

House File 801 - Reprinted

HOUSE FILE _____
BY COMMITTEE ON AGRICULTURE

(SUCCESSOR TO HSB 236)

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

A BILL FOR

1 An Act relating to the duties and powers of the state
2 entomologist, and making penalties applicable.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:
4 TLSB 1988HV 82
5 da/es/88

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1 1 Section 1. Section 177A.9, unnumbered paragraph 1, Code
1 2 2007, is amended to read as follows:
1 3 1. It shall be unlawful for any person to sell, give away,
1 4 carry, ship, or deliver for carriage or shipment, within this
1 5 state, any plants or plant products listed in the rules unless
1 6 such plants or plant products have been officially inspected
1 7 and a certificate is issued ~~by an inspector of the state~~
~~1 8 entomologist's office stating that such plants or plant~~
~~1 9 products have to the person as provided in this section.~~
1 10 2. The state entomologist may provide for the inspection
1 11 and certification of a plant or plant product which is listed
1 12 in the rules for any use, including a plant or plant product
1 13 for sale, offer for sale, or distribution within this state or
1 14 outside this state.
1 15 a. The state entomologist may enter into and oversee
1 16 agreements, including compliance agreements and memorandums of
1 17 understanding, with other persons to provide for the
1 18 certification of a plant or plant product for purposes
1 19 relating to facilitating trade and determining the infestation
1 20 status of a plant or plant product.
1 21 b. A certification shall provide that the plant or plant
1 22 product has been inspected and found to be apparently free
1 23 from dangerously injurious insect pests and diseases, and
~~1 24 giving any. The certification may include other facts as~~
1 25 provided for in the department's rules.
1 26 3. ~~For the issuance of such certificate, the state~~
~~1 27 entomologist may require the payment of a reasonable fee to~~
~~1 28 cover the expense of such inspection and certification.~~
~~1 29 Provided, that if such plants~~ If a plant or plant products
~~1 30 were product was brought into this state in compliance with~~
1 31 section 177A.8, the certificate required by that section may
1 32 be accepted in lieu of the inspection and certificate required
1 33 by this section, in such cases as shall as may be provided for
1 34 in the department's rules.
1 35 4. ~~If it shall be found at any time that a certificate of~~
~~2 1 inspection, issued or accepted under the provisions of this~~
2 2 section, is being used in connection with plants and a plant
2 3 products or plant product which are is infested or infested
2 4 with a dangerously injurious insect pests pest or diseases
2 5 disease or is used in connection with an uninspected plants,
~~2 6 its plant or plant product, the state entomologist may~~
~~2 7 prohibit its further use may be prohibited, subject to such~~
2 8 the inspection and disposition of the plants and plant or
2 9 plant products involved product as may be provided for by the
2 10 state entomologist.
2 11 5. All moneys collected under the provisions of this
2 12 chapter shall be turned over to the secretary who shall
~~2 13 deposit them deposited in the state treasury.~~
2 14 Sec. 2. EMERALD ASH BORER == LIST OF INSECT PESTS. The
2 15 state entomologist shall amend 21 IAC 46.15, and any other
2 16 related rules as necessary, to add emerald ash borer (*agrilus*
2 17 *planipennis*) to the list of insect pests which the state
2 18 entomologist finds should be prevented from being introduced

2 19 into or disseminated within this state, in order to safeguard
2 20 the plants and plant products likely to become infested or
2 21 infected with such insect pests.
2 22 Sec. 3. EMERALD ASH BORER == REDUCTION OF RISKS OF
2 23 INFESTATION. The state entomologist, in cooperation with the
2 24 department of natural resources, shall adopt rules to reduce
2 25 the risk of infestation by the emerald ash borer (*agrilus*
2 26 *planipennis*) present in firewood from ash trees.
2 27 HF 801
2 28 da:nh/jg/25