

COUNTY WEED DIRECTOR'S ASSOCIATION OF KANSAS

HOUSE COMMITTEE ON FEDERAL AND STATE AFFAIRS

RE: HB 2025 – An act concerning privacy rights.

February 4, 2021

Topeka, Kansas

Chairman Barker, and members of the Committee:

My name is Alan Hollinger. I am the chairman of the legislative committee of the County Weed Director's Association of Kansas (CWDAK) and director of the Douglas County Noxious Weed Department. We appreciate the opportunity to provide written testimony as an opponent and express our stance on House Bill 2025.

Under Kansas Statute Chapter 2. Article 1316(e) The weed supervisor shall make annual surveys of noxious weed infestations and ascertain the approximate amount of land and highway or any kind of right-of-way infested with each kind of noxious weed and its location in the county not later than October 31 of each year.

Under Kansas Statute Chapter 2. Article 1330. Entry upon and inspection of property. (a) Subject to subsection (b), the boards of county commissioners, township boards, state and city officials, weed supervisors or any city, township, county or state employee so authorized shall have at all reasonable times, free access to enter upon such premises. It also states under Article 1330. (b)(1) Attempt to notify, if practicable, the owner, operator or lessee of the premises of the purpose for the inspection.

Consider if a complaint of a large area infested with musk thistle has been received in late May. As a weed supervisor we know late May is the end of Musk Thistle growing season, so it's likely this complaint is about to go to seed and release thousands of seeds per flowering head. Time is of the essence to verify it is a valid complaint, make contact with the property owner, and help the owner with the best form of control for the owner and the situation.

Is it reasonable to consider taking the time of each local attorney, magistrate, and sheriff, and still expect to be able to accomplish anything in a quick and efficient manner? Is it reasonable to ask more of our judicial systems that are already bombarded with cases stacked on their desks? Is it the right thing to allow noxious weeds that can out compete our precious prairies and crops adequate time to produce and spread viable seeds while obtaining such warrant and lastly, is it reasonable to waste the time of our legislators who have so diligently created a noxious weed law for the state of Kansas

Requiring such warrant for county weed directors to conduct their annual inspections is an unreasonable burden not only to the county weed director but as well to the county attorney or magistrate judge.

The County Weed Directors Association of Kansas does not support HB 2025 and its contents. Our association appreciates this opportunity to express our Opponent stance on House Bill 2025 and with that being said I will now stand open for any questions.

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