

1-23-95 Agriculture

FILED JAN 23 1995

SENATE FILE 52

BY BARTZ

Passed Senate, Date \_\_\_\_\_ Passed House, Date \_\_\_\_\_

Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_ Vote: Ayes \_\_\_\_\_ Nays \_\_\_\_\_

Approved \_\_\_\_\_

**A BILL FOR**

1 An Act providing for the use and control of quack grass and its  
2 seeds.

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

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S.F. 52

1 Section 1. Section 161A.7, Code 1995, is amended by adding  
2 the following new subsection:

3 NEW SUBSECTION. 20. To declare quack grass (*Agropyron*  
4 *repens*) to be a primary noxious weed in the district subject  
5 to regulation as provided in chapter 317, and to declare quack  
6 grass seeds as primary noxious weed seeds in the district  
7 subject to regulation as provided in chapter 199. The  
8 declaration shall be made by a resolution, which may include  
9 conditions for the control of quack grass and its seeds. The  
10 commissioners shall send a copy of the adopted resolution to  
11 the department of agriculture and land stewardship, the state  
12 weed commissioner, and the county weed commissioner in the  
13 county where the district is located.

14 Sec. 2. Section 199.1, subsection 14, paragraph a,  
15 subparagraph (1), Code 1995, is amended by striking the  
16 subparagraph.

17 Sec. 3. Section 199.1, subsection 14, paragraph a, Code  
18 1995, is amended by adding the following new unnumbered  
19 paragraph:

20 NEW UNNUMBERED PARAGRAPH. The commissioners of a soil and  
21 water conservation district may declare quack grass seeds  
22 (*Agropyron repens*) as primary noxious weed seeds in that  
23 district. The declaration shall be made by a resolution  
24 adopted by the commissioners. The resolution may include  
25 conditions upon the control of quack grass seeds. The  
26 commissioners shall send a copy of the adopted resolution to  
27 the department of agriculture and land stewardship, the state  
28 weed commissioner, and the county weed commissioner in the  
29 county where the district is located.

30 Sec. 4. Section 317.1, subsection 1, Code 1995, is amended  
31 to read as follows:

32 1. Primary noxious weeds, which shall include quack-grass  
33 (~~*Agropyron repens*~~), perennial sow thistle (*Sonchus arvensis*),  
34 Canada thistle (*Cirsium arvense*), bull thistle (*Cirsium*  
35 *lanceolatum*), European morning glory or field bindweed

1 (Convolvulus arvensis), horse nettle (Solanum carolinense),  
2 leafy spurge (Euphorbia esula), perennial pepper-grass  
3 (Lepidium draba), Russian knapweed (Centaurea repens),  
4 buckthorn (Rhamnus, not to include Rhamnus frangula, and all  
5 other species of thistles belonging in genera of Cirsium and  
6 Carduus-).

7 The commissioners of a soil and water conservation district  
8 may declare quack grass (Agropyron repens) as a primary  
9 noxious weed in that district. The declaration shall be made  
10 by a resolution adopted by the commissioners. The resolution  
11 may include conditions for the control of quack grass. The  
12 commissioners shall send a copy of the adopted resolution to  
13 the department of agriculture and land stewardship, the state  
14 weed commissioner, and the county weed commissioner in the  
15 county where the district is located.

16 EXPLANATION

17 This bill regulates the control of quack grass (Agropyron  
18 repens) which is classified as a noxious weed pursuant to  
19 section 317.1. The bill also regulates the control of quack  
20 grass seeds classified as noxious weed seeds pursuant to  
21 section 199.1. The bill provides that quack grass is not a  
22 noxious weed and its seeds are not noxious weed seeds, unless  
23 the commissioners of a soil and water conservation district,  
24 by resolution, declare that they are in that district. The  
25 resolution may include conditions upon the control of quack  
26 grass and quack grass seeds. The commissioners are required  
27 to send a copy of the adopted resolution to the department of  
28 agriculture and land stewardship, the state weed commissioner,  
29 and the county weed commissioner in the county where the  
30 district is located.

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