

Recommended Amendments to HB 2246 concerning the Noxious Weed Act:

- 1) Regarding the makeup of Noxious Weed Advisory Committee:
 - Specify that one of the private landowners be an organic crop producer.
 - Add a natural resource management professional from KS Biological Survey
 - Add a public health expert from KS Department of Health and Environment
 - Delete representatives from Agribusiness Retailers Association and KS Cooperative Council
- 2) Create a definition of "risk assessment" in New Section 3 (c):
 - Include "science-based" in (c)(2), "through the use of a *science-based* risk assessment..."
"Such assessment shall consider, at a minimum:
 - (A) *The impact on the natural and agricultural environment, including potential toxicity to humans and livestock;*
 - (B) *The invasiveness of the species under consideration, determined based on the rate of spread and the potential for, and methods of, dispersal; and*
 - (C) *The potential for infestation in the state;"*
- 3) Insert a cap on fines, such as "up to a maximum fine of \$2500" in Section 15.
- 4) Create a reporting requirement to the legislative agriculture committees every 2 years (end of Section 6).
- 5) Limit the 18 month scope of the emergency declaration by substitute new language in New Section 2.
"(d) Within 90 days after the secretary makes an emergency declaration pursuant to this section, the secretary shall call a meeting of the state advisory committee to review and approve the emergency declaration. If the committee does not approve of such emergency declaration, the emergency declaration will no longer remain in effect."
- 6) Strike this part of Section 6(a).
~~"Once a weed has been declared to be a noxious weed, it shall be considered a noxious weed in every county of the state."~~
- 7) In New Section 3 (d), change the recommendation requirement of a majority vote to three-fourths vote.
- 8) Insert a section on liability protection for county noxious weed departments regarding drift or misapplication of chemical herbicides.
- 9) Provide for obtained permission or at least 14 days advanced notice to landowners before allowing county officials to inspect private property for noxious weed control.
- 10) In Section 8, insert language to direct the Secretary to prioritize non-chemical pest management strategies over chemical applications in consultation with counties for best weed control practices. Furthermore, an expansion of cost-share programs for non-chemical controls may be appropriate.