


Held in Room 423-S, at the Statehouse at 9:00 a. m./~~XXXX~~, on February 3, 19 81.

All members were present except:

Rep. Fuller - Excused

The next meeting of the Committee will be held at 9:00 a. m./~~XXXX~~, on February 4, 19 81.

These minutes of the meeting held on February 3, 19 81 were considered, corrected and approved.

  
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Chairman

The conferees appearing before the Committee were:

Freeman E. Biery - Director Weed and Pesticide Division

The meeting of the House Agriculture and Livestock Committee was called to order by William Beezley, Chairman. Chairman Beezley introduced Mr. Freeman E. Biery, Director of the Weed and Pesticide Division who gave a presentation in two parts; first weed, then pesticides. (See attachment 1) Mr. Biery had a chart showing Leafy Spurge growth in Kansas in 1950, 1960 and 1980 compared with Wyoming during these same years. Booklets were passed out showing Kudzu growth and *Rhinocyllus conicus*, the weevil that was introduced into Kansas in 1978 as part of a program to control musk thistle. Mr. Biery answered many questions from the Committee with regard to weeds and weed control. Mr. Biery introduced Mr. Jon Flint, Pesticide Law Administrator.

Mr. Biery then gave a report on pesticide use and control in Kansas (See attachment 1). He stated that there were 37,500 farmers using pesticides in the State of Kansas. 25,000 of these have gone through a program and have been educated in pesticide use. After several questions from Committee members, Mr. Biery ended his talk.

Raney Gilliland of the Research Department passed out a bill to the Committee members that would declare the kudzu to be a noxious weed. The Committee can act upon this at a later time if it decides to do so.

Rep. Teagarden moved the minutes be approved. Rep. Campbell gave a second to the motion. The motion carried. Chairman Beezley adjourned the meeting.

*Atch. 1*

Weed and Pesticide Division  
Report to the  
1981 Legislature  
House Agricultural and Livestock Committee  
February 3, 1981

Mr. Chairman and committee members. Your chairman asked me to give a brief summary of the activities of the Weed and Pesticide Division of the State Board of Agriculture. Our Division has the responsibility of administering the Kansas Noxious Weed Law and the Agricultural portion of the Kansas Pesticide Law. Mr. Chairman, I believe you expressed a preference for me to first discuss the progress of the Boards program to make the Noxious Weed Law effective.

The Kansas Noxious Weed Law originated in 1937. At that time bindweed had completely invaded the state and was a great problem in all 105 counties.

There were some other weeds named in the law later such as, leafy spurge which only infested a small acreage. We have a visual here to show a result of identifying potential problem plants and adding to the noxious weed list when the acreage is small enough to economically affect control.

In 1950 the State of Kansas had approximately 50 acres of leafy spurge and Wyoming had none identified. In 1960 Kansas had about the same total acres (50) identified, including new locations, and Wyoming had 10 acres in one of their counties. By 1980 the Kansas Control Program directed by the Legislature and the Board of Agriculture had maintained the control to about 50 known acres including new locations. Wyoming had let 35,000 acres develop by 1979 and their State Legislature appropriated \$1.3 million dollars in 1979 and another \$1.25 million in 1980, to affect a control program for one weed, leafy

spurge. During the period of 1937 through 1980 the Kansas Legislature had spent approximately \$4.2 million dollars in total for their control program.

We have 4 weed plants namely Field bindweed, musk thistle, Johnson grass and bur ragweed which were so out of control by the time they were placed on the noxious weed list, that it has been a real expensive headache for the counties to keep the weeds from spreading to new land and to try to reduce their stands so as to have the least possible effect to crop production.

In the mean time several other weeds have been placed on the noxious weed list while the acreage was small. Such weeds as quackgrass, pignut, hoary cress, Russian knapweed, leafy spurge and Canada thistle. During the time that Kansas has kept Canada thistle to a non economic problem level, states nearby have allowed it to take over some very productive agricultural land. The annual crop loss in the Platte valley of Nebraska alone from Canada thistle has been estimated as high as \$9 million.

We do have another perennial plant which concerns us. It is known as Kudzu. We are showing you a pictorial story about the plant which we hope illustrates our point.

(Pass out the picture story booklets.)

The plant Musk thistle is on the minds of many Kansas farmers. Considerable money is spent each year by County governments and farm owners to keep a semblance of control.

In an effort to reduce the needed chemicals, the Board of Agriculture with the encouragement of the 1978 Legislature introduced a Biological control program by importing musk thistle weevil from a Montana site under the USDA research service guidance.

We are distributing again a pictorial story about this work. Three hundred and fifty sites in 52 counties received at least 500 of the musk thistle weevil May of 1979.

Monitoring in 1980 shows the weevil to be established in all the counties checked.

If a satisfactory progress is made, we expect to see favorable results of the insects work by 1984.

Earlier I stated that the Weed and Pesticide Division of the Board of Agriculture has responsibility for the Agricultural portion of the Kansas Pesticide Law.

The Board of Agriculture has taken the position that, whatever action is taken in the enforcement, the goal is to cause pesticides to be used safely in Agricultural production. Also, an assumption has been made that 95% or more of the Kansas people involved in agricultural production, when given the opportunity to understand the need for a law, which the legislature has passed; and, then learn what it takes to comply with the statute, will not get into trouble with the law. That means less than 5% of the people need to experience the punishment provisions of the law.

The Board of Agriculture sits in a unique position of having to service persons who complain that they are experiencing pesticide related problems and to service those persons using the much needed pesticides to protect their agricultural crops production, so they can stay in business. At times each side is frustrated and we often provide an outlet for their pent up steam before we can properly service the two individuals.

Our approach is not to be punitive but rather cause the applicator to apply the pesticide correctly the next time. Considerable work is done on the safety factors plus improving the efficiency of the manner in which the pesticide is used.

Recently the Federal Government offered all states the primacy responsibility to see that the Federal Pesticide Law is effective. Kansas leadership felt it was better for Kansans to deal with Kansas enforcement officials rather than Federally hired persons. So Kansas accepted the primacy role.

To accomplish the job of controlling the use of pesticides for safety and efficiency, the Weed and Pesticide Division of the Board of Agriculture have been trying to accomplish the following:

1. Investigate all complaints
  - (a) More than 200 annually
  - (b) 110 require full investigation
  - (c) 100 require less than complete investigation
2. Service the needs of 1,500 persons needing Commercial certification and licenses.
3. Service the needs of 37,500 private farmer applicators (25,000 have been certified).
4. Assist Kansas State University with their education program.
5. Offer the required examination for certification at locations within 60 miles of the people.
6. Work with county agents in the private applicator training program.
7. Respond to the local agricultural leaders requests for information and programs on pesticides use, such as: Vo-Ag teachers, young farmer groups, Vo-tech schools, farm organizations and service clubs.
8. Prepare the proper reports of all investigation activity in a form which can be used, if court action is required.

One activity which we are involved with may be illustrated for you in a pictorial story. (Pass out books.) - *Storage + disposal*

During 1980 these efforts have resulted in all known complaints to be serviced and probably had a lot to do with the fact there were no major pesticide incidents.

We are never certain that we are able in our presentations to cover the Divisions activities sufficiently for you, as legislators, to evaluate our program.

We will try to answer any questions you may have today. And we invite you to contact our office whenever you feel we may be able to supply you information which you need.