

House Amendment 5402

Amendment Text

PAG LIN

1 1 Amend [Senate File 2035](#), as amended, passed, and
1 2 reprinted by the Senate, as follows:
1 3 1. By striking everything after the enacting
1 4 clause and inserting the following:
1 5 "Section 1. NEW SECTION. 456A.37 EURASIAN WATER
1 6 MILFOIL.
1 7 1. DEFINITIONS. As used in this section:
1 8 a. "Infestation of Eurasian water milfoil" means
1 9 an infestation of Eurasian water milfoil that occupies
1 10 more than twenty percent of the littoral area of a
1 11 body of water.
1 12 b. "Watercraft" means any vessel which through the
1 13 buoyance of water floats upon the water and is capable
1 14 of carrying one or more persons.
1 15 2. EURASIAN WATER MILFOIL MANAGEMENT PLAN. Before
1 16 January 1, 1998, the commission shall prepare a long-
1 17 term statewide Eurasian water milfoil management plan.
1 18 The plan shall address all of the following:
1 19 a. The detection and prevention of accidental
1 20 introductions into the state of Eurasian water
1 21 milfoil.
1 22 b. A public awareness campaign regarding Eurasian
1 23 water milfoil.
1 24 c. The control and eradication of Eurasian water
1 25 milfoil in public waters.
1 26 d. The development of a plan of containment
1 27 strategies that at a minimum shall include all of the
1 28 following:
1 29 (1) The participation by lake associations, local
1 30 citizens groups, and local units of government in the
1 31 development and implementation of lake management
1 32 plans where Eurasian water milfoil exists.
1 33 (2) Notice to travelers of the penalties for
1 34 violation of laws relating to Eurasian water milfoil.
1 35 3. GRANTS. The director of the department of
1 36 natural resources shall accept gifts, donations, and
1 37 grants to aid in accomplishing the control and
1 38 eradication of Eurasian water milfoil.
1 39 4. RULEMAKING. The commission shall adopt rules
1 40 pursuant to chapter 17A. The rules shall:
1 41 a. Restrict the introduction, propagation, use,
1 42 possession, and spread of Eurasian water milfoil.
1 43 b. Identify bodies of water with infestation of
1 44 Eurasian water milfoil. The department shall require
1 45 that bodies of water be posted as infested. The
1 46 department may prohibit boating, fishing, swimming,
1 47 and trapping in infested bodies of water.
1 48 5. PROHIBITIONS.
1 49 a. A person shall not do any of the following:
1 50 (1) Transport Eurasian water milfoil on a public
2 1 road.
2 2 (2) Place a trailer or launch a watercraft with
2 3 Eurasian water milfoil attached in public waters.
2 4 (3) Operate a watercraft in a marked Eurasian
2 5 water milfoil infestation area.
2 6 b. The penalty for violating this subsection is
2 7 contained in section 805.8, subsection 5B.

2 8 Sec. 2. Section [805.8](#), Code Supplement 1995, is
2 9 amended by adding the following new subsection:
2 10 NEW SUBSECTION. 5B. EURASIAN WATER MILFOIL. For
2 11 violations of section 456A.37, subsection 5, the
2 12 scheduled fine is one hundred dollars."
2 13 #2. Title page, by striking lines 1 and 2 and
2 14 inserting the following: "An Act relating to the
2 15 control and eradication of Eurasian water milfoil and
2 16 establishing a".
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2 19 _____
2 20 COMMITTEE ON [ENVIRONMENTAL](#)
2 21 PROTECTION
2 22 GREINER of Washington, Chairperson
2 23 [SF 2035.201](#) 76
2 24 kah/jj