am on Wednesday, March 09, 2016 in Room 159-S of the Capitol.

weeds.

The meeting was adjourned at 9:30 am. The next meeting will be Thursday, March 10.

Unless specifically noted, the individual remarks recorded herein have not been transcribed verbatim. Individual remarks as reported herein have not been submitted to the individuals appearing before the committee for editing or corrections.