

KANSAS SENATE AGRICULTURE COMMITTEE

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KANSAS RURAL CENTER – Paul Johnson

QUESTIONS AND CONCERNS OVER SENATE BILL 134

The 'state noxious weed advisory' committee needs to be balanced and diversified with a full range of perspectives. One member needs to be a member of an established environmental organization such as the Sierra Club, Audubon of Kansas, Kansas Natural Resources Coalition or the Nature Conservancy. One of the three private landowners should be a specialty crop producer like grapes. Why are there two members from the 'agribusiness retailers association'?

Is there a statutory right for a landowner to post a 'no spray' zone for their land provided that noxious weeds are under control? As the overuse and abuse of glyphosate (Roundup Ready) has resulted in several resistant super weeds and now 2, 4-D will be tank mixed, is there any potential liability for counties if this volatile drift damages specialty crops such as grapes, cotton or vegetable gardens?

In Section 6 (c) <p.5>, with just the approval the Secretary, a board of county commissioners can publish a list of weeds beyond the declared noxious weeds and have the authority to use any chemical to eradicate that plant in their county?

In Section 14 <p. 12>, the board of county commissioners or the governing board of any city can *apply any chemical materials* upon highways, streets, alleys, county-owned or managed property for the treatment and eradication of weeds that have not been declared noxious? So there is no limit on chemicals to be used on any weed as long as the Secretary cooperates?

Under Section 14 (e) <p. 13>, the governing body shall keep a complete itemized record showing sales for cash or charge sales of material and shall maintain a record of charges and receipts for use of equipment owned by each county or city on public and private land. Will these records list the date, time and exact location such equipment and chemicals were used?

There is no definition in New Section 1 for 'chemicals' or chemical materials. There should be some provision for using the safest/least toxic chemicals in regards to human and animal health.

Senate Bill 134 is sweeping, fundamental change to expand the number of noxious weeds and give government unbridled authority to declare war on all weeds. There are many unanswered questions as to its potential impact on human health and safety. This legislation demands more thoughtful research and public understanding. How do other states handle the eradication of noxious weeds? What are potential unintended consequences of an administrative process versus the present statutory system? The Kansas Rural Center requests that Senate Bill 134 be sent to an interim legislative committee for adequate debate and deliberation.