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Agri

SENATE FILE 337
BY HAGERLA

Passed Senate, Date _____ Passed House, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act relating to the classification of plants as noxious weeds
2 and providing a penalty.

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

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SF 337

1 Section 1. Section 317.1, Code 1989, is amended by
2 striking the section and inserting in lieu thereof the fol-
3 lowing:

4 317.1 NOXIOUS WEEDS.

5 The secretary of agriculture may by rule declare that a
6 plant is a noxious weed if the plant reproduces by seed and by
7 underground roots or stems, and when established, is highly
8 destructive and difficult to control in this state by good
9 cultural practices. Before declaring a plant a noxious weed,
10 the secretary may request and shall receive a recommendation
11 from the dean of agriculture, Iowa state university of science
12 and technology, the director of the department of natural
13 resources, or the state biologist. For purposes of this
14 chapter, "noxious weed" includes the following:

- 15 1. Quack grass (*Agropyron repens*).
- 16 2. Perennial sow thistle (*Sonchus arvensis*).
- 17 3. Canada thistle (*Cirsium arvense*).
- 18 4. Bull thistle (*Cirsium lanceolatum*).
- 19 5. European morning glory or field bindweed (*Convolvulus*
20 *arvensis*).
- 21 6. Horse nettle (*Solanum carolinense*).
- 22 7. Leafy spurge (*Euphorbia esula*).
- 23 8. Perennial pepper-grass (*Lepidium draba*).
- 24 9. Russian knapweed (*Centaurea repens*).
- 25 10. Buckthorn (*Rhamnus*, not to include *Rhamnus frangula*,
26 and all other species of thistles belonging in genera of
27 *Cirsium* and *Carduus*).
- 28 11. Butterprint (*Abutilon theophrasti*) annual.
- 29 12. Cocklebur (*Xanthium commune*) annual.
- 30 13. Wild mustard (*Brassica arvensis*) annual.
- 31 14. Wild carrot (*Daucus carota*) biennial.
- 32 15. Buckhorn (*Plantago lanceolata*) perennial.
- 33 16. Sheep sorrel (*Rumex acetosella*) perennial.
- 34 17. Sour dock (*Rumex crispus*) perennial.
- 35 18. Smooth dock (*Rumex altissimus*) perennial.

- 1 19. Poison hemlock (*Conium maculatum*).
- 2 20. Multiflora rose (*Rosa multiflora*).
- 3 21. Wild sunflower (wild strain of *Helianthus annuus* L.)
- 4 annual.
- 5 22. Puncture vine (*Tribulus terrestris*) annual.
- 6 23. Teasel (*Dipsacus*) biennial.
- 7 24. Shattercane (*Sorghum bicolor*) annual.

8 Sec. 2. Section 317.7, subsection 1, Code 1989, is amended
9 to read as follows:

10 1. The name and location of all primary noxious weeds, and
11 any new weed which appears to be a serious pest.

12 Sec. 3. Section 317.25, Code 1989, is amended to read as
13 follows:

14 317.25 ~~TEASEL~~ SALE PROHIBITED.

15 No A person shall not sell, offer for sale, or distribute
16 ~~teasel-(Dipsacus)-biennial~~ a noxious weed, or seeds thereof of
17 a noxious weed in any form ~~in-this-state~~. Any A person
18 ~~violating the-provisions-of~~ this section ~~shall-be~~ is subject
19 to a fine ~~of~~ not exceeding one hundred dollars.

20 EXPLANATION

21 This bill eliminates the distinction between primary and
22 secondary noxious weeds as classified in chapter 317. The
23 bill removes a provision exempting multiflora rose and
24 shattercane from the list of plants classified as noxious
25 weeds if cultivated within a county and declared not to be
26 noxious by the county board of supervisors. The bill provides
27 that the secretary of agriculture may declare other plants
28 noxious weeds. The bill also prohibits the sale or
29 distribution of plants or seeds from plants declared noxious
30 weeds.

31 This bill may create a state mandate as provided in chapter
32 25B.

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