

**Department of Agriculture, Plant Protection and Weed Control Program**  
**Notice of Hearing on a Proposed**  
**Administrative Regulation, Statewide**

A public hearing will be conducted at 10:00 a.m., January 20, 2021, in the 1<sup>st</sup> floor meeting room 124 of the Kansas Department of Agriculture, 1320 Research Park Drive, Manhattan, Kansas to consider the adoption of a proposed regulation. Due to the public health concerns posed by the COVID-19 pandemic, the hearing proceedings will also be available via video conferencing system. Anyone desiring to participate in the public hearing via video conference must pre-register at: <https://kansasag.zoom.us/join/joinMeeting/register/tJEoc-CpqTMjGtc3iD-lqAjzao9bJOGGgbJE>. Individuals planning to attend in person, please contact Ronda Hutton via email at [ronda.hutton@ks.gov](mailto:ronda.hutton@ks.gov) or telephone at (785) 564-6715. Due to social distancing restrictions, seating for those attending the hearing in person will be limited and will be provided on a first come, first serve basis.

This 60-day notice of the public hearing shall constitute a public comment period for the purpose of receiving written public comments on the proposed regulation. All interested parties may submit written comments prior to the hearing to the Secretary of Agriculture, 1320 Research Park Dr., Manhattan, Kansas 66502, or by e-mail to [ronda.hutton@ks.gov](mailto:ronda.hutton@ks.gov). All interested parties will be given a reasonable opportunity to present their views orally on the adoption of the proposed regulation during the hearing. In order to give all parties an opportunity to present their views, it may be necessary to request that each participant limit any oral presentation to five minutes. This regulation is proposed for adoption on a permanent basis. A summary of the proposed regulation and the economic impact follows:

The Kansas Department of Agriculture is proposing amendments to K.A.R. 4-34-1, previously implemented pursuant to the Alternative Crop Research Act, K.S.A. 2019 Supp. 2-3901 *et seq.*, which authorized the production of industrial hemp in Kansas for research purposes. These amendments are proposed in order to make the existing rule and regulation align with the 2018 Farm Bill and the Commercial Industrial Hemp Act, which together allow commercial hemp production in Kansas.

K.A.R. 4-34-1 – This regulation contains terminology and definitions relevant to and used throughout the rules and regulations that will implement the Commercial Industrial Hemp Act. The amendments to this regulation provide that the use of “act” throughout the rules and regulations refers to the Commercial Industrial Hemp Act rather than the Alternative Crop Research Act, create a license for creditors who need to take possession of industrial hemp, and add definitions for “ground cover,” “hemp,” “licensed growing area,” and “lot.”

**Economic Impact Statement:**

The amendments to this regulation are proposed in light of the passage of the 2018 Farm Bill and K.S.A. 2-3901, *et seq.*, the Commercial Industrial Hemp Act, to ensure that hemp production in Kansas is regulated in accordance with current federal requirements. This regulation will be implemented in conjunction with the Department’s separately proposed commercial hemp regulations, K.A.R. 4-34-22 through K.A.R. 4-34-30, and it thus poses substantially the same economic impact as those regulations. Commercial hemp production has the potential to provide significant long-term economic benefit to the state of Kansas, but this potential remains difficult to quantify, as much remains to be learned about hemp production.

Any individual with a disability may request accommodations to participate in the public hearing and may request the proposed regulation and impact statement in an accessible format. Requests for accommodations should be made at least five working days in advance of the hearing by contacting Ronda Hutton at (785) 564-6715 or fax (785) 564-6777. Handicapped parking is located on the west side of the building at 1320 Research Park Drive, Manhattan, and the west entrance to the building is accessible to individuals with disabilities.

Copies of the regulation and its economic impact statement may be obtained by contacting the Department of Agriculture, Ronda M. Hutton, 1320 Research Park Drive, Manhattan, KS 66502 or (785) 564-6715 or by accessing the department's web site at [agriculture.ks.gov](http://agriculture.ks.gov). Comments may also be made through our web site at the following link <https://www.agriculture.ks.gov/document-services/public-comment>.

Mike Beam  
Secretary  
Kansas Department of Agriculture