

CHAPTER 1042
EURASIAN WATER MILFOIL
S.F. 2035

AN ACT relating to the control and eradication of Eurasian milfoil and establishing a penalty.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. NEW SECTION. 456A.37 EURASIAN WATER MILFOIL.

1. DEFINITIONS. As used in this section:

a. "Infestation of Eurasian water milfoil" means an infestation of Eurasian water milfoil that occupies more than twenty percent of the littoral area of a body of water.

b. "Watercraft" means any vessel which through the buoyance of water floats upon the water and is capable of carrying one or more persons.

2. EURASIAN WATER MILFOIL MANAGEMENT PLAN. Before January 1, 1998, the commission shall prepare a long-term statewide Eurasian water milfoil management plan. The plan shall address all of the following:

a. The detection and prevention of accidental introductions into the state of Eurasian water milfoil.

b. A public awareness campaign regarding Eurasian water milfoil.

c. The control and eradication of Eurasian water milfoil in public waters.

d. The development of a plan of containment strategies that at a minimum shall include all of the following:

(1) The participation by lake associations, local citizens groups, and local units of government in the development and implementation of lake management plans where Eurasian water milfoil exists.

(2) Notice to travelers of the penalties for violation of laws relating to Eurasian water milfoil.

3. GRANTS. The director of the department of natural resources shall accept gifts, donations, and grants to aid in accomplishing the control and eradication of Eurasian water milfoil.

4. RULEMAKING. The commission shall adopt rules pursuant to chapter 17A. The rules shall:

a. Restrict the introduction, propagation, use, possession, and spread of Eurasian water milfoil.

b. Identify bodies of water with infestation of Eurasian water milfoil. The department shall require that bodies of water be posted as infested. The department may prohibit boating, fishing, swimming, and trapping in infested bodies of water.

5. PROHIBITIONS.

a. A person shall not do any of the following:

(1) Transport Eurasian water milfoil on a public road.

(2) Place a trailer or launch a watercraft with Eurasian water milfoil attached in public waters.

(3) Operate a watercraft in a marked Eurasian water milfoil infestation area.

b. The penalty for violating this subsection is contained in section 805.8, subsection 5B.

Sec. 2. Section 805.8, Code Supplement 1995, is amended by adding the following new subsection:

NEW SUBSECTION. 5B. EURASIAN WATER MILFOIL. For violations of section 456A.37, subsection 5, the scheduled fine is one hundred dollars.

Approved April 2, 1996