



Kansas Agribusiness Retailers Association

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January 8, 2021

To: Joint Committee on Administrative Rules and Regulations
From: Randy Stookey, Senior Vice President of Government Affairs, KARA
Re: **Proponent Testimony on Proposed Noxious Weed Regulations, Kansas
Administrative Regulations 4-8-13, et seq.**

Chair Tyson and members of the committee, thank you for the opportunity to provide testimony in support of the proposed amendments to the Kansas Noxious Weed Act Regulations.

The Kansas Department of Agriculture (KDA) has issued a public notice of its proposal to amend these agency regulations following the passage of amendments to the Noxious Weed Act by the Kansas Legislature in 2018. The act requires the Secretary of Agriculture to adopt rules and regulations to declare certain species of plants as noxious weeds in the state.

This testimony is submitted on behalf of Kansas Agribusiness Retailers Association (KARA), a state-wide agribusiness industry trade association with over 700 members companies that supply seed, fertilizer, crop protection products, fuel, and agronomic services to Kansas farmers.

Members of KARA participate in the registration, sale, and application of agricultural chemicals that are used to control and eradicate plants defined as noxious weeds in Kansas. Our agribusiness members include trained technicians and advisors that provide the crop protection products and services necessary for producers and landowners to control these plant pests. Therefore, KARA members have a direct interest in these proposed regulatory changes, and we comment today to express our support.

In developing these proposed regulations, KDA sought input from the Noxious Weed Advisory Committee, as required by K.S.A. 2-1314. KARA is represented with a seat on this advisory committee which was created by the legislature with the purpose of advising the Secretary on any proposed changes to noxious weed regulations. Through this advisory committee, our industry is provided the opportunity to counsel the Secretary on the proper designation, classification, and appropriate control measures for noxious weeds in our state.

The changes to the Noxious Weed Act by the legislature in 2018 allowed for the Secretary of Agriculture to declare species of plants as noxious weeds in the state through regulations. This

Proposed Amendments to Kansas Department of Agriculture Noxious Weed Regulations

change improved the process for designating noxious weeds, as the previous process - which required passage of legislation - was both cumbersome and time consuming. KARA supported this change from a legislative process to a regulatory process. The change improved the process for the designation and classification of noxious weeds by making the process more responsive to the needs of Kansas landowners. The change also allowed for broad stakeholder participation via the noxious weed advisory committee.

KARA supports the regulation of the control of noxious weeds through use of a science-based process that benefits production agriculture, landowners, and all Kansas residents.

The Secretary now proposes regulations on the designation, classification, and control methods for those weeds to be determined to be noxious weeds in the state of Kansas. The proposed regulations also set forth the official control plan adopted for each noxious weed, and require the control of noxious weeds to be taken in accordance with the official control plan. As proposed, the regulations require control plans to be based on the most current available science, to include biological, chemical, cultural and mechanical controls, where applicable.

In addition, the regulations provide for a level of oversight of local weed management programs by requiring local weed supervisors to annually submit a comprehensive noxious weed management plan to the Secretary.

For the reasons stated above, we support adoption of these proposed regulations. Thank you for considering these comments.