

Withdrawn
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MAR 18 2003

HOUSE FILE 618
BY STEVENS

NATURAL RESOURCES

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

A BILL FOR

1 An Act relating to the prevention and control of certain invasive
2 plant and animal species and providing penalties.

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

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HF 618

1 Section 1. Section 456A.37, Code 2003, is amended by
2 striking the section and inserting in lieu thereof the
3 following:

4 456A.37 INVASIVE SPECIES -- PREVENTION AND CONTROL.

5 1. DEFINITIONS. As used in this section:

6 a. "Eurasian watermilfoil" means *myriophyllum spicatum*, a
7 submerged aquatic weed that invades lakes, ponds, reservoirs,
8 and other bodies of water.

9 b. "Infestation of an invasive species" means an
10 infestation of Eurasian watermilfoil that occupies more than
11 twenty percent of the littoral area of a body of water or an
12 infestation of any other species defined as an invasive
13 species in this section.

14 c. "Invasive species" means a species that is not native
15 to an ecosystem and whose introduction causes or is likely to
16 cause economic or environmental harm or harm to human health
17 including but not limited to habitat alteration and
18 degradation, and loss of biodiversity. For the purposes of
19 this section, "invasive species" are limited to eurasian
20 watermilfoil, purple loosestrife, and zebra mussels.

21 d. "Purple loosestrife" means *lythrum salicaria*, a wetland
22 plant that invades marshes, lakeshores, and other wetlands.

23 e. "Watercraft" means any vessel which through the
24 buoyance of water floats upon the water and is capable of
25 carrying one or more persons.

26 f. "Zebra mussel" means *dreissena polymorpha*, a small
27 mussel that invades lakes, rivers, and other bodies of water.

28 2. INVASIVE SPECIES MANAGEMENT PLAN. Before January 1,
29 2004, the commission shall prepare a long-term statewide
30 invasive species water management plan. The plan shall
31 address all of the following:

32 a. The detection and prevention of accidental
33 introductions into the state of invasive species.

34 b. A public awareness campaign regarding invasive species.

35 c. The control and eradication of invasive species in

1 public waters.

2 d. The development of a plan of containment strategies
3 that at a minimum includes all of the following:

4 (1) The participation by lake associations, local citizen
5 groups, and local units of government in the development of
6 lake management plans where invasive species exist.

7 (2) Notice to travelers of the penalties for violation of
8 laws relating to invasive species.

9 3. GRANTS. The director of the department of natural
10 resources shall accept gifts, donations, and grants to aid in
11 accomplishing the control and eradication of invasive species.

12 4. RULEMAKING. The commission shall adopt rules pursuant
13 to chapter 17A for the implementation and administration of
14 this section. The rules shall do all of the following:

15 a. Restrict the introduction, propagation, use,
16 possession, and spread of invasive species.

17 b. Identify bodies of water with infestations of invasive
18 species. The department shall require that such bodies of
19 water be posted as infested. The department may prohibit
20 boating, fishing, swimming, and trapping in infested bodies of
21 water.

22 5. PROHIBITIONS.

23 a. A person shall not do any of the following:

24 (1) Transport an invasive species on a public road.

25 (2) Place a trailer or launch a watercraft that contains
26 or to which an invasive species is attached in public waters.

27 (3) Operate a watercraft in a marked invasive species
28 infestation area.

29 b. A person who violates this subsection is subject to a
30 scheduled fine pursuant to section 805.8B, subsection 5.

31 Sec. 2. Section 805.8B, subsection 5, Code 2003, is
32 amended to read as follows:

33 5. ~~Eurasian-water-milfoil~~ Invasive species violations.

34 For violations of section 456A.37, subsection 5, the scheduled
35 fine is one hundred dollars.

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EXPLANATION

2 This bill relates to the prevention and control of certain
3 invasive plant and animal species in this state. The bill
4 defines an "invasive species" as a species that is not native
5 to an ecosystem and whose introduction causes or is likely to
6 cause economic or environmental harm or harm to human health
7 including but not limited to habitat alteration and
8 degradation and loss of biodiversity. For the purposes of the
9 bill, "invasive species" are limited to Eurasian watermilfoil
10 (myriophyllum spicatum), a submerged aquatic weed that invades
11 lakes, ponds, and reservoirs; purple loosestrife (lythrum
12 salicaria), a wetland plant that invades marshes, lakeshores,
13 and other wetlands; and zebra mussels (dreissena polymorpha),
14 a small mussel that invades lakes and rivers.

15 The bill requires the natural resource commission to
16 prepare a long-term statewide invasive species water
17 management plan before January 1, 2004, that addresses the
18 detection and prevention of accidental introductions into the
19 state of invasive species, a public awareness campaign
20 regarding invasive species, the control and eradication of
21 invasive species in public waters, and the development of a
22 plan of containment strategies.

23 The plan of containment strategies must include at a
24 minimum participation by lake associations, local citizen
25 groups, and local units of government in the development of
26 lake management plans where invasive species exist, and notice
27 to travelers of the penalties for violation of laws relating
28 to invasive species.

29 The bill provides that the director of the department of
30 natural resources can accept gifts, donations, and grants to
31 aid in accomplishing the control and eradication of invasive
32 species.

33 The bill provides that the commission shall adopt rules
34 pursuant to Code chapter 17A that restrict the introduction,
35 propagation, use, possession, and spread of invasive species,

1 and identify bodies of water with infestations of invasive
2 species. The bill requires that bodies of water that are
3 infested be posted as infested. The department of natural
4 resources may prohibit boating, fishing, swimming, and
5 trapping in infested bodies of water.

6 The bill provides that a person shall not transport an
7 invasive species on a public road, place a trailer or launch a
8 watercraft that contains or to which an invasive species is
9 attached in public waters, or operate a watercraft in an area
10 that is marked as an invasive species infestation area. The
11 penalty for violating these provisions is a scheduled fine of
12 \$100.

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