

# Senate Amendment 5478

## Amendment Text

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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".  
2 17 [SF 2035H](#)  
2 18 kah/pk/25