

HB2271 Plant Pest Inspection and Regulation

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Primary Supports:

Makes violation a felony, which gives the authority to pursue out of state offenders. (Sec 10)

Provides for uniform requirement of documentation of plant movement. (Sec 8)

Gives authority eradicate a pest in the case of non-compliance by a plant dealer. (Sec 3)

Primary Concerns:

Creates regulations for protections that are not funded for enforcement.

If enforcement is not funded, regulations will burden those who are willfully compliant against non-compliant competitors.

Does not make provisions for more inspectors in the field.

Conclusion:

The revisions do add some regulations that could help protect Kansas horticulture and agriculture. I do not know the statewide scope of these regulations and therefore can't assess if the risks are so great that the benefits justify the costs. I do have a concern that the balance of regulations versus funding is not set. One of the original provisions in the revision was license and inspection fee increases. These have been removed. The industry does not want any fee increase but also does not want unchecked regulations in place that will burden the compliant and have no effect on the willfully non-compliant.

Our industry depends on inspections in order to be compliant when shipping into other states or working on federal projects. If cutting budgets and fees means less access to inspections, it will cost our industry and ultimately the state. The final stages of this revision have been rushed and I believe it would best serve the interest of Kansas plant producers to proceed carefully and be sure that the resources are in place to not only enforce these regulations, but to also meet the inspection needs of Kansas producers.