



816 SW Tyler, Topeka, Kansas 66612 | 785.220.5211

March 9, 2022

To: Senate Committee on Agriculture and Natural Resources
From: Randy Stookey, Senior Vice President Gov. Affairs, Kansas Agribusiness Retailers Association
Re: **Proponent Testimony on HB 2563, as amended, concerning the Kansas seed law and the commercial industrial hemp act.**

Chairman Kerschen and members of the Committee on Agriculture, thank you for the opportunity to provide testimony on House Bill 2563. This testimony is submitted on behalf of Kansas Agribusiness Retailers Association (KARA).

KARA is a state trade association that appreciates membership of over 700 agribusiness firms that supply agricultural services and inputs to Kansas farmers, such as seed, fuel, fertilizer, pesticides, and herbicides, and provide agronomic expertise.

Our agribusiness members are broadly regulated by the Kansas Department of Agriculture (KDA) and are required to maintain various licenses and certifications to conduct business in this state, including licenses as agricultural seed wholesaler and retailer businesses.

As House Bill 2563 would broadly amend the Kansas seed law, our members have a direct interest in this legislation. KARA appreciates KDA working with our industry over many months in drafting this legislation.

House Bill 2563 would make comprehensive changes throughout the Kansas seed law to include amendments to the following: definitions, labeling requirements, unlawful acts, treated seed labeling, the inspection and stop sale order process, and the administrative review process. In addition, the bill would increase registration fees for seed wholesalers and retailers.

Proposed changes to the definitions section would move lists of "noxious weed seed," "prohibited weed seed" and "restricted weed seed" from the statute to agency regulations. The statute would require the Secretary to consult with industry organizations when designating any such seed as noxious, prohibited, or restricted.

The bill would also amend K.S.A. 2-1422 to provide the Secretary with new civil penalty authority for violations of the act. At the request of KARA, and with the agreement of KDA, the House Committee on Agriculture amended the bill to provide the Secretary authority to assess a civil penalty of up to \$3,000 per violation but removed language that would allow a new civil penalty for each day of a continuing violation. For recalcitrant actors, the Secretary maintains authority to suspend or revoke a license or pursue criminal penalties.

Should the committee decide to move the bill forward, we would respectfully request that this amendment be retained. Thank you for the opportunity to testify in support of House Bill 2563 as it was amended by the House.

We will stand for questions at the appropriate time.