

FILED MAR 24 1977

Reprinted 4/77

SENATE FILE 279

By COMMITTEE ON COUNTY GOVERNMENT

Passed Senate, Date 3-29-77 (p. 833) Passed House, Date _____
Vote: Ayes 37 Nays 3 Vote: Ayes _____ Nays _____
Approved 6/3/77

A BILL FOR

1 An Act relating to the appointment and the duties of a
2 county weed commissioner.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
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S.F. 279

S-3237 SENATE FILE 279

- 1 Amend Senate File 279 as follows:
- 2 1. Page 1, line 10, by striking the words "he
- 3 or she" and inserting in lieu thereof the words "he
- 4 the commissioner".
- 5 2. Page 2, line 12, by striking the words "his
- 6 or her" and inserting in lieu thereof the words "his
- 7 the commissioner's".
- 8 3. Page 2, line 17, by striking the words "his
- 9 or her" and inserting in lieu thereof the words "his
- 10 the commissioner's".
- 11 4. Page 2, line 18, by striking the words "his
- 12 or her" and inserting in lieu thereof the words "his
- 13 the commissioner's".
- 14 5. Page 2, line 19, by striking the words "his
- 15 or her" and inserting in lieu thereof the words "his
- 16 the commissioner's".

S-3237 FILED Adopted 3/29 (832)
MARCH 28, 1977

BY RAY TAYLOR
C. W. HUTCHINS
JOAN ORR

1 Section 1. Section three hundred seventeen point three
2 (317.3), Code 1977, is amended to read as follows:

3 317.3 WEED COMMISSIONER. The board of supervisors of
4 each county shall annually appoint a county weed commissioner
5 who ~~shall~~ may be a person ~~not~~ otherwise employed by the county
6 and ~~one~~ who is familiar with the various types of weeds and
7 the recognized methods for their control and elimination.
8 The county weed commissioner's appointment shall be effective
9 as of March 4 first and shall continue for a term of one year
10 unless he or she is ~~seener~~ removed from office as provided
11 for by law. The county weed commissioner may, with the
12 approval of the board of supervisors, appoint a deputy or
13 such number of deputies as are necessary to carry out the
14 purposes of this chapter. The name and address of the person
15 appointed as county weed commissioner shall, ~~within ten days~~
16 ~~of the making of the appointment,~~ be certified to the county
17 auditor and to the secretary of agriculture within ten days
18 of the appointment. The board of supervisors shall fix the
19 compensation of the county weed commissioner and ~~his~~ deputies,
20 ~~if any, and in.~~ In addition to ~~said~~ compensation, ~~they~~ the
21 commissioner and deputies shall be paid their necessary travel
22 ~~expense, said compensation and expense shall be paid~~ expenses
23 from the county general fund or the weed eradication and
24 equipment fund.

25 ~~Notwithstanding the provisions of this section as to time~~
26 ~~of hiring the county weed commissioner, the~~ The board of
27 supervisors shall prescribe the time ~~per~~ of year ~~he~~ the weed
28 commissioner shall ~~work~~ perform the powers and duties of
29 county weed commissioner under this chapter which may be
30 during ~~the part~~ that time of year when noxious weeds can
31 effectively be killed. Compensation shall be for the period
32 of actual work only although a weed commissioner assigned
33 other duties not related to weed eradication may receive an
34 annual salary. The board of supervisors shall likewise
35 determine whether employment shall be by hour, day or month

1 and the rate of pay ~~per~~ for the employment time.

2 Sec. 2. Section three hundred seventeen point four (317.4),
3 Code 1977, is amended to read as follows:

4 317.4 DIRECTION AND CONTROL. Whenever, in this chapter,
5 powers and duties are imposed upon a "commissioner," or
6 "commissioners," pursuant to their weed eradication duties,
7 such powers and duties shall apply to the county weed
8 commissioners and their deputies within their respective
9 counties. Each commissioner shall, subject to direction and
10 control by the county board of supervisors, have supervision
11 over the control and the destruction of all noxious weeds
12 in his or her county, including those growing within the
13 limits of cities, ~~and~~ within the confines of abandoned
14 cemeteries, and ~~of any other weeds~~ those growing along streets
15 and highways unless otherwise provided ~~and.~~ Each commissioner
16 and deputy shall have the authority ~~at any time~~ to enter upon
17 any land in his or her county at any time for the performance
18 of his or her duties, and shall hire the labor and equipment
19 necessary for the performance of his or her duties subject
20 to the approval of the board of supervisors, ~~which.~~ This
21 necessary labor and equipment shall be paid for ~~in the same~~
22 ~~manner as the weed commissioner's compensation~~ from the county
23 general fund or the weed eradication and equipment fund.

24 Sec. 3. This Act is effective January 1, 1978.

25 EXPLANATION

26 This bill allows for the appointment of a full-time county
27 weed commissioner and deputies. The provision for paying
28 by the hours, day, or month is retained and an annual salary
29 is also authorized. Thus a full-time county weed commissioner
30 might not work full time because the time worked can be
31 regulated by a pay plan or the board of supervisors can specify
32 the work period.

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Was County Sub. 3/21, De-pam 4/14 (p. 1411)

Senate File 279 4/7
County Government
Baker, chair
Oxley
Stephens

SENATE FILE 279

By COMMITTEE ON COUNTY
GOVERNMENT

(AS AMENDED AND PASSED BY THE SENATE MARCH 29, 1977)

Passed Senate, Date 3-29-77 (p. 833) Passed House, Date 5-13-77 (p. 2219)

Vote: Ayes 37 Nays 3 Vote: Ayes 89 Nays 0

Approved 6/3/77

A BILL FOR

1 An Act relating to the appointment and the duties of a
2 county weed commissioner.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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SENATE FILE 279

H-3736

1 Amend Senate File 279 as amended and passed by
2 the Senate as follows:

3 1. Page 2, by inserting after line 24, the
4 following:

5 "Sec. 3. Section three hundred seventeen point
6 one (317.1), subsection two (2), Code 1977, is amended
7 to read as follows:

8 2. Secondary noxious weeds, which shall include
9 butterprint (*Abutilon theophrasti*) annual, cocklebur
10 (*Xanthium commune*) annual, wild mustard (*Brassica*
11 *arvensis*) annual, wild carrot (*Daucus carota*) biennial,
12 buckhorn (*Plantago lanceolata*) perennial, sheep sorrel
13 (*Rumex acetosella*) perennial, sour dock (*Rumex crispus*)
14 perennial, smooth dock (*Rumex altissimus*) perennial,
15 poison hemlock (*conium maculatum*), wild sunflower
16 (wild strain of *Helianthus annuus* L.) annual, puncture
17 vine (*Tribulus terrestris*) annual, teasel (*Dipsacus*)
18 biennial, and ragweed (genus *Ambrosia*) perennial."

19 2. By renumbering the remaining section in
20 accordance with this amendment.

H-3736 FILED - *Withdrawn* BY HORN of Linn
APRIL 25, 1977 5/11 (2090)

1 Section 1. Section three hundred seventeen point three
2 (317.3), Code 1977, is amended to read as follows:

3 317.3 WEED COMMISSIONER. The board of supervisors of
4 each county shall annually appoint a county weed commissioner
5 who ~~shall~~ may be a person ~~not~~ otherwise employed by the county
6 and ~~one~~ who is familiar with the various types of weeds and
7 the recognized methods for their control and elimination.
8 The county weed commissioner's appointment shall be effective
9 as of March 4 first and shall continue for a term of one year
10 unless ~~he~~ the commissioner is ~~sooner~~ removed from office as
11 provided for by law. The county weed commissioner may, with
12 the approval of the board of supervisors, appoint a deputy
13 or such number of deputies as are necessary to carry out the
14 purposes of this chapter. The name and address of the person
15 appointed as county weed commissioner shall ~~within ten days~~
16 ~~of the making of the appointment~~ be certified to the county
17 auditor and to the secretary of agriculture within ten days
18 of the appointment. The board of supervisors shall fix the
19 compensation of the county weed commissioner and ~~his~~ deputies,
20 ~~if any, and in.~~ In addition to ~~said~~ compensation, ~~they~~ the
21 commissioner and deputies shall be paid their necessary travel
22 ~~expense; said compensation and expense shall be paid.~~ expenses
23 from the county general fund or the weed eradication and
24 equipment fund.

25 ~~Notwithstanding the provisions of this section as to time~~
26 ~~of hiring the county weed commissioner; the~~ The board of
27 supervisors shall prescribe the time ~~per~~ of year ~~he~~ the weed
28 commissioner shall work perform the powers and duties of
29 county weed commissioner under this chapter which may be
30 during ~~the part~~ that time of year when noxious weeds can
31 effectively be killed. Compensation shall be for the period
32 of actual work only although a weed commissioner assigned
33 other duties not related to weed eradication may receive an
34 annual salary. The board of supervisors shall likewise
35 determine whether employment shall be by hour, day or month

1 and the rate of pay ~~per~~ for the employment time.

2 Sec. 2. Section three hundred seventeen point four (317.4),
3 Code 1977, is amended to read as follows:

4 317.4 DIRECTION AND CONTROL. Whenever, in this chapter,
5 powers and duties are imposed upon a "commissioner," or
6 "commissioners," pursuant to their weed eradication duties,
7 such powers and duties shall apply to the county weed
8 commissioners and their deputies within their respective
9 counties. Each commissioner shall, subject to direction and
10 control by the county board of supervisors, have supervision
11 over the control and the destruction of all noxious weeds
12 in his the commissioner's county, including those growing
13 within the limits of cities, and within the confines of
14 abandoned cemeteries, and of any other weeds those growing
15 along streets and highways unless otherwise provided and.
16 Each commissioner and deputy shall have the authority at any
17 time to enter upon any land in his the commissioner's county
18 at any time for the performance of his the commissioner's
19 duties, and shall hire the labor and equipment necessary for
20 the performance of his the commissioner's duties subject to
21 the approval of the board of supervisors, ~~when.~~ This
22 necessary labor and equipment shall be paid for ~~in the same~~
23 ~~manner as the weed commissioner's compensation~~ from the county
24 general fund or the weed eradication and equipment fund.

25 Sec. 3. This Act is effective January 1, 1978.

26 EXPLANATION

27 This bill allows for the appointment of a full-time county
28 weed commissioner and deputies. The provision for paying
29 by the hours, day, or month is retained and an annual salary
30 is also authorized. Thus a full-time county weed commissioner
31 might not work full time because the time worked can be
32 regulated by a pay plan or the board of supervisors can specify
33 the work period.

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SENATE FILE 279

H-3871

- 1 Amend amendment H-3736 to Senate File 279,
- 2 as amended and passed by the Senate, as follows:
- 3 1. Line 8, after the word "include", add
- 4 the words "multifloral rose (rosa multifloral),".

H-3871 FILED. *Withdrawn* BY MILLEN of Van Buren
APRIL 28, 1977 *5/11 (2090)*

SENATE FILE 279

H-4123

- 1 Amend Senate File 279 as passed and reprinted
- 2 by the Senate as follows:
- 3 1. Page 2, line 18 by striking "at any time"
- 4 and inserting in lieu thereof the words "with the
- 5 knowledge of the owner".

H-4123 FILED. *Withdrawn 5/13* BY WYCKOFF of Benton
MAY 11, 1977 *(p. 2219)*

SENATE FILE 279

AN ACT

RELATING TO THE APPOINTMENT AND THE DUTIES OF A COUNTY
WEED COMMISSIONER.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

Section 1. Section three hundred seventeen point three (317.3), Code 1977, is amended to read as follows:

317.3 WEED COMMISSIONER. The board of supervisors of each county shall annually appoint a county weed commissioner who ~~shall~~ may be a person ~~not~~ otherwise employed by the county and ~~one~~ who is familiar with the various types of weeds and the recognized methods for their control and elimination. The county weed commissioner's appointment shall be effective as of March 4 ~~first~~ and shall continue for a term of one year unless ~~he~~ the commissioner is ~~sooner~~ removed from office as provided for by law. The county weed commissioner may, with the approval of the board of supervisors, appoint a deputy or such number of deputies as are necessary to carry out the purposes of this chapter. The name and address of the person appointed as county weed commissioner shall ~~within ten days of the making of the appointment,~~ be certified to the county auditor and to the secretary of agriculture within ten days of the appointment. The board of supervisors shall fix the compensation of the county weed commissioner and ~~his~~ deputies, ~~if any, and in.~~ In addition to ~~said~~ compensation, they ~~the~~ commissioner and deputies shall be paid their necessary travel ~~expense, said compensation and expense shall be paid~~ expenses from the county general fund or the weed eradication and equipment fund.

~~Notwithstanding the provisions of this section as to time of hiring the county weed commissioner, the~~ The board of supervisors shall prescribe the time ~~per~~ of year he ~~the~~ weed commissioner shall ~~work~~ perform the powers and duties of

county weed commissioner under this chapter which may be during ~~the part that time~~ of year when noxious weeds can effectively be killed. Compensation shall be for the period of actual work only although a weed commissioner assigned other duties not related to weed eradication may receive an annual salary. The board of supervisors shall likewise determine whether employment shall be by hour, day or month and the rate of pay ~~per~~ for the employment time.

Sec. 2. Section three hundred seventeen point four (317.4), Code 1977, is amended to read as follows:

317.4 DIRECTION AND CONTROL. Whenever, in this chapter, powers and duties are imposed upon a "commissioner," or "commissioners," pursuant to their weed eradication duties, such powers and duties shall apply to the county weed commissioners and their deputies within their respective counties. Each commissioner shall, subject to direction and control by the county board of supervisors, have supervision over the control and the destruction of all noxious weeds in ~~his~~ the commissioner's county, including those growing within the limits of cities, ~~and~~ within the confines of abandoned cemeteries, and ~~of any other weeds~~ those growing along streets and highways unless otherwise provided ~~and.~~ Each commissioner and deputy shall have the authority at any time to enter upon any land in his the commissioner's county at any time for the performance of his the commissioner's duties, and shall hire the labor and equipment necessary for the performance of his the commissioner's duties subject to the approval of the board of supervisors, which. This necessary labor and equipment shall be paid for in the same manner as the weed commissioner's compensation from the county general fund or the weed eradication and equipment fund.

Sec. 3. This Act is effective January 1, 1978.

ARTHUR A. NEU
President of the Senate

DALE M. COCHRAN
Speaker of the House

I hereby certify that this bill originated in the Senate and is known as Senate File 279, Sixty-seventh General Assembly.

STEVEN C. CROSS
Secretary of the Senate

Approved 6/3, 1977

ROBERT D. RAY
Governor