

MINUTES OF THE SENATE COMMITTEE ON AGRICULTURE.

The meeting was called to order by Chairperson Steve Morris at 10:00 a.m. on February 15, 2000, in Room 423-S of the Capitol.

All members were present except: Senator Dwayne Umbarger (E)

Committee staff present: Raney Gilliland, Legislative Research Department
Jill Wolters, Revisor of Statutes
Nancy Kippes, Committee Secretary

Conferees appearing before the committee:

Greg Krissek, Assistant Secretary, Kansas Department of Agriculture
Bob Scott, Prairie Pines Christmas Tree Farm, Wichita
Willy Goevert, 4C Tree Farm, Wichita
Gary Beachner, Beachner Grain, Inc., St. Paul
Bill Emch, Emch Feed & Elevator Co., Inc., Madison
Keith Karnes, Co-Ag, Menlo
Johnny Schaben, Farm Service Center, Inc., Ellinwood
Dustin Kuntz, Harveyville Seed Co., Inc., Harveyville
Mike Kleiber, Ag Service, Inc., Hillsboro
Mike Beam, Executive Secretary, Cow-Calf/Stocker Division, Kansas Livestock Association

Others attending: (See Attached)

Hearing on:

SB 572 - an act enacting the land stewardship by management and control of noxious weeds act

Greg Krissek, Assistant Secretary, Kansas Department of Agriculture, testified in support of **SB 572** which proposes to revamp Kansas' noxious weed law. Mr. Krissek stated that since the original law was enacted in 1937, many aspects of weed management and control have changed radically. During the testimony he explained aspects of **SB 572** and how the modifications would effect the noxious weed issue (Attachment 1).

Bob Scott, Prairie Pines Christmas Tree Farm, Wichita, stating his reasons for supporting **SB 572** were that it is impossible to "eradicate" bindweed without causing environmental damage but it is possible to "control" it and classifying noxious weeds with varying degrees of severity is a reasonable approach (Attachment 2).

Willy Goevert, 4C Tree Farm, Wichita, testified in support of wording in **SB 572** to control and manage noxious weeds as opposed to eradicate noxious weeds (Attachment 3). Mr. Goevert noted that Dr. Bill Bryant, Chairman, KCTGA Noxious Weed Control Committee, has furnished written testimony in support of **SB 572** (Attachment 4).

Gary Beachner, Beachner Grain, Inc., St. Paul, testified in support of **SB 572**, stating the new law provides for subsidized control by providing a subsidy on approved control practices, reimbursed on a per-acre basis (Attachment 5).

Bill Emch, Emch Feed & Elevator Co., Inc., Madison, appeared before the committee in support of **SB 572** advising that the title of this bill "Land Stewardship by Management and Control of Noxious Weeds Act" is a vitally important mission to every farmer and rancher, county noxious weed director, and ag input suppliers (Attachment 6).

CONTINUATION SHEET

MINUTES OF THE SENATE COMMITTEE ON AGRICULTURE, Room 423-S of the Capitol, 10:00 a.m., on February 15, 2000.

Keith Karnes, Co-Ag, Menlo, testified in support of **SB 572** stating that the bill offers landowners/farmers a choice when pursuing options for noxious weed control (Attachment 7).

Johnny Schaben, Farm Service Center, Inc., Ellinwood, stated his support for **SB 572**, which would give farmers the option to buy products for noxious weed control at locations other than just the county noxious weed office. He stated that many of these products are available in bulk at dealerships but are not at the county noxious weed office (Attachment 8).

Dustin Kuntz, Harveyville Seed Co., Inc., Harveyville, testified in support of **SB 572** stating it would allow customers to purchase only the amount of chemical needed for a particular job inasmuch as the noxious weed department does not always have the appropriate size (Attachment 9).

Mike Kleiber, Ag Service, Inc., Hillsboro, conveyed his support for **SB 572** by noting the success of the cost share certificate option in his county as provided in the current noxious weed law (Attachment 10).

Mike Beam, Kansas Livestock Association, testified in support of **SB 572**, stating that this legislation is an overhaul and improvement in the existing statutes governing noxious weed control programs in Kansas (Attachment 11).

The hearing on **SB 572** was continued to February 16, 2000.

SENATE AGRICULTURE COMMITTEE GUEST LIST

DATE: 2-15-00

NAME	REPRESENTING
Keith Karnes	KFCA - CO-AG
Mike Kleiber	Ag Service Inc
BILL EMCH	EMCH FEED & FEED
Doug Wareham	Ks. Grain & Feed / Ks. Fertilizer Chem.
TOM TUNNELL	✓
Greg Kuissek	✓
Bill Scott	" "
Derenda Mitchell	Ks. Dept. Ag.
Tom Sim	Ks Dept. Agriculture
Johnny Schaben	Farm Service Center, Inc.
John Gortinger	KS Dept. of Ag
Nanci Xess	Sedgewick County
Judy Moler	Ks. Assoc of Counties
Sida Peterson	Marion Co Commission
Vivian King	HARVEYVILLE SEED CO
Doni Boling-Harvis	self
Math Overton	Johnson COOP - Grain
Tom Ryan	JOHNSON COOP
Kam Gulley	LKM

SENATE AGRICULTURE COMMITTEE GUEST LIST

DATE: 2/15/00

NAME	REPRESENTING
Dan Wick	WICK GRAIN Co.
Aaron Harries	Ks. Fert + Chem. Assn.
Susan Wyatt	Ks Farmers Union
Alan Sheppard	Ks legislative Policy Group
Mike Beam	Ks. LIVSTK. ASSN.
Irma Meier	Harvey Co -
Ken Meier	Harvey Co Comm.
Jerry Sison	Rep Weber office
Joseph h Kennedy	Jackson Co Zoning
Bob G. Scott	PRAIRIE PINES TREE FARM
Kell Boughton	Ks Christmas Tree Growers
Richard E. Roes	" " "
WILLY G REVERT	" " "
Rodney Bicsenthal	C.WOAK
Riley Walters	Butler County Weed Dept
DANA FENTON	JOHNSON COUNTY
Ann Peave	Blead Sales & Service Inc
Tom Mudd	WILFARM LLC
Raien Fritts	Midwest Coop

STATE OF KANSAS

BILL GRAVES, GOVERNOR
Jamie Clover Adams, Secretary of Agriculture
109 SW 9th Street
Topeka, Kansas 66612-1280
(785) 296-3558
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KANSAS DEPARTMENT OF AGRICULTURE

Senate Agriculture Committee

February 15, 2000

Testimony Regarding Senate Bill 572

Greg Krissek, Assistant Secretary of Agriculture

Good morning Chairman Morris and members of the Senate Agriculture Committee. I am Greg Krissek, Assistant Secretary of the Kansas Department of Agriculture. I appear today on behalf of KDA in support of Senate Bill 572 — legislation proposing to revamp Kansas' noxious weed law.

The noxious weed law, originally enacted in 1937, has been adjusted in recent years, but no major conceptual amendments to the statute have occurred since its enactment. A Legislative Post Audit study was conducted in 1985, which led to an Interim Committee review in 1987 to address legislative concerns about consistent enforcement and noxious weed control. The concepts in SB 572 are a result of the first major review of the statute since then and, among other provisions, attempts to provide increased enforcement flexibility and responsiveness.

Many aspects of weed management and control have changed radically since the law was adopted. Agricultural production practices and governmental operations also have evolved considerably in the past 60 years. In the current approach, the Legislature actually identifies in the statute the following weeds as noxious:

- | | | | |
|-----------------|--------------|------------------|-------------------|
| Field Bindweed | Musk Thistle | Johnson Grass | Sericea Lespedeza |
| Leafy Spurge | Bur Ragweed | Canada Thistle | Hoary Cress |
| Pignut | Quack Grass | Russian Knapweed | Kudzu |
| Multiflora Rose | Bull Thistle | | |

The current law requires shared responsibility — between landowners, counties and the state (with primary enforcement responsibility placed with county commissioners) — for mandatory eradication of all weeds identified in the statute. From a historical perspective, there were 2.4 million acres infested with noxious weeds in 1984. That number rose to 2.9 million

*Senate Agriculture
2-15-00
Attachment 1*

acres in 1998. Even taking into account the addition of sericea lespedeza to the noxious weed list, the other weeds continued to infest 2.6 million acres in 1998.

While the mix of weeds may have changed, the numbers show that our current approach is not eradicating weeds. Only one, musk thistle, saw a decrease in acreage between 1993 and 1998. Most weeds with major acreage have seen at least double-digit increases in percentage of land infested, as reflected in the table below:

Weed	Acres Infested 1998	% Increase Since 1993
Field Bindweed	1,825,619	12.7
Musk Thistle	908,626	(18.1)
Johnson Grass	474,093	25.9
Burr Ragweed	234,939	250
Sericea Lespedeza	332,605	193
Canada Thistle	7,630	14.4
Leafy Spurge	775	18.5
Quackgrass	80	166

Review Process

In part, due to a recommendation included in the KDA Plant Protection Program's peer review study, which occurred in December 1998, a group of Kansans, facilitated by KDA staff, began meeting in January 1999 to review the law to develop suggested modifications designed to modernize the system to control noxious weeds in Kansas. The organizations, and their representatives in the working group, include the following:

- County Weed Directors Association of Kansas - Rodney Biesenthal
- Kansas County Commissioners Association - Linda Peterson
- Kansas Farm Bureau - Bill Fuller
- Kansas Fertilizer and Chemical Association - Doug Wareham
- Kansas Livestock Association - Mike Beam
- Kansas Nursery and Landscape Association - Darrell Westervelt
- Kansas Seed Improvement Association - Chris Wilson
- Kansas Agricultural Aviation Association - Chris Wilson
- Kansas State University - Dallas Peterson

The group met a total of seven times — first to identify the concepts and vision of an effective noxious weed law structure, then to develop the conceptual operating framework for the proposed revisions and, ultimately, to review the detailed approach outlined in the legislation

before you today. Additionally, the conceptual framework was made available for review by the participating organizations during their annual meetings last fall to promote discussion within their general memberships. Attached to my testimony is a section-by-section summary of the proposal.

General Approach to Weed Control Under the Modifications

The review group was committed to developing recommendations that would provide as much flexibility as possible to counties, yet maintain a broad set of standards under which county programs may operate. Individual landowners, or supervisors or managers of land, will continue to be responsible for controlling noxious weeds on their property. County governments continue to be responsible for day-to-day operations of the law, but will be given a number of measures that enhance flexibility to target their unique needs. The Kansas Department of Agriculture will continue to provide a menu of control standards. In addition, the proposed bill allows Kansas to swiftly address the threat of weeds encroaching on Kansas soil. Kansas State University will continue to play a role in the educational aspects of noxious weed control.

Significant Modifications to Law

Perhaps the most significant modification is the adoption of a biologically based noxious weed classification scheme. To the best of KDA staff's knowledge, Kansas is the only state with a noxious weed law that does not use a science-based system to identify noxious weeds. SB 572 would require KDA to utilize science- and economic-based procedures to define noxious weeds by rule and regulation.

Noxious weeds will be placed into three categories based on the acreage of each weed present in each county. Through this classification system, it would be recognized that certain weeds cannot be eradicated, but they must be effectively managed, and those weeds that can be eradicated in a county will receive a higher targeted priority. The categories are as follows:

1. *High Risk*. This category is for weeds with the potential to cause economic or environmental harm, found in close proximity to Kansas, but not yet present. This categorization would allow counties to begin containment activities immediately upon discovery of the weed. After a noxious weed is discovered in Kansas, the weed would move to the containment or management category, depending on its prevalence in a county. For instance, several knapweed

species which exist in Nebraska are moving southward; tropical soda apple, which exists in southern states, is moving north.

2. *Containment.* This category is for those weeds with the potential to be effectively contained (not allowed to spread) and possibly eradicated. Generally, these are noxious weeds with a fairly limited distribution (100 acres or less) in a county. A map attached to my testimony outlines the number of acres in each county with acreage in this category.

3. *Management.* This category is for widespread noxious weeds (greater than 100 acres in a county). Noxious weeds within this category would be subject only to control and management practices, as eradication is not a biological possibility. It is divided into two subcategories:

3a. *Primary Management.* This describes weeds infesting more than 100 acres in a county, but less than 10,000 acres statewide. It provides a regional "slow-the-spread" approach to protect counties with lower infestation levels. This subcategory was created specifically at the request of the President of the County Weed Directors Association to aid their regional control efforts. There is a map attached to this testimony that outlines by county the acreage in this category. The foremost example of a weed in this category is Canada Thistle, which is moving across the northwest portion of the state.

3b. *Secondary Management.* This subcategory encompasses noxious weeds with more than 100 acres in a county and more than 10,000 acres statewide. Attached to my testimony is a handout listing each county's most recent data concerning infested acreage and the breakdown of that acreage into these proposed categories.

Under this approach, each county will have its own unique noxious weed priorities based on their biological occurrence and distribution within the county. Since counties will function as the basic unit of program operations, this approach will provide them with the maximum amount of flexibility in operations.

Two major program operations, enforcement and financial incentives, are linked to the three-tier classification scheme.

Financial incentives are mandatory for all containment and primary management noxious weeds in each county. Financial incentives for secondary management noxious weeds are optional at the discretion of the county. Counties will have the authority to provide a financial incentive in the amount they deem appropriate, as long as an incentive is provided for official control practices identified by the county for use in controlling noxious weeds in the secondary management category.

Enforcement options include both criminal and civil penalties. The county is given the authority to assess civil penalties following an appeal process and civil penalty matrix to be established by the KDA in rule and regulation. Criminal penalties continue to be processed by local law enforcement and apply to the control and management of weeds, or when a financial incentive is taken without following an official control method.

Changes in Cost-Share and Reimbursement

Currently, the practice of cost-share is available only for herbicide products identified in the official control plans developed by KDA. Under the new proposal, incentives will be expanded to include all control practices identified in the official control plans. Each county will choose practices for which a financial incentive will be provided for noxious weeds in each category. This approach will recognize the ever-growing variety and diversity of control practices, including non-chemical ones, which landowners are utilizing to achieve weed control.

Financial incentives will be modified from providing a subsidy on approved products to a financial incentive provided on approved control practices and reimbursement on a per-acre basis. Attached to my testimony are several examples calculating the incentives per acre for products like 2,4-D, Tordon and Escort, converting them from the current cost-share method. It is not a difficult calculation to make, which will appeal to most agricultural producers who routinely manage their operations on a per-acre basis.

Counties will have the authority to identify which approved control practices will be eligible for reimbursement and to determine appropriate incentive amounts. County weed directors will be expected to work closely with land owners whose properties are infested with containment and primary management noxious weeds. These will have priority over secondary management noxious weeds.

To pay the expenses of the program, counties will continue to have the authority to establish a levy for program operations in the county. Counties will continue to be expected to monitor the acreage of noxious weeds within their borders. This base information will be essential to determine an appropriate minimum levy. The acreage of containment and primary management noxious weeds will require a levy to generate sufficient funds to ensure appropriate containment of these weeds. If a county chooses to pay an incentive in secondary management noxious weed control, the levy will need to be adjusted accordingly.

The proposal calls for treatment reimbursement on a per-acre basis. This is the most equitable way to provide reimbursement so all approved control practices are eligible. Under current law, for example, a landowner who wants to achieve control using an approved cultural practice, such as cultivation or mowing, or a biological practice, such as weevils for musk thistle, is not eligible for any incentive for this practice even though it may be more appropriate than herbicides. Under the proposed per-acre reimbursement procedure, he or she may be able to receive an incentive for these other treatments, provided the county determines this is a control practice eligible for reimbursement. The aim of this proposal is to allow the most flexibility possible, recognizing ever-changing science and technology.

The proposal also provides the mechanism by which producers can access the financial incentives, even if a chemical is purchased through local, non-governmental sources. The location of the county weed department is not always convenient for farmers and landowners. Additionally, some counties have indicated they do not wish to sell chemicals, in part to avoid the cost of chemical storage and containment, as environmental regulations become stricter and more costly.

SB 572 proposes significant changes to the Kansas Noxious Weed Law, including items the counties have suggested to KDA in recent years, such as annual reports and the general notice defined by regulation. The proposal was developed in a very open and inclusive process. Working group members spent many hours crafting a framework that takes many innovative steps toward a realistic and flexible system for weed control for the future. This legislation, if enacted, is the first step in a very public process requiring the development of several different sets of rules and regulations. KDA develops rules and regulations in a very similar way — through an open process facilitated with its partners and customers — do not let anyone tell you otherwise. Approval of this legislation is the next step in developing a partnering system. In addition, these modifications will align Kansas' noxious weed law more closely to those of other states.

Finally, the rate of scientific advancement and change in every aspect of our lives continues to accelerate at a mind-boggling pace. We believe changes will continue to affect noxious weed control both quickly and substantially. SB 572 creates the framework for the partners — landowners, associated private industry, counties and the state — to operate in a

system that is realistic, flexible, adaptable and locally driven for addressing whatever change lies just beyond the horizon.

Thank you for your consideration. I will be happy to answer your questions at the appropriate time.

SB 572

SB 572 embodies 3 major conceptual changes in noxious weed management and control in Kansas by 1) classifying noxious weeds according to scientific methods, 2) allowing a greater spectrum of assistance, including financial incentives, to those responsible for management of land, and 3) providing counties greater flexibility in managing noxious weeds.

Classification of the noxious weeds into high risk, containment and management categories will shift the focus from noxious weeds that have or nearly have reached the extent of their ecological range to more recently introduced species that are currently regional but have the capability of spreading throughout the State. The high risk category will provide for the early detection and treatment of weeds that are a threat to the environment and economy of Kansas.

Financial incentives would be available to those responsible for management of land and would be based upon a per acre basis that would include non-herbicide methods in addition to herbicides, thus allowing for the more effective integrated management of noxious weeds.

Kansas counties are quite diverse both ecologically and economically. The proposal provides measures for local control and flexibility not found in current law.

New Section 1- Title

New Section 2 - Definitions - The current law contains no definition's section. This new section clarifies the meaning of terms.

New Section 3 - This section imposes the duty to control noxious weeds and provides authority to public officials to inspect property to administer the act.

New Section 4 - This section outlines the duty of the Secretary to develop by rule and regulation the list of noxious weeds, the method used to evaluate weeds for listing, and an official control program for each weed listed. The acres reported by each county will determine how they are classified in each county.

New Section 5 - This section authorizes the Secretary to adopt or suspend rules and regulations, adopt official methods of control and to enter into agreements with government entities including the Federal government. The authority described in this section is found in current law.

New Section 6 - This section defines the duties of each county. These duties range from employing a weed director, reporting requirements, establishing a financial incentive program on a per acre basis for responsible parties, establishing a grievance procedure and allows the Secretary to review and audit county programs.

New Section 7 - This section outlines the notification and enforcement procedures for counties to use when a responsible party fails to control noxious weeds.

New Section 8 - This section allows the county to collect the full amount of its expenses in controlling noxious weeds if a responsible party fails to do so. This section also covers the county's notification requirements to a party responsible for weed control.

New Section 9 - This section deals with the prevention of the spread of noxious weeds and requires the use of weed seed free mulch on public property.

Section 10 - This section amends 2-1318 and describes the duty to levy for noxious weeds and the basis upon which the levy is established. It also clarifies the ability of a county to levy for weed control in their general funds.

Section 11 - This section amends 2-1319 relating to the cost and enforcement of noxious weed control on land owned by a government entity.

Section 12 - This section amends 2-1320 by clarifying the procedure to recover the cost when the county provides weed control services to a party responsible for the control of weeds.

Section 13 - This section amends 2-1321 which provides for an appeal of the charges assessed by a county and allows the county to collect the full amount of their expenses when a responsible party refuses to control noxious weeds as required by law.

Section 14 - This section amends 2-1322 allowing counties and cities to use materials purchased for noxious weed control to control non-noxious weeds on public property. This section also provides a means for the county to recover a financial incentive provided to a landowner that was not used for noxious weed control and requires records of services provided to be maintained and open to the public.

Section 15 - This section provides both criminal and civil penalties. Under this section, the county or the Secretary may assess administrative civil penalties for certain violations of the noxious weed law. The current law recognizes only criminal penalties for any violation of the noxious weed laws.

Section 16 - This section maintains the exemption of county sales of noxious weed materials from the statutes governing the disposal of county property.

Section 17 - This section maintains the duty of responsible party in the control of noxious weeds on recreational trails.

New Section 18 - This section maintains the premise that if one section is declared invalid by a court, the remainder of the statute will continue to be enforceable.

New Section 19 - This section repeals existing sections.

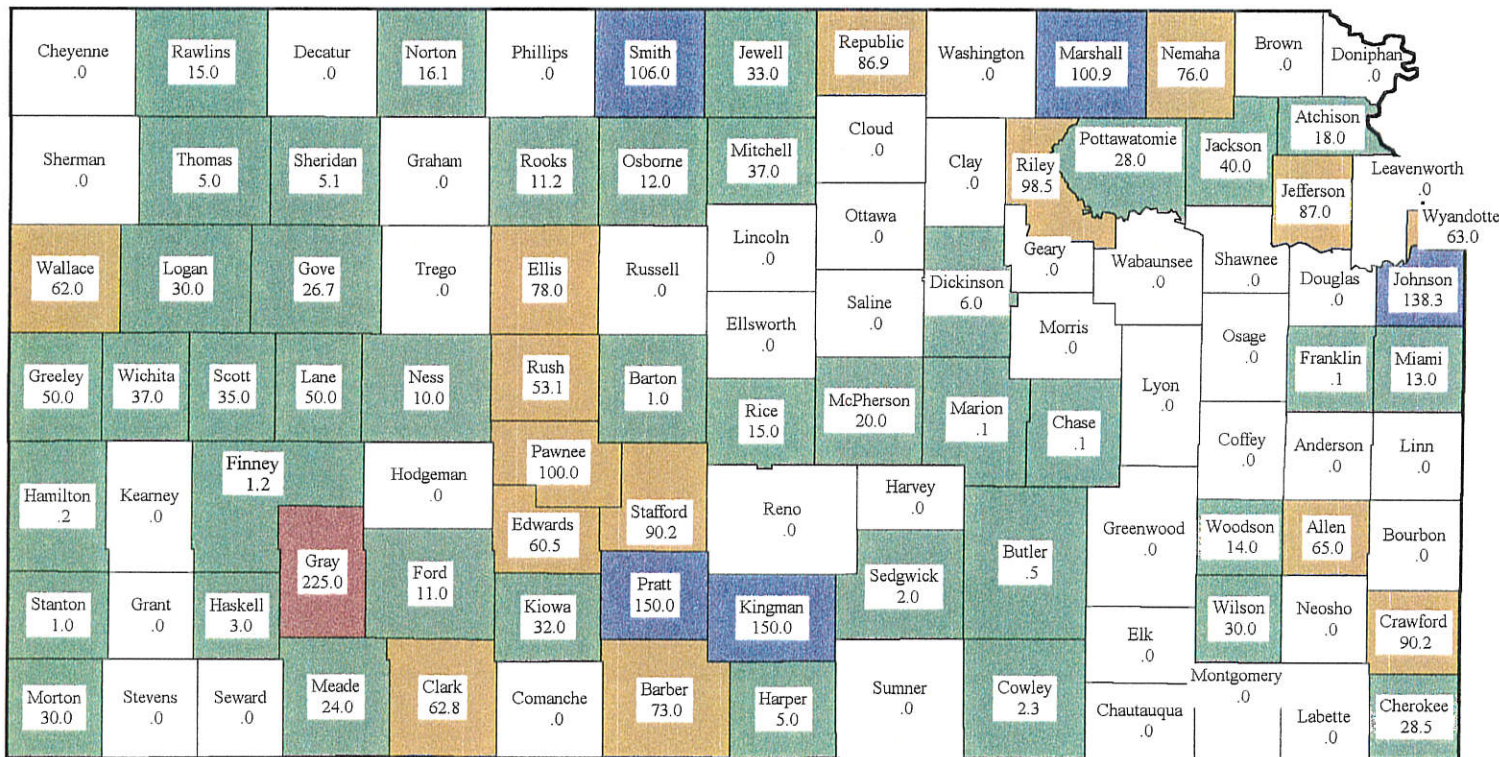
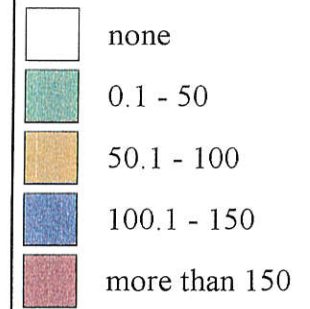
New Section 20 - This section provides that the effective date of the bill as January 1, 2001. This provision allows time for counties and the state to develop procedures to implement the law.

1-10
7-9

Acres of Containment Category Noxious Weeds

based on 1998 infestation data provided by counties

ACRES INFESTED



12/09/99

1-11-0

Acres of Primary Management Category Noxious Weeds based on 1998 infestation data provided by counties

Cheyenne 1,705.0	Rawlins 2,070.0	Decatur 137.5	Norton 810.0	Phillips .0	Smith .0	Jewell .0	Republic .0	Washington .0	Marshall 560.0	Nemaha .0	Brown .0	Doniphan .0		
Sherman 1,065.0	Thomas 438.0	Sheridan 339.0	Graham 175.0	Rooks 800.0	Osborne .0	Mitchell .0	Cloud .0	Clay .0	Riley .0	Pottawatomie .0	Jackson .0	Atchison .0	Leavenworth .0	
Wallace 303.0	Logan .0	Gove .0	Trego 154.0	Ellis .0	Russell .0	Lincoln .0	Ottawa .0	Saline .0	Dickinson .0	Geary .0	Wabaunsee .0	Shawnee .0	Douglas .0	Johnson .0
Greeley .0	Wichita .0	Scott .0	Lane .0	Ness .0	Rush .0	Barton .0	Ellsworth .0	McPherson .0	Marion .0	Morris .0	Lyon .0	Osage .0	Franklin .0	Miami .0
Hamilton .0	Kearney .0	Finney .0		Hodgeman .0	Pawnee .0	Stafford .0	Rice .0	Harvey .0	Chase .0	Coffey .0	Anderson .0	Linn .0		
Stanton .0	Grant .0	Haskell .0	Gray .0	Ford .0	Edwards .0	Pratt .0	Reno .0	Sedgwick .0	Butler .0	Greenwood .0	Woodson .0	Allen .0	Bourbon .0	
Morton .0	Stevens .0	Seward .0	Meade 210.0	Clark .0	Kiowa .0	Kingman .0	Kingman .0	Sumner .0	Cowley .0	Elk .0	Wilson .0	Neosho .0	Crawford .0	
					Comanche .0	Barber .0	Harper .0			Chautauqua .0	Montgomery .0	Labette .0	Cherokee .0	

12/09/99

CLASSIFICATION OF NOXIOUS WEEDS
LISTING OF NOXIOUS WEEDS BY COUNTY
12/09/99

A proposal to classify noxious weeds based on acreage of each noxious weed in a county has been developed. The categories are defined as follows:

Category 1. *High Risk*. This category is for weeds that have potential to cause economic or environmental harm and are not yet present in the state but are in close enough proximity to Kansas to be of concern. This would allow counties to begin containment/eradication activities immediately upon discovery of the weed in a county. Once discovered in a county, the weed would move to category 2 or 3 depending on its prevalence in the county. Examples include several knapweed species that exist in Nebraska and are moving southward and tropical soda apple which exists in southern states and is moving northward. The plants in this category will be identified by the Kansas Department of Agriculture through a risk-based scientific analysis.

Category 2. *Containment*. This category is for those noxious weeds that have the potential to be effectively contained (not allowed to spread) and possibly eradicated. These would generally be noxious weeds that have a fairly limited distribution (100 acres or less) in a county.

Category 3. *Management*. This category is for noxious weeds that are widespread (greater than 100 acres) in a county and would be subject only to control and management practices. Eradication is not a biological possibility for noxious weeds in this category. This category contains two sub-categories as described below.

Category 3a. *Primary Management*. This sub-category is for weeds that infest over 100 acres in a county but infest less than 10,000 acres statewide. This will provide for a regional "slow-the-spread" approach to protect counties with lower infestation levels.

Category 3b. *Secondary Management*. This sub-category will contain noxious weeds that are over 100 acres in a county and infest more than 10,000 acres statewide.

Under this scheme, each county will have its own unique list of weeds based on the biological occurrence and distribution of weeds in the county. Since counties are the basic unit of program operations, this classification will assist counties in prioritizing noxious weed control while providing maximum flexibility in operations.

The following pages list the noxious weeds, by category, for each county from 1998 infestation data provided by each county's annual noxious weed report.

For additional information please contact:

Office of the Secretary
Kansas Department of Agriculture
109 SW 9th Street
Topeka KS 66612

Telephone: 785-296-3556

Classification of Noxious Weeds by County

COUNTY	Category 2	Acres	Category 3a	Acres	Category 3b	Acres	TOTAL ACRES
Allen	bull thistle	65.0			field bindweed	476.0	
					musk thistle	327.0	
					johnsongrass	9,329.0	
					sericea lespedeza	2,465.0	
					multiflora rose	283.0	
		TOTAL	65.0			TOTAL	12,880.0
Anderson					field bindweed	6,757.0	
					musk thistle	10,040.0	
					johnsongrass	4,032.0	
					sericea lespedeza	6,330.0	
					TOTAL	27,159.0	27,159.0
Atchison	hoary cress	4.0			field bindweed	2,250.0	
	leafy spurge	14.0			musk thistle	5,925.0	
					johnsongrass	5,450.0	
					sericea lespedeza	290.0	
		TOTAL	18.0			TOTAL	13,915.0
Barber	bur ragweed	20.0			field bindweed	2,985.0	
	musk thistle	20.0			johnsongrass	1,110.0	
	bull thistle	33.0			sericea lespedeza	200.0	
		TOTAL	73.0			TOTAL	4,295.0
Barton	Canada thistle	1.0			field bindweed	34,780.0	
					musk thistle	7,763.0	
					johnsongrass	1,715.0	
					bur ragweed	1,336.0	
					bull thistle	3,000.0	
		TOTAL	1.0			TOTAL	48,594.0
Bourbon					field bindweed	642.0	
					musk thistle	1,023.0	
					johnsongrass	19,430.0	
					sericea lespedeza	15,234.0	
					TOTAL	36,329.0	36,329.0
Brown					field bindweed	2,725.0	
					musk thistle	15,550.0	
					sericea lespedeza	626.0	
					TOTAL	18,901.0	18,901.0
Butler	hoary cress	0.5			field bindweed	12,910.0	
					musk thistle	445.0	
					johnsongrass	4,920.0	
					sericea lespedeza	3,375.0	
		TOTAL	0.5			TOTAL	21,650.0

Infestation data obtained from 1998 county annual weed reports

1-13
+12

COUNTY	Category 2	Acres	Category 3a	Acres	Category 3b	Acres	TOTAL ACRES
Chase	hoary cress	0.1			field bindweed	2,954.0	
					musk thistle	650.0	
					johnsongrass	784.0	
					sericea lespedeza	2,200.0	
		TOTAL	0.1			TOTAL	6,588.0
Chautauqua					field bindweed	1,502.0	
					musk thistle	507.0	
					johnsongrass	2,463.0	
					multiflora rose	275.0	
					sericea lespedeza	8,395.0	
					TOTAL	13,142.0	13,142.0
Cherokee	musk thistle	22.5			johnsongrass	1,411.0	
	kudzu	6.0			multiflora rose	335.0	
					sericea lespedeza	702.0	
		TOTAL	28.5			TOTAL	2,448.0
Cheyenne			Canada thistle	1,705.0	field bindweed	7,320.0	
					musk thistle	3,200.0	
					bur ragweed	4,420.0	
					bull thistle	1,000.0	
				TOTAL	1,705.0	TOTAL	15,940.00
Clark	musk thistle	0.5			field bindweed	3,298.0	
	johnsongrass	62.3			bur ragweed	140.0	
		TOTAL	62.8			TOTAL	3,438.0
Clay					field bindweed	26,150.0	
					musk thistle	25,540.0	
					johnsongrass	295.0	
					sericea lespedeza	131.0	
					TOTAL	52,116.0	52,116.0
Cloud					field bindweed	19,035.0	
					musk thistle	35,025.0	
					johnsongrass	1,215.0	
					sericea lespedeza	750.1	
					TOTAL	56,025.1	56,025.1
Coffey					field bindweed	4,750.0	
					musk thistle	6,595.0	
					johnsongrass	5,535.0	
					sericea lespedeza	24,560.0	
					TOTAL	41,440.0	41,440.0

Infestation data obtained from 1998 county annual weed reports

1-14
+13

COUNTY	Category 2	Acres	Category 3a	Acres	Category 3b	Acres	TOTAL ACRES
Comanche					field bindweed	38,670.0	
					johnsongrass	9,070.0	
					TOTAL	47,740.0	47,740.0
Cowley	hoary cress	2.3			field bindweed	3,390.0	
					musk thistle	285.0	
					johnsongrass	4,257.0	
					sericea lespedeza	4,168.0	
		TOTAL	2.3		TOTAL	12,100.0	12,102.3
Crawford	field bindweed	50.0			johnsongrass	1,448.0	
	musk thistle	40.0			sericea lespedeza	3,500.0	
	Canada thistle	0.1					
	kudzu	0.1					
		TOTAL	90.2		TOTAL	4,948.0	5,038.2
Decatur			Canada thistle	137.5	field bindweed	2,985.0	
					musk thistle	8,217.0	
			TOTAL	137.5	TOTAL	11,202.0	11,339.5
Dickinson	Canada thistle	1.0			field bindweed	49,700.0	
	hoary cress	4.0			musk thistle	26,000.0	
	Russian knapweed	1.0			johnsongrass	4,700.0	
					sericea lespedeza	1,000.0	
		TOTAL	6.0		TOTAL	81,400.0	81,406.0
Doniphan					field bindweed	740.0	
					musk thistle	26,870.0	
					johnsongrass	24,716.0	
					sericea lespedeza	900.0	
					TOTAL	53,226.0	53,226.0
Douglas					field bindweed	3,285.0	
					musk thistle	13,515.0	
					johnsongrass	3,781.0	
					sericea lespedeza	3,358.0	
					TOTAL	23,939.0	23,939.0
Edwards	musk thistle	60.0			field bindweed	10,405.0	
	Canada thistle	0.5			johnsongrass	1,205.0	
					bur ragweed	155.0	
		TOTAL	60.5		TOTAL	11,765.0	11,825.5

Infestation data obtained from 1998 county annual weed reports

1-15
7-14

COUNTY	Category 2	Acres	Category 3a	Acres	Category 3b	Acres	TOTAL ACRES
Elk					field bindweed	7,150.0	
					musk thistle	468.0	
					johnsongrass	23,975.0	
					sericea lespedeza	49,820.0	
					TOTAL	81,413.0	81,413.0
Ellis	bur ragweed	25.0			field bindweed	67,100.0	
	Canada thistle	1.0			musk thistle	6,302.0	
	leafy spurge	50.0			johnsongrass	396.0	
	hoary cress	2.0					
	TOTAL	78.0			TOTAL	73,798.0	73,876.0
Ellsworth					field bindweed	39,600.0	
					musk thistle	8,712.0	
					johnsongrass	720.0	
					bull thistle	12,334.0	
				TOTAL	61,366.0	61,366.0	
Finney	Canada thistle	1.0			field bindweed	42,990.0	
	hoary cress	0.2			musk thistle	300.0	
					johnsongrass	31,220.0	
					bur ragweed	10,860.0	
	TOTAL	1.2			TOTAL	85,370.0	85,371.2
Ford	musk thistle	5.0			field bindweed	57,150.0	
	Canada thistle	4.0			johnsongrass	6,285.0	
	hoary cress	2.0			bur ragweed	1,135.0	
		TOTAL	11.0			TOTAL	64,570.0
Franklin	Canada thistle	0.1			field bindweed	1,391.0	
					musk thistle	9,488.0	
					johnsongrass	2,910.0	
					sericea lespedeza	2,306.0	
		TOTAL	0.1			TOTAL	16,095.0
Geary					field bindweed	5,361.0	
					musk thistle	4,048.0	
					johnsongrass	365.0	
					sericea lespedeza	782.0	
				TOTAL	10,556.0	10,556.0	
Gove	johnsongrass	11.0			field bindweed	25,100.0	
	Canada thistle	15.7			musk thistle	647.0	
					bur ragweed	1,482.0	
	TOTAL	26.7			TOTAL	27,229.0	27,255.7

Infestation data obtained from 1998 county annual weed reports

1-16
T-15

Classification of Noxious Weeds by County

COUNTY	Category 2	Acres	Category 3a	Acres	Category 3b	Acres	TOTAL ACRES
Graham			Canada thistle	175.0	field bindweed	22,075.0	
					musk thistle	3,150.0	
			TOTAL	175.0	TOTAL	25,225.0	25,400.0
Grant					field bindweed	3,080.0	
					johnsongrass	2,249.0	
					bur ragweed	664.0	
				TOTAL	5,993.0	5,993.0	
Gray	musk thistle	92.0			field bindweed	24,015.0	
	Canada thistle	72.0			johnsongrass	6,260.0	
	hoary cress	24.0			bur ragweed	14,170.0	
	sericea lespedeza	37.0					
	TOTAL	225.0			TOTAL	44,445.0	44,670.0
Greeley	bull thistle	50.0			field bindweed	100,000.0	
					johnsongrass	200.0	
					bur ragweed	100,000.0	
	TOTAL	50.0			TOTAL	200,200.0	200,250.0
Greenwood					field bindweed	6,410.0	
					musk thistle	1,057.0	
					johnsongrass	10,732.0	
					multiflora rose	1,940.0	
					sericea lespedeza	47,410.0	
				TOTAL	67,549.0	67,549.0	
Hamilton	hoary cress	0.2			field bindweed	6,985.0	
					johnsongrass	503.0	
					bur ragweed	2,740.0	
	TOTAL	0.2			TOTAL	10,228.0	10,228.2
Harper	hoary cress	1.0			field bindweed	21,320.0	
	Russian knapweed	4.0			musk thistle	3,500.0	
					johnsongrass	5,650.0	
					sericea lespedeza	1,000.0	
	TOTAL	5.0			TOTAL	31,470.0	31,475.0
Harvey					field bindweed	9,524.0	
					musk thistle	110.0	
					johnsongrass	238.0	
				TOTAL	9,872.0	9,872.0	
Haskell	musk thistle	2.2			field bindweed	1,280.0	
	Canada thistle	0.8			johnsongrass	369.0	
					bur ragweed	399.0	
	TOTAL	3.0			TOTAL	2,048.0	2,051.0

Infestation data obtained from 1998 county annual weed reports

1-17
7-16

COUNTY	Category 2	Acres	Category 3a	Acres	Category 3b	Acres	TOTAL ACRES
Hodgeman					field bindweed	48,620.0	
					musk thistle	510.0	
					johnsongrass	232.0	
					bur ragweed	935.0	
					TOTAL	50,297.0	50,297.0
Jackson	leafy spurge	40.0			field bindweed	10,500.0	
					musk thistle	45,000.0	
					johnsongrass	2,000.0	
					sericea lespedeza	12,900.0	
		TOTAL	40.0		TOTAL	70,400.0	70,440.0
Jefferson	Canada thistle	2.0			field bindweed	1,220.0	
	leafy spurge	80.0			musk thistle	26,350.0	
	hoary cress	5.0			johnsongrass	825.0	
					multiflora rose	1,120.0	
					sericea lespedeza	1,750.0	
		TOTAL	87.0		TOTAL	31,265.0	31,352.0
Jewell	johnsongrass	15.0			field bindweed	22,940.0	
	Canada thistle	4.0			musk thistle	17,191.0	
	hoary cress	12.0					
	sericea lespedeza	2.0					
		TOTAL	33.0		TOTAL	40,131.0	40,164.0
Johnson	Canada thistle	21.0			field bindweed	1,595.0	
	leafy spurge	0.3			musk thistle	12,000.0	
	quackgrass	30.0			johnsongrass	3,510.0	
	sericea lespedeza	87.0					
		TOTAL	138.3		TOTAL	17,105.0	17,243.3
Kearny					field bindweed	23,923.0	
					musk thistle	200.0	
					johnsongrass	32,464.0	
					bur ragweed	8,983.0	
					TOTAL	65,570.0	65,570.0
Kingman	musk thistle	60.0			field bindweed	5,305.0	
	sericea lespedeza	90.0			johnsongrass	2,460.0	
					multiflora rose	215.0	
					bull thistle	200.0	
		TOTAL	150.0		TOTAL	8,180.0	8,330.0
Kiowa	musk thistle	32.0			field bindweed	65,425.0	
					johnsongrass	1,620.0	
					bur ragweed	5,055.0	
		TOTAL	32.0		TOTAL	72,100.0	72,132.0

Infestation data obtained from 1998 county annual weed reports

Classification of Noxious Weeds by County

COUNTY	Category 2	Acres	Category 3a	Acres	Category 3b	Acres	TOTAL ACRES
Labette					field bindweed	1,530.0	
					musk thistle	3,043.0	
					johnsongrass	23,305.0	
					sericea lespedeza	2,760.0	
					TOTAL	30,638.0	30,638.0
Lane	Canada thistle	50.0			field bindweed	31,500.0	
					musk thistle	200.0	
					bur ragweed	17,175.0	
		TOTAL	50.0		TOTAL	48,875.0	48,925.0
Leavenworth					field bindweed	397.0	
					musk thistle	16,113.0	
					johnsongrass	165.0	
					TOTAL	16,675.0	16,675.0
Lincoln					field bindweed	22,000.0	
					musk thistle	5,000.0	
					johnsongrass	1,500.0	
					TOTAL	28,500.0	28,500.0
Linn					field bindweed	1,900.0	
					musk thistle	44,500.0	
					johnsongrass	27,953.0	
					sericea lespedeza	20,500.0	
					TOTAL	94,853.0	94,853.0
Logan	musk thistle	30.0			field bindweed	27,885.0	
					bur ragweed	1,750.0	
		TOTAL	30.0		TOTAL	29,635.0	29,665.0
Lyon					field bindweed	22,900.0	
					musk thistle	1,538.0	
					johnsongrass	17,010.0	
					sericea lespedeza	20,710.0	
					TOTAL	62,158.0	62,158.0
McPherson	multiflora rose	10.0			field bindweed	30,290.0	
	sericea lespedeza	10.0			musk thistle	6,016.0	
					johnsongrass	1,229.0	
					bur ragweed	196.0	
					bull thistle	313.0	
		TOTAL	20.0		TOTAL	38,044.0	38,064.0

Infestation data obtained from 1998 county annual weed reports

COUNTY	Category 2	Acres	Category 3a	Acres	Category 3b	Acres	TOTAL ACRES
Marion	leafy spurge	0.1			field bindweed	97,576.0	
					musk thistle	35,457.0	
					johnsongrass	458.0	
					sericea lespedeza	3,202.0	
					bull thistle	9,430.0	
		TOTAL	0.1			TOTAL	146,123.0
Marshall	hoary cress	0.8	leafy spurge	560.0	field bindweed	14,800.0	
	multiflora rose	0.1			musk thistle	27,500.0	
	Canada thistle	100.0			johnsongrass	5,070.0	
					sericea lespedeza	2,250.0	
		TOTAL	100.9	TOTAL	560.0	TOTAL	49,620.0
Meade	musk thistle	4.0	pignut	210.0	field bindweed	23,390.0	
	Canada thistle	20.0			johnsongrass	2,577.0	
					bur ragweed	43,890.0	
		TOTAL	24.0	TOTAL	210.0	TOTAL	69,857.0
Miami	Canada thistle	13.0			field bindweed	4,500.0	
					musk thistle	30,163.0	
					johnsongrass	10,613.0	
					sericea lespedeza	1,026.0	
		TOTAL	13.0			TOTAL	46,302.0
Mitchell	Canada thistle	7.0			field bindweed	21,510.0	
	hoary cress	30.0			musk thistle	30,405.0	
					johnsongrass	1,650.0	
		TOTAL	37.0			TOTAL	53,565.0
Montgomery					field bindweed	4,801.0	
					musk thistle	1,018.0	
					johnsongrass	50,875.0	
					multiflora rose	6,660.0	
					sericea lespedeza	16,390.0	
					TOTAL	79,744.0	79,744.0
Morris					field bindweed	8,000.0	
					musk thistle	14,258.0	
					johnsongrass	930.0	
					sericea lespedeza	818.0	
					TOTAL	24,006.0	24,006.0

Infestation data obtained from 1998 county annual weed reports

COUNTY	Category 2	Acres	Category 3a	Acres	Category 3b	Acres	TOTAL ACRES
Morton	musk thistle	15.0			field bindweed	17,010.0	
	pignut	15.0			johnsongrass	3,095.0	
					bur ragweed	3,810.0	
	TOTAL	30.0			TOTAL	23,915.0	23,945.0
Nemaha	leafy spurge	1.0			field bindweed	19,109.0	
	hoary cress	20.0			musk thistle	20,291.0	
	quackgrass	50.0			johnsongrass	1,055.0	
	multiflora rose	5.0			sericea lespedeza	17,503.0	
	TOTAL	76.0			TOTAL	57,958.0	58,034.0
Neosho					field bindweed	325.0	
					musk thistle	2,090.0	
					johnsongrass	3,885.0	
					TOTAL	6,300.0	6,300.0
Ness	johnsongrass	10.0			field bindweed	42,896.0	
					musk thistle	5,842.0	
					bull thistle	4,054.0	
	TOTAL	10.0			TOTAL	52,792.0	52,802.0
Norton	bur ragweed	16.0	Canada thistle	810.0	field bindweed	4,530.0	
	hoary cress	0.1			musk thistle	16,290.0	
					johnsongrass	4,500.0	
					bull thistle	520.0	
	TOTAL	16.1	TOTAL	810.0	TOTAL	25,840.0	26,666.1
Osage					field bindweed	629.0	
					musk thistle	12,000.0	
					johnsongrass	425.0	
					sericea lespedeza	5,755.0	
					TOTAL	18,809.0	18,809.0
Osborne	Canada thistle	12.0			field bindweed	18,633.0	
					musk thistle	27,078.0	
					johnsongrass	522.0	
					sericea lespedeza	144.0	
	TOTAL	12.0			TOTAL	46,377.0	46,389.0
Ottawa					field bindweed	36,525.0	
					musk thistle	20,450.0	
					johnsongrass	108.0	
					sericea lespedeza	124.0	
					TOTAL	57,207.0	57,207.0

Infestation data obtained from 1998 county annual weed reports

COUNTY	Category 2	Acres	Category 3a	Acres	Category 3b	Acres	TOTAL ACRES
Pawnee	sericea lespedeza	100.0			field bindweed	52,844.0	
					musk thistle	5,500.0	
					johnsongrass	6,804.0	
					bur ragweed	5,368.0	
		TOTAL	100.0			TOTAL	70,516.0
Phillips					field bindweed	18,660.0	
					musk thistle	20,000.0	
					johnsongrass	500.0	
					TOTAL	39,160.0	39,160.0
Pottawatomie	leafy spurge	28.0			field bindweed	2,420.0	
					musk thistle	46,000.0	
					johnsongrass	1,112.0	
					sericea lespedeza	4,000.0	
		TOTAL	28.0			TOTAL	53,532.0
Pratt	musk thistle	100.0			field bindweed	14,650.0	
	bur ragweed	25.0			johnsongrass	1,080.0	
	sericea lespedeza	25.0			bull thistle	250.0	
		TOTAL	150.0			TOTAL	15,980.0
Rawlins	johnsongrass	3.0	Canada thistle	2,070.0	field bindweed	8,730.0	
	hoary cress	12.0			musk thistle	9,028.0	
					bur ragweed	3,270.0	
					TOTAL	21,028.0	23,113.0
		TOTAL	15.0	TOTAL	2,070.0		
Reno					field bindweed	3,635.0	
					musk thistle	310.0	
					johnsongrass	750.0	
					multiflora rose	350.0	
					sericea lespedeza	230.0	
					TOTAL	5,275.0	5,275.0
Republic	johnsongrass	58.0			field bindweed	9,350.0	
	Canada thistle	2.7			musk thistle	15,190.0	
	leafy spurge	1.2					
	sericea lespedeza	25.0					
		TOTAL	86.9			TOTAL	24,540.0
Rice	sericea lespedeza	15.0			field bindweed	16,370.0	
					musk thistle	1,640.0	
					johnsongrass	733.0	
		TOTAL	15.0			TOTAL	18,743.0

Infestation data obtained from 1998 county annual weed reports

Classification of Noxious Weeds by County

COUNTY	Category 2	Acres	Category 3a	Acres	Category 3b	Acres	TOTAL ACRES
Riley	johnsongrass	89.5			field bindweed	4,040.0	
	hoary cress	9.0			musk thistle	10,060.0	
					sericea lespedeza	243.0	
	TOTAL	98.5			TOTAL	14,343.0	14,441.5
Rooks	bur ragweed	0.2	Canada thistle	800.0	field bindweed	43,000.0	
	hoary cress	11.0			musk thistle	11,000.0	
					johnsongrass	1,060.0	
	TOTAL	11.2	TOTAL	800.0	TOTAL	55,060.0	55,871.2
Rush	Canada thistle	0.1			field bindweed	42,274.0	
	hoary cress	53.0			musk thistle	1,382.0	
					johnsongrass	163.0	
	TOTAL	53.1			TOTAL	43,941.0	43,994.1
Russell					field bindweed	63,020.0	
					musk thistle	7,050.0	
					johnsongrass	4,415.0	
					TOTAL	74,485.0	74,485.0
Saline					field bindweed	19,530.0	
					musk thistle	17,571.0	
					johnsongrass	219.0	
					TOTAL	37,320.0	37,320.0
Scott	musk thistle	35.0			field bindweed	10,300.0	
					johnsongrass	4,300.0	
					bur ragweed	4,100.0	
	TOTAL	35.0			TOTAL	18,700.0	18,735.0
Sedgwick	multiflora rose	2.0			field bindweed	21,678.0	
					musk thistle	321.0	
					johnsongrass	12,860.0	
	TOTAL	2.0			TOTAL	35,021.0	35,023.0
Seward					field bindweed	7,178.0	
					johnsongrass	1,092.0	
					bur ragweed	150.0	
					TOTAL	8,420.0	8,420.0
Shawnee					field bindweed	2,250.0	
					musk thistle	20,000.0	
					johnsongrass	2,000.0	
					TOTAL	24,250.0	24,250.0

Infestation data obtained from 1998 county annual weed reports

1-23
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COUNTY	Category 2	Acres	Category 3a	Acres	Category 3b	Acres	TOTAL ACRES
Sheridan	johnsongrass	5.0	Canada thistle	339.0	field bindweed	6,760.0	
	hoary cress	0.1			musk thistle	6,001.0	
					bur ragweed	333.0	
	TOTAL	5.1	TOTAL	339.0	TOTAL	13,094.0	13,438.1
Sherman			Canada thistle	1,065.0	field bindweed	2,610.0	
					musk thistle	1,180.0	
					bur ragweed	860.0	
			TOTAL	1,065.0	TOTAL	4,650.0	5,715.0
Smith	johnsongrass	40.0			field bindweed	19,120.0	
	Canada thistle	45.0			musk thistle	31,646.0	
	hoary cress	21.0					
	TOTAL	106.0			TOTAL	50,766.0	50,872.0
Stafford	musk thistle	50.0			field bindweed	1,200.0	
	johnsongrass	15.0					
	bur ragweed	25.0					
	hoary cress	0.2					
	TOTAL	90.2			TOTAL	1,200.0	1,290.2
Stanton	musk thistle	1.0			field bindweed	6,000.0	
					johnsongrass	1,000.0	
					bur ragweed	500.0	
	TOTAL	1.0			TOTAL	7,500.0	7,501.0
Stevens					field bindweed	24,360.0	
					johnsongrass	1,810.0	
					bur ragweed	830.0	
					TOTAL	27,000.0	27,000.0
Sumner					field bindweed	12,190.0	
					musk thistle	4,449.0	
					johnsongrass	4,083.0	
					TOTAL	20,722.0	20,722.0
Thomas	johnsongrass	4.0	Canada thistle	438.0	field bindweed	18,260.0	
	hoary cress	1.0			musk thistle	7,551.0	
					bur ragweed	1,500.0	
	TOTAL	5.0	TOTAL	438.0	TOTAL	27,311.0	27,754.0
Trego			Canada thistle	154.0	field bindweed	55,800.0	
					musk thistle	5,000.0	
					johnsongrass	435.0	
			TOTAL	154.0	TOTAL	61,235.0	61,389.0

Infestation data obtained from 1998 county annual weed reports

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+23

Classification of Noxious Weeds by County

COUNTY	Category 2	Acres	Category 3a	Acres	Category 3b	Acres	TOTAL ACRES
Wabaunsee					field bindweed	4,005.0	
					musk thistle	15,353.0	
					johnsongrass	1,470.0	
					sericea lespedeza	6,523.0	
					TOTAL	27,351.0	27,351.0
Wallace	musk thistle	51.0	Canada thistle	303.0	field bindweed	3,027.0	
	johnsongrass	11.0			bur ragweed	1,546.0	
	TOTAL	62.0	TOTAL	303.0	TOTAL	4,573.0	4,938.0
Washington					field bindweed	34,096.0	
					musk thistle	32,362.0	
					johnsongrass	155.0	
					sericea lespedeza	540.0	
					TOTAL	67,153.0	67,153.0
Wichita	musk thistle	4.0			field bindweed	8,820.0	
	johnsongrass	3.0			bur ragweed	2,800.0	
	Canada thistle	30.0					
	TOTAL	37.0			TOTAL	11,620.0	11,657.0
Wilson	multiflora rose	30.0			field bindweed	6,100.0	
					musk thistle	115.0	
					johnsongrass	12,200.0	
					sericea lespedeza	950.0	
					TOTAL	19,365.0	19,395.0
Woodson	musk thistle	14.0			field bindweed	2,932.0	
					johnsongrass	16,379.0	
					sericea lespedeza	34,232.0	
	TOTAL	14.0			TOTAL	53,543.0	53,557.0
Wyandotte	field bindweed	63.0			musk thistle	1,123.0	
					johnsongrass	190.0	
	TOTAL	63.0			TOTAL	1,313.0	1,376.0

Infestation data obtained from 1998 county annual weed reports

1-25
1-24

1-26
7-25

Calculating the Incentive per acre

Product	Purchase price	Storage & handling	Total Cost	Rate per acre	Acres covered per gal. or oz.	Total cost per acre	Incentive per acre
2,4-D Amine	\$11.00 per gal.	\$1.00 per gal.	\$12.00	1 qt.	4	\$3.00	\$1.50 @ 50%. \$0.75 @ 25% \$0.45 @ 15%
				2 qts.	2	\$6.00	\$3.00 @ 50% \$1.50 @ 25% \$0.90 @ 15%
Tordon	\$74.60 per gal.	\$1.00 per gal.	\$75.60	½ pint	16	\$4.725	\$2.36 @ 50% \$1.18 @ 25% \$0.71 @ 15%
				1 pint	8	\$9.45	\$4.73 @ 50% \$2.36 @ 25% \$1.42 @ 15%
				1 qt.	4	\$18.90	\$9.45 @ 50% \$4.73 @ 25% \$2.84 @ 15%
Escort	\$17.65 per oz.	\$0.125 per oz.	\$17.78	0.5 oz.	2	\$8.89	\$4.44 @ 50% \$2.22 @ 25% \$1.33 @ 15%

Example

A county may choose to provide a greater incentive for containment or primary management noxious weeds. For example, they may choose to provide the 50% incentive on the 1 qt per acre rate of Tordon to control Canada thistle and choose the 15% incentive on the ½ pint rate of Tordon for field bindweed. A county in western Kansas with 10 acres of sericea lespedeza may wish to provide Escort at the 50% incentive or greater, to control the infestation.

Conversion from cost share per gallon to Incentive per acre

Product	County Cost	Cost share price	Rate per acre	Acres covered per gal. or oz.	Incentive per acre
2,4-D Amine	\$11.00 per gal.	\$8.25 per gal.	1 qt.	4	\$0.69
			2 qts.	2	\$1.38
Tordon	\$74.60 per gal.	\$56.00 per gal.	½ pint	16	\$1.16
			1 pint	8	\$2.33
			1 qt.	4	\$4.65
Escort	\$17.65 per oz.	\$13.75 per oz.	0.5 oz.	2	\$1.95

Formula: County Cost - Cost share price divided by acres covered = incentive per acre

Example: Step 1 \$74.60 per gal. - \$56.00 per gal. = \$18.60

Step 2 \$18.60 divided by 16 acres = \$1.16 per acre

Conversion from cost share per gallon to Incentive per acre

Product	County Cost	Cost share price	Rate per acre	Acres covered per gal. or oz.	Incentive per acre
2,4-D Amine	\$11.00 per gal.	\$8.25 per gal.	1 qt.	4	\$0.69
			2 qts.	2	\$1.38
Tordon	\$74.60 per gal.	\$56.00 per gal.	½ pint	16	\$1.16
			1 pint	8	\$2.33
			1 qt.	4	\$4.65
Escort	\$17.65 per oz.	\$13.75 per oz.	0.5 oz.	2	\$1.95

Formula: County Cost - Cost share price divided by acres covered = incentive per acre

Example: Step 1 \$74.60 per gal. - \$56.00 per gal. = \$18.60

Step 2 \$18.60 divided by 16 acres = \$1.16 per acre

Situation: A landowner wishes to purchase enough Tordon from the county to treat 160 acres of musk thistle at the $\frac{1}{2}$ pint rate.

Step 1	Total incentive	$160 \text{ acres} \times \$1.16 = \$185.60$
Step 2	Amount needed	$160 \text{ acres} \times \frac{1}{2} \text{ pint} = 80 \text{ pints} = 10 \text{ gallons}$
Step 3	Total cost	$10 \text{ gal.} \times \$74.60 = \746.00
Step 4	Cost to customer	$\$746.00 - \$185.60 = \$560.40$

Example

Situation: After discussing the situation with the Co. Noxious Weed Director, the landowner decides to purchase the product from a local dealer who will apply the product. When the landowner presents the application record verifying the application was made, the county reimburses the landowner \$185.60.

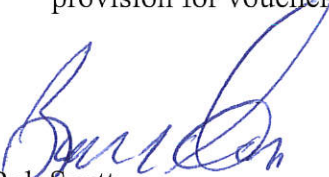


February 15, 2000

SENATE AGRICULTURE COMMITTEE

I support the changes to the Noxious Weed Law as proposed in this bill. My reasons are:

1. It is impossible to “eradicate” bindweed without causing environmental damage. The word “control” has more merit.
2. The classification of noxious weeds, with varying degrees of severity, is a very reasonable approach.
3. As the situation now stands, I cannot purchase the appropriate chemical for proper control of bindweed since Roundup Ultra cannot be used on pine trees. The new provision for vouchers would be a better solution.



Bob Scott

*Senate Agriculture
2-15-00
Attachment 2*

Willy Goevert - 4C Tree Farm.
11229 Creed Street
Wichita, KS 67210
(316) 684-0464

Feb., 14, 2000

TO: Kansas Senate Agriculture Committee
FROM: Willy Goevert, member Noxious weed control committee,
Kansa Christmas Tree Growers Association
RE: SB - 572

As producers of Christmas trees in the State of Kansas and as responsible stewards of the land we support the passage of SB - 572.

The requirements of the current law are virtually unattainable with some species of weeds such as the eradication of field bindweed. We believe eradication is not a biological possibility for some weeds now classified as noxious weeds in the existing law.

We believe that changing the law from eradication to control of certain weeds would present us with a biological possibility for success and something we could work with. FOR THE BETTERMENT OF ALL CONCERNED.

Thank you for your consideration and we look forward to the passage of SB - 572

Respectfully yours,



Willy Goevert
Kansas Christmas Tree Growers Association

Senate Agriculture
2-15-00
Attachment 3



Kansas Christmas Tree Growers Association

R.R. 1 - Box 98 • Belleville, KS 66935

Feb. 15, 2000
Senator Steve Morris, Chairman
Senate Agriculture Committee

S.B. 572 -- The land stewardship by management and control of noxious weeds act.

Chairman Morris and members of the Senate Agriculture Committee:

Thank you for the opportunity to present written support in favor of S.B.572. The Kansas Christmas Tree Growers Association (KCTGA) consists of 80-90 member farms and represents roughly one-half of the Christmas tree growers in our state. During our annual business meeting in January the membership voted to support the draft proposal of SB 572 to make changes in the Noxious Weed Law. Several of our members grow nursery stock also and many sell live Christmas trees or older trees to be moved live. The current law creates unusual hardship and impossible circumstances for some tree growers who market live trees. It was the consensus of the group that the proposed changes to the noxious weed law would allow some flexibility to the current status and allow trees to possibly be marketed out of one end of a field that was clean even though a noxious weed such as bindweed was found in the other end of the field.

I would also like the committee to know that the discussion on the proposed changes centered primarily around the adoption of a biologically based noxious weed classification scheme and the management practices categories as found in New Sect. 4 and New Sec. 5. The membership did not have a position pro or con on the proposed changes involving subsidized control or on the cost share and reimbursement issue.

The KCTGA is fully in support of the control of noxious weeds in out state and does not advocate doing away with our Noxious Weed Laws, but if changes could be made to make them more flexible and workable while still maintaining control of the spread of noxious weeds your efforts would be greatly appreciated.

Respectfully,

Dr. Bill Bryant
Chairman, KCTGA Noxious Weed Control Committee

Senate Agriculture
2-15-00
Attachment 4

BEACHNER GRAIN, INC.

P.O. BOX 128
616 7th STREET

TELEPHONE (316)-449-8500

ST. PAUL, KANSAS 66771

FACSIMILE (316)-449-8512

February 15, 2000

Senate Agriculture Committee Hearing, Senate Bill 572 The Land Stewardship by Management and Control of Noxious Weeds Act

Chairman Morris and members of the Senate Agriculture Committee ; I am Gary Beachner, General Manager of Beachner Grain, a family owned grain elevator and farm input business headquartered in St. Paul, Kansas. We operate 15 country grain elevators in 9 eastern Kansas counties, of which 8 facilities also sell agricultural chemicals. Our family business started out farming, and is still very actively involved in farming. I am a partner in our farming operation, with interests in several Kansas counties. I am also currently serving on the Governor's Agriculture Advisory Board to the Kansas Department of Agriculture. In this capacity, I have had the opportunity to observe and comment as modifications to the Kansas Noxious Weed Law were considered.

I appreciate the opportunity to appear today in support of Senate Bill 572, the Land Stewardship by Management and Control of Noxious Weeds Act.

As a businessman, I am very frustrated by the fact that the current noxious weed law will only assist land owners battling noxious weeds when they purchase weed control chemicals from the county noxious weed department. The new law provides for subsidized control by providing a subsidy on approved control practices, reimbursed on a per-acre basis. If a landowner decides to use an approved herbicide treatment, we would like the opportunity to provide that.

MEMBER OF
NATIONAL GRAIN AND FEED ASSOCIATION
KANSAS GRAIN AND FEED ASSOCIATION

Senate Agriculture
2-15-00
attachment 5

service to our farmer customers. Landowners should have the right to choose where they purchase noxious weed control chemicals.

As a producer, cost, convenience and service are all important. But most importantly, I want to make these choices that are best for my farming operation. Many landowners must travel over 25 miles to a county noxious weed department to purchase noxious weed chemicals at a cost share. Some county noxious weed departments are only open to sell chemicals partial days, a few days a week, and by appointment. Most products are only available in packages, when bulk would be more economical, convenient, and environmentally friendly. Last summer, we were spraying for bindweed in Morton and Stevens counties in southwest Kansas. The chemicals could only be cost share purchased in packages and drums, when I could have purchased most of the products from a local pesticide dealer in bulk shuttles and not had the empty packages and drums to dispose of.

This past year, a working group of private industry and government organizations have been reviewing the current Noxious Weed Law in an attempt to develop modifications that reflect the changes in agricultural production and weed control. They have developed a sound, responsible plan that provides the local county noxious weed directors the flexibility to work with the landowner to develop an effective control plan.

In closing, I urge your support of Senate Bill 572. I believe landowners should have the right to choose between approved noxious weed control practices, as well as where to buy weed control chemicals.

Thank you and I would be glad to answer any questions at the appropriate time.

EMCH FEED & ELEVATOR CO., INC.
BOX 456
MADISON, KANSAS 66860
316-437-2138

Chairman Morris and members of the Senate Ag Committee

I am Bill Emch, President of Emch Feed & Elevator Co., Inc. located in Madison, population 900. We are now in our 56th year as a family business engaged in supplying ag inputs to farmers and ranchers in a 15 to 20 mile radius. We pride ourselves in giving good service and working to maintain a good partnership with our customers.

The title of this bill "Land Stewardship by Management and Control of Noxious Weeds Act", is a vitally important mission to every farmer and rancher, county noxious weed director, and we as an ag input supplier. We all have a common enemy- noxious weeds. The latest weed to be classified as noxious has been know as the "Aids of the Flint Hills" commonly know as sericea lespedeza. We have sprayed many acres of this weed and over 90% have purchased the control chemicals from us with no cost assistance from the county. The farmers do not like to drive 25 miles to Eureka to our noxious weed department and then bring the chemicals back to us too have applied.

Both we and the county weed departments purchase the same chemicals from the same distributors. In addition we handle some bulk chemicals which could be an additional savings to the farmer if it was cost shared. We have a chemical and fertilizer containment building built to meet state regulations. We were privileged to show our facility to Sen. Corbin.

Wouldn't it seem to be an advantage to the system to be able to give the farmers a choice in obtaining the chemicals from a local tax paying dealer. How is it any advantage in the control of noxious weeds to make the farmers drive 25 miles to obtain the chemicals so we can apply them with our equipment?

We all know there are many dollars in food stamps distributed to those that meet the requirements. Does the government have their own grocery stores? They utilize local businesses and still cost share. Let's give the farmers a choice and all work together in the effort to contol noxious weeds.

Senate Agriculture

2-15-00

Attachment 6



www.co-ag.net

Keith Karnes
Crop Production Manager
Assistant General Manager
(785) 855-2256
100 N. 5th
Menlo, KS 67753

Breton
462-8642

Campus
672-3822

Grinnell
824-3201

Menlo
855-2256

Mingo
462-2063

Oakley
672-4371

Page City
846-7471

Rexford
687-3705

Russell Springs

Seguin
675-3516

Winona
846-7451

Good morning Senators, I'm Keith Karnes, Crop Production Manager of CO-AG, an agricultural cooperative in Northwest Kansas. I am here today to offer my support for Senate Bill 572, the Land Stewardship by Management and Control of Noxious Weed Act.

Simply stated Senate Bill 572 offers landowners/farmers a choice when pursuing options for noxious weed control. With the adoption of Senate Bill 572, a financial incentive to landowners for noxious weed control will be available even if the products are not purchased directly from a county weed director.

Many times, because of the logistics involved, it is an inconvenience to many of our customers to drive to the appropriate county noxious weed department and purchase the products needed. Many of them also own land in more than one county and must work with several different directors. As an example, one of our customers, who lives just to the south of Oakley, farms in Logan, Thomas and Gove counties. This individual on many occasions will have us treat bindweed and forgo the incentive simply because he does not have the time to visit each county weed director, collect the needed products and deliver them to us for application. When a landowner is forced to make a decision based on demographics, the current program does not benefit him at all. With the adoption of S.B. 572 he will no longer have to make that decision.

There are occasions when we, as dealers, could provide the needed products at an even lower initial cost because of the ability to purchase in bulk and/or in volume. As an example, last summer Landmaster BW, very commonly used for bindweed control, could be purchased in bulk, from any of our locations at a price of \$17.28 per gallon. Landmaster BW purchased from one of our county weed directors in 2 ½ gallon containers would cost approximately \$20.55 per gallon. Now, although with the current program the landowner would receive a financial incentive, just imagine the savings available if the incentives were applied to the products purchased from his local dealer.

Product availability sometimes becomes a problem. Situations have come up in past where acquiring the required product is not possible simply because of exhausted supplies. We need to keep in mind the counties do not always have the "best product" for the job in their inventories at all. Most of them appear to be working on limited inventories. As retail dealers, we will always have the "best product" at our disposal. Because of that, proper and timely application can be made.

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attachment 7



www.co-ag.net

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(785) 855-2256
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672-4371

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846-7471

Rexford
687-3705

**Russell
Springs**

Seguin
675-3516

Winona
846-7451

By counties offering a per acre incentive through their noxious weed departments to landowners/farmers regardless of where the products were purchased, rather than cost sharing only on products purchased directly from them it will only serve to further solidify the efforts of noxious weed directors throughout the state.

I also believe S.B. 572 is a positive effort to eliminate the exclusive sales practices of the county noxious weed departments. This is government competition at its worst. Competition with the private sector is something, as a tax paying entity, I don't believe any governmental agency should be involved in. Senate Bill 572 will be a positive step toward cost effective and progressive noxious weed control in the state of Kansas. I encourage you to join with me in support S.B.572.

Thank you, I appreciate your support.

FARM SERVICE CENTER, INC.

85 S.E. 115th Ave., Ellinwood, KS 67526
(316) 564-2855

Committee members,

My name is Johnny Schaben. I own and operate Farm Service Center., an independent retail dealership that sells crop production products to our farmer customers in Ellinwood, Kansas.

Senate bill 572 would give our customers the option to buy products for noxious weed control at locations other than just the county noxious weed office. Many of these products are available in bulk at these dealerships which allows these products to be handled at the most economical price. Product in bulk also eliminates many containers that are getting more difficult to dispose of. Many landfills will not take pesticide containers anymore.

Added locations makes it more convenient for the farmer if he lives a distance from the county weed office. These dealerships are open longer hours and on weekends during the busy season to serve their customers. This seems to fit the farmer's schedule better.

Many of my customers purchase product from me instead of the noxious weed department because it is more convenient and sometimes less expensive even without the cost share option because we apply bulk product instead of using small containers. Many of them don't like to have odd amounts of chemical left over in containers after we apply the product for them. They don't have good places to store them. Sometimes they have us store them.

Having more people involved in controlling noxious weeds would give the farmer more "eyes" to see new problems and keep them from becoming big problems. More farmers rely on dealers and consultants to scout their fields than in the past.

Agriculture has changed a lot from the days the noxious weed departments were started. Chemical weed control has changed dramatically. We no longer use soil sterilants to control noxious weeds. This used to be common practice.

The last few years have been tough ones for farmers. They deserve to have the option of making their noxious weed control more convenient, cost effective, and environmentally friendly.

Thank you for your consideration.

Johnny Schaben

Senate Agriculture
2-15-00
Attachment 8

Date: Saturday, February 12, 2000 12:20 PM

Ag Committee Members.

I would like to take this opportunity to thank you, and ask you to take into consideration the contents of this letter.

It is my understanding that you are, or will be debating the current policy of cost - sharing under the noxious weed law. I do not pretend to know all of the ramifications of cost - sharing. However, past experiences of retrieving the necessary chemicals from the noxious weed dept. for a noxious weed problem have led me to believe that a little fine tuning is in order. .

No matter if I apply the chemicals or have a local company do the job it has not only been very inconvenient, but time consuming. What I have found is:

- only one chemical has been cheaper through the weed department
- the weed dept. is closed at 5:00
- not open on holidays or weekends
- This is not very farmer friendly.

The local chemical & fertilizer suppliers tend to be open, or at least available "during farmer hours". They are open late, early, and on weekends. This is most important when the weather has been unfavorable. Their hours match the farmer hours, and nature's hours. They often times see new areas of infestation forming and can potentially stop them before it is a wide spread problem. Factors that are important for noxious weed eradication.

I think the public would be better served if the farmers and/or the local chemical dealer would receive the cost - share funds first hand.

Thank You



Dale E. Schartz Farmer/rancher

HARVEYVILLE SEED CO. INC.

P.O. Box 8
Harveyville, KS 66431

(785) 589-2497
Fax (785) 589-2486

Date: February, 15, 2000

To: Senate Agriculture Committee

From: Dustin Kuntz, Vice President Harveyville Seed Co., Inc.
Mayor, City of Harveyville

Re: Senate Bill 572: Noxious Weed Law

Mr. Chairman, Committee Members, thank you for this opportunity to testify in support of Senate Bill 572. I will try to keep my comments brief and to the point.

My name is Dustin Kuntz. My family owns and operates Harveyville Seed Co., a small independent agri business located in Harveyville in southeast Wabaunsee County. Harveyville Seed Co. has specialized in sales of seed, fertilizer, agricultural pesticides, custom application and related services at the retail level since 1957.

We feel passage of Senate Bill 572 would give our farmer and landowner customers freedom of choice as to where they purchase their chemicals for noxious weed control, plus the convenience of shopping at home without losing the government cost-share subsidy on their purchase.

As stated previously, Harveyville Seed Co. is located in southeast Wabaunsee County. We are one mile from Osage County, three miles from Lyon County and five miles from Shawnee County. It is a twenty-five to thirty-five mile drive for any of our customers to their respective Noxious Weed Department.

Some customers choose not to make this drive and give up their cost-share on

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2-15-00
Attachment 9*

noxious weed chemicals. This is not right! We often custom-apply noxious weed chemicals for customers in our trade territory especially those that are absentee landlords and farmers retired from active agriculture. We have a good relationship with the Wabaunsee County Noxious Weed Department and often use chemicals out of our inventory in order to get the job done right and in a timely fashion for the customer. The customer replaces these chemicals at a later date from the Noxious Weed Department. We shouldn't have to do this! Plus someone, either the customer, a Harveyville Seed Co. employee, or a Weed Department employee has to make a round trip from Harveyville to the Noxious Weed Department to pick up or deliver these replacement chemicals.

The passage of Senate Bill 572 would eliminate this problem. It would also allow these customers to purchase only the amount of chemical needed for a particular job. For example, Tordon 22K is used to control musk thistle at a recommended rate of 1/2 pint per acre. A sixty-acre pasture would require 3.75 gallons. Tordon 22K is packaged in 2 1/2 gallon or 1 gallon jugs. Does the customer purchase 3.5 gallons not enough to do the job? Or does the customer purchase 4 gallons and have .25 gallon left over? What does the absentee landowner or a retired farmer do with this extra chemical? Where do they store it and for how long?

In conclusion I urge your support of Senate Bill 572. If the control of noxious weeds is to continue to be cost-shared or subsidized to farmers and landowners, then all effective means of control should be included, whether chemical or cultural. Farmers and landowners should have the freedom to choose where they purchase chemicals for noxious weed control and still receive their cost-share. Thank you and I will stand for questions at the appropriate time.



1830 Kanza • Hillsboro, Kansas 67063
Phone (316) 947-3166

SB572

Testimony of Mike Kleiber

Chairman Morris and members of the Senate Ag Committee; I am Mike Kleiber, President and General Manager of Ag Service Inc located in Hillsboro. I have been involved in this business for the past 29 years. We are a full line ag input supplier which includes field scouting, chemical sales and custom application. These services apply directly to the subject we are discussing today, noxious weed control. We also have other affiliate locations in central Kansas. Combined we provide services in 30 counties. This gives me a good overview of the variety of how noxious weed programs are administered throughout the State.

Hillsboro is located in Marion County. We have a mix of grassland, cropland and also our share of CRP acres. This mix makes for some real challenges for noxious weed control.

My purpose here today is to convey the success of the cost share certificate option provided in the current noxious weed law. Our commissioners adopted this provision three years ago. Roland Schmidt, a then newcomer to the Weed Director position, presented this option to them. His idea then was the more people involved in noxious weed control, the more successful the program. That is also his perception today.

The program has become more successful each year since its implementation, as landowner and tenant awareness of the option has increased.

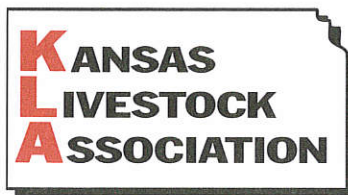
Landowners have told me they like the certificate programs simplicity. They like how they can participate in cost share and at the same time they are lining up the application.

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Attachment 10

The certificate is issued a number of ways. The most common is the landowner calling the weed office, then discussing the control method with the director. The weed office then faxes the certificate to the dealer. Other times the landowner comes into the dealership and they call the weed director with all the required information and the weed department then faxes back a completed cost share certificate. This is a more convenient way than the landowner going to Marion, purchasing the chemical, bringing it back to the dealer, and the dealer applying it. In reality more landowners are taking advantage of cost share now, especially those remote from the county seat.

The certificate program has eliminated a number of other problems that are inherent with county chemical sales, such as the county weed department selling restricted chemical to persons whom are not certified applicators and not knowing for sure that the chemical is indeed applied by a commercial or certified applicator. It has eliminated the issue of partial containers of chemical left over after the application is completed. Partial containers are now part of the dealer's inventory. It also has eliminated the chemical being purchased by landowners and either not used that season or used on other land not identified to be treated. There have been numerous times over the years people have brought us chemical they purchased years back, hoping it was still good for application. The certificate has eliminated these problems because there is no reimbursement of cost share by the county until after the application has actually taken place. The director has complete record of date of application, legal description, and climatic conditions, which equates into more control of the program for him. There are other benefits to the program but in the essence of time, I will not take issue.

The mindset in Marion County is to control noxious weeds, starting with a professional weed director who views his department, not as a wholesale chemical warehouse, but as a partner with landowners, the county commissioners, and the ag community in controlling these pests. The certificate program has given landowners a choice as to how they can participate and dealers an incentive to join in the loop. I trust Senate Bill #572 will accomplish this state wide.



Since 1894

To: Senate Agriculture Committee
Senator Steve Morris, Chairman

From: Mike Beam, Executive Secretary, Cow-Calf/Stocker Division

Subj: Support of SB 572 - Amendments to the Noxious Weed Laws

Date: February 15, 2000

Mr. Chairman, and Senate Agriculture Committee members, the Kansas Livestock Association (KLA) appears today in support of Senate Bill 572. This legislation is an overhaul and improvement in the existing statutes governing noxious weed control programs in Kansas.

We were privileged to serve on the task force that met on several occasions throughout 1999. I learned a great deal from other task force members who represented various and important interests on this issue. I must also acknowledge the support we received from various staff members of the Kansas Department of Agriculture. These staff members met with several organizations last fall in order to explain the concept and intent of the new legislation. They also spent countless hours fine-tuning this bill to reflect the consensus of the task force and address several concerns of producers, weed directors, fertilizer and chemical dealers, and county commissioners.

There are several positive aspects of this legislation. In the interest of time I'd like to mention a few significant changes that we believe improves the counties and state's ability to control noxious weeds.

Listing or De-listing of Weeds by Regulation

It was a general consensus of the task force and KLA members that it is more appropriate for the state to list or de-list noxious weeds through the Department of Agriculture's rules and regulation process. The agency can move swiftly if an invasive weed appears in this state. In addition, listing a plant as a threat to native plants and agriculture operations is more of a science than a political call.

*Senate Agriculture
2-15-00
Attachment 11*

Categorization of Noxious Weeds

Perhaps the most significant change proposed in this bill is to recognize various noxious or problem weeds deserve different emphasis and management options. New Section 4 establishes three categories (high risk, containment, or management) and two subcategories (primary management or secondary management) under the management category. This changes allows the state and county to move swiftly to contain and eradicate new and small areas of noxious weeds.

The bill also recognizes noxious weeds in large geographic areas of Kansas are not likely to be eradicated or eliminated. Landowners are required, however, to manage and control certain weeds listed in the management category of the noxious weed law. Furthermore, if a county wants to devote the resources to aid producers to control weeds in the secondary management subcategory they are empowered to levy sufficient funds to accomplish this purpose.

Per Acre Incentives

New Section 6 requires counties to establish a procedure to compensate producers on a per acre basis for costs associated with controlling and managing noxious weeds. To date, the only procedure available is for a cost share on agricultural chemicals. As researchers learn more about problem noxious weeds we should eventually have proven biological and mechanical control procedures that are not amenable to county cost share assistance under the existing law. This procedure allows landowners/tenants to purchase chemicals where it is most convenient and economical and be reimbursed on a per acre basis.

Please note, as stated in lines 40-43 on page 4, county weed departments may continue to sell products.

Certified Free Mulch Hay

It is a common belief by many observers that mulch hay used along roadsides has been a source for some noxious weed infestations. We support the new language in New Section 9 requiring mulch hay along public right-of-ways to be certified free of noxious weeds.

Collecting for Control Expenses from Delinquent Landowners

Current law, found in Section 12, authorizes county officials to assess a landowner's property for costs of controlling noxious weeds if the responsible party refuses to control or pay for the control of noxious weeds. The county is

limited in the amount that can be collected in one year. County commissioners in the Flint Hills area have been reluctant to enforce the noxious weed law on *Sericea lespedeza* infested pastures because the county would have to basically finance the costs over a multi-year period. The changes in SB 572 authorize the collection of these expenses in one year. We believe this change is necessary for adequate enforcement of the noxious weed laws.

Civil Penalties

Section 15 of the bill allows weed directors and the Secretary to assess civil penalties for noncompliance of the noxious weed law. We believe this will be a useful tool to encourage compliance without the necessity of burdening county attorneys.

In conclusion, we believe this legislation provides needed changes to the noxious weed law. This is not a proposal that has been put together without much discussion and consideration. It may not be perfect, but we believe it is a significant improvement and we urge this committee to give it favorable consideration.

Thank you!