



Kansas Cooperative Council
Kansas Agribusiness Retailers Association

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Mar. 9, 2016

TO: Senate Natural Resources

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

RE: **HB 2479 - Support for moving noxious weed designation to regulatory process**

Chairman Powell and members of the Senate Natural Resources Committee, thank you for the opportunity to comment today in support of HB 2479, as it pertains to the designation of noxious weeds through the rule and regulation process.

I am Leslie Kaufman and I appear today on behalf of the co-op members of the Kansas Cooperative Council and also on behalf of our agribusiness partner, the Kansas Agribusiness Retailers Association. The KCC's membership includes farm marketing and ag supply cooperatives, rural electric and telecommunications companies, insurance and risk management operations, credit unions and Farm Credit system members. 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 are the trained technicians and advisors that understand treating noxious weeds and provide many of the crop protection products needed by producers and landowners to control these plant pests. 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. Often, 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 HB 2479 as a means of

strengthening the science behind the noxious weed designation. As an added safeguard, this is done through a mechanism that decreases the politics surrounding a listing and encourages stakeholder participation through the advisory committee.

Each of our associations is afforded the opportunity to recommend an advisory committee member. Allowing both organizations this ability, not just KARA, was a change we suggested last year and we are grateful to the KDA for incorporating that into this year's original bill draft. This is a provision our associations strongly support and one of the major reasons we are backing the proposed transition to a regulatory approach for noxious weed designation. The ability for the crop protection industry to have in-put on the advisory committee make-up garnered much attention on the House side. Some tried, unfairly from our perspective, to characterize industry participation as simply a means to sell product. Others suggested any contribution we could bring to the table was already covered by the K-State appointments. Again, we would respectfully disagree with those assertions.

Between the two organizations, our membership includes the trained and credentialed applicators, certified crop advisors and product registrants. We can connect the individuals with the scientific knowledge of product make-up, chemistry, product interaction and efficacy with the other advisory members. Or, we can look to those engaged in the day-to-day technical operations who understand how to properly gauge application rates, what products work well in their particular area and why droplet size is important. Furthermore, this bill does not restrict us from recommending an expert, even if not actually one of our members, if we determine they would bring the most usable perspective to the table. And, just to be clear, we have an ability to recommend an appointment, not actually make the appointment. What this bill gives us, through the ability each to recommend, is a greater assurance that there will be individuals around the committee table that understand crop protection products, their make-up, chemistry, science or how they work in the real world. We think that is critical information to have for this advisory process to function at its maximum effectiveness and thus, all together fitting for our organizations to play a part in recommending appointments. We respectfully request this committee continue to allow us this opportunity.

For the reasons noted above, the advantages inherent in the regulatory proposal contained in HB 2479, in our opinion, outweigh our general bent toward legislating through statute. Thus, we are supportive of the proposed legislation.

Thank you for your consideration and we note again our appreciation for the opportunity to voice support for HB 2479. Please let us know if you have any questions: Leslie Kaufman, 785-220-4068 or Randy Stookey, 785-234-0461. I will be glad to stand for questions at the appropriate time.