KANSAS ASSOCIATION OF COUNTIES

TESTIMONY concerning SB 134
relating to Noxious Weeds
Senate Agriculture Committee
February 10, 2015
Presented by Randall Allen, Executive Director

Mr. Chairman and members of the committee, thank you for the opportunity to present testimony in support of SB 134. The proposed legislation modernizes the long-standing Noxious Weed Act in Kansas. Since responsibility for enforcement of the provisions of the Act is vested in the board of county commissioners, we consider any changes to the Act very seriously.

I want to acknowledge the positive and constructive way that Secretary McClaskey and her staff at the Kansas Department of Agriculture reached out to us in drafting this legislation. The control and eradication of noxious weeds is truly a shared responsibility, with the State and counties working together. We appreciate the Department listening to our concerns, and listening to the concerns of noxious weed directors.

We believe the time has come to list noxious weeds through the rules and regulations process in lieu of statutory enactment. This will enable the Department and the community of partners/stakeholders to act more nimbly in addressing emerging situations through a science-based process with recommendations from a newly-created state noxious weed advisory committee. We believe that the composition of the committee is smart, as it includes landowners, representatives of the research committee, representatives from agricultural industries such as agribusiness retailers; county noxious weed directors, a representative from Wildlife and Parks; and a county commissioner. The duties of the committee are enumerated in New Section 3 of the bill, and they help ensure that the program is accountable and responsive to needs.

Finally, we appreciate the department's willingness to reflect, in the Act, the more modern ways in which counties budget for noxious weed programs. Counties are allowed to budget for any legal purpose in their general fund, in lieu of budgeting for various purposes in several separate funds (including a noxious weed eradication fund), and this legislation correctly recognizes this option. This language is largely inconsequential to the public, but it clarifies once and for all that counties can appropriate monies for noxious weed eradication without doing so in a separate budgeted fund of the county.

For all of these reasons, we urge the Committee to pass out SB 134 favorably for passage. This legislation has been in the development process for a long time, and we want to go on record in support of this proposal. I will be pleased to answer any questions you have at the appropriate time.

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