

PRINTED

FILED JAN 25 '01

SENATE FILE 84
BY COMMITTEE ON NATURAL RESOURCES
AND ENVIRONMENT

(SUCCESSOR TO SF 50)

Passed Senate, Date (P. 850) 3-27-01 Passed House, Date (P. 1316) 4/23/01
Vote: Ayes 35 Nays 14 Vote: Ayes 96 Nays 0
Approved April 30, 2001

(P. 1259)

Re. Passed 4-24-01
Vote 46-2

A BILL FOR

1 An Act prohibiting the sale or distribution of purple
2 loosestrife.
3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

- 4
- 5
- 6
- 7
- 8
- 9
- 10
- 11
- 12
- 13
- 14
- 15
- 16
- 17
- 18
- 19
- 20
- 21
- 22

SF 84

1 Section 1. Section 317.25, Code 2001, is amended to read
2 as follows:

3 317.25 TEASEL, MULTIFLORA ROSE, AND PURPLE LOOSESTRIFE
4 PROHIBITED -- EXCEPTIONS.

5 A person shall not sell, offer for sale, or distribute
6 teasel (*Dipsacus*) biennial, the multiflora rose (*rosa*
7 multiflora), purple loosestrife (*lythrum salicaria*), purple
8 loosestrife (*lythrum virgatum*), or seeds of them in any form
9 in this state. However, this section does not prohibit the
10 sale, offer for sale, or distribution of the multiflora rose
11 (*rosa multiflora*) used for understock for either cultivated
12 roses or ornamental shrubs in gardens. ~~This section also does~~
13 ~~not prohibit the sale, offer for sale, or distribution of~~
14 ~~varieties of the purple loosestrife (*lythrum virgatum*) when~~
15 ~~used for ornamental gardens, and which are sterile or~~
16 ~~nonaggressive according to a list published by the state weed~~
17 ~~commissioner pursuant to chapter 17A. A person engaged in the~~
18 ~~business of selling purple loosestrife shall keep accurate~~
19 ~~records, as specified by the department of agriculture and~~
20 ~~land stewardship, of each variety of purple loosestrife sold,~~
21 ~~offered for sale, or distributed. The person shall allow the~~
22 ~~department of agriculture and land stewardship to inspect the~~
23 ~~records during regular business hours. Any person violating~~
24 the provisions of this section is subject to a fine of not
25 exceeding one hundred dollars.

26 EXPLANATION

27 Currently, the sale, offer for sale, or distribution of
28 purple loosestrife (*lythrum virgatum*) is allowed under certain
29 circumstances and there is a recordkeeping requirement for
30 such sales and distribution. This bill prohibits the sale,
31 offer for sale, or distribution of purple loosestrife (*lythrum*
32 *virgatum*) and removes the related recordkeeping requirements.

33
34
35

JANUARY 31, 2001

SENATE FILE 84

S-3008

1 Amend Senate File 84 as follows:

2 1. Page 1, lines 7 and 8, by striking the words
3 "purple loosestrife (lythrum virgatum),".

4 2. Page 1, line 9, by inserting after the word
5 "state." the following: "A county weed commissioner
6 may direct that purple loosestrife (lythrum virgatum)
7 or its seeds shall not be sold within areas under the
8 commissioner's jurisdiction."

By SANDRA GREINER

S-3008 FILED JANUARY 30, 2001

W/D 3/26/01

(p. 818)

SENATE FILE 84

S-3200

1 Amend Senate File 84 as follows:

2 1. Page 1, by striking lines 17 through 23 and
3 inserting the following: "~~commissioner pursuant to~~
4 ~~chapter 17A.~~ This section also does not prohibit a
5 person engaged in the business of selling purple
6 loosestrife at wholesale as of January 1, 2001, from
7 selling, offering for sale, or distributing purple
8 loosestrife (lythrum virgatum) to retailers located
9 outside of this state. A person engaged in the
10 business of selling purple loosestrife to out-of-state
11 retailers shall keep accurate records, as specified by
12 the department of agriculture and land stewardship, of
13 each variety of purple loosestrife sold, offered for
14 sale, or distributed. The person shall allow the
15 department of agriculture and land stewardship to
16 inspect the records during regular business hours.
17 Any person violating".

18 2. Title page, line 2, by inserting after the
19 word "loosestrife" the following: "except to out-of-
20 state retailers".

By SANDRA GREINER

S-3200 FILED MARCH 20, 2001

W/D

3/27/01

(p. 844)

SENATE FILE 84

S-3232

1 Amend Senate File 84 as follows:

2 1. Page 1, lines 7 and 8, by striking the words
3 "purple loosestrife (*lythrum virgatum*),".

4 2. Page 1, line 9, by inserting after the word
5 "state." the following: "A person shall not sell or
6 offer for sale purple loosestrife (*lythrum virgatum*)
7 or seeds of the plant in any form in this state."

8 3. Page 1, by striking lines line 12 through 23
9 and inserting the following: "roses or ornamental
10 shrubs in gardens. This section also does not
11 prohibit the sale, or offer for sale, or distribution
12 of varieties of the purple loosestrife (*lythrum*
13 *virgatum*) when used for ornamental gardens, and which
14 are sterile or nonaggressive according to a list
15 published by the state weed commissioner pursuant to
16 chapter 17A sold or offered for sale to retailers
17 outside of this state if the seller was engaged in
18 that wholesale business as of January 1, 2001. A
19 person engaged in the business of selling purple
20 loosestrife to out-of-state retailers shall keep
21 accurate records, as specified by the department of
22 agriculture and land stewardship, of each variety of
23 purple loosestrife sold, or offered for sale, or
24 distributed. The person shall allow the department of
25 agriculture and land stewardship to inspect the
26 records during regular business hours. Any person
27 violating".

28 4. Title page, by striking lines 1 and 2 and
29 inserting the following: "An Act prohibiting the sale
30 or offer for sale of purple loosestrife except to out-
31 of-state retailers and subjecting violators to an
32 existing penalty."

By SANDRA GREINER

S-3232 FILED MARCH 26, 2001
DIV A-WITHDRAWN; DIV B-DEFERRED - *Lost*
P. 849

SENATE FILE 84

S-3236

1 Amend the amendment, S-3008, to Senate File 84 as
2 follows:

3 1. Page 1, line 5, by inserting after the word
4 "commissioner" the following: "or, in the absence of
5 a county weed commissioner, the board of supervisors".

6 2. Page 1, line 8, by inserting after the word
7 "commissioner's" the following: "or the board's".

By SANDRA GREINER

S-3236 FILED MARCH 26, 2001
WITHDRAWN

(P. 818)

SENATE FILE 84**S-3242**

- 1 Amend Senate File 84 as follows:
- 2 1. Page 1, line 5, by inserting after the word
- 3 "not" the following: "import,".

By JOANN JOHNSON

MERLIN E. BARTZ

DENNIS H. BLACK

MARY LOU FREEMAN

S-3242 FILED MARCH 26, 2001*Adopted*
*3-27-01 (P. 849)***SENATE FILE 84****S-3243**

- 1 Amend Senate File 84 as follows:
- 2 1. Page 1, by striking line 23 and inserting the
- 3 following: "~~records during regular business hours.~~
- 4 However, this section shall not be construed to
- 5 prohibit the distribution of purple loosestrife
- 6 (lythrum virgatum) or the seed of the plant as a gift
- 7 between individuals. Any person violating".

By SANDRA GREINER

S-3243 FILED MARCH 26, 2001*Adopted*
3-27-01 (P. 850)

1 Section 1. Section 317.25, Code 2001, is amended to read
2 as follows:

3 317.25 TEASEL, MULTIFLORA ROSE, AND PURPLE LOOSESTRIFE
4 PROHIBITED -- EXCEPTIONS.

5 A person shall not import, sell, offer for sale, or
6 distribute teasel (*Dipsacus*) biennial, the multiflora rose
7 (*rosa multiflora*), purple loosestrife (*lythrum salicaria*),
8 purple loosestrife (*lythrum virgatum*), or seeds of them in any
9 form in this state. However, this section does not prohibit
10 the sale, offer for sale, or distribution of the multiflora
11 rose (*rosa multiflora*) used for understock for either
12 cultivated roses or ornamental shrubs in gardens. This
13 ~~section also does not prohibit the sale, offer for sale, or~~
14 ~~distribution of varieties of the purple loosestrife (*lythrum*~~
15 ~~*virgatum*) when used for ornamental gardens, and which are~~
16 ~~sterile or nonaggressive according to a list published by the~~
17 ~~state weed commissioner pursuant to chapter 17A. -- A person~~
18 ~~engaged in the business of selling purple loosestrife shall~~
19 ~~keep accurate records, as specified by the department of~~
20 ~~agriculture and land stewardship, of each variety of purple~~
21 ~~loosestrife sold, offered for sale, or distributed. -- The~~
22 ~~person shall allow the department of agriculture and land~~
23 ~~stewardship to inspect the records during regular business~~
24 ~~hours. However, this section shall not be construed to~~
25 ~~prohibit the distribution of purple loosestrife (*lythrum*~~
26 ~~*virgatum*) or the seed of the plant as a gift between~~
27 ~~individuals. Any person violating the provisions of this~~
28 section is subject to a fine of not exceeding one hundred
29 dollars.

30
31
32
33
34
35

~~stewardship-to-inspect-the-records-during-regular-business~~
~~hours:~~ Any person violating the provisions of this section is
subject to a fine of not exceeding one hundred dollars.

SENATE FILE 84

AN ACT

PROHIBITING THE SALE OR DISTRIBUTION OF PURPLE LOOSESTRIPE.

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

Section 1. Section 317.25, Code 2001, is amended to read
as follows:

317.25 TEASEL, MULTIFLORA ROSE, AND PURPLE LOOSESTRIPE
PROHIBITED -- EXCEPTIONS.

A person shall not import, sell, offer for sale, or
distribute teasel (*Dipsacus*) biennial, the multiflora rose
(*rosa multiflora*), purple loosestrife (*lythrum salicaria*),
purple loosestrife (*lythrum virgatum*), or seeds of them in any
form in this state. However, this section does not prohibit
the sale, offer for sale, or distribution of the multiflora
rose (*rosa multiflora*) used for understock for either
cultivated roses or ornamental shrubs in gardens. ~~This~~
~~section-also-does-not-prohibit-the-sale-offer-for-sale-or~~
~~distribution-of-varieties-of-the-purple-loosestrife-lythrum~~
~~virgatum-when-used-for-ornamental-gardens-and-which-are~~
~~sterile-or-nonaggressive-according-to-a-list-published-by-the~~
~~state-weed-commissioner-pursuant-to-chapter-17A--A-person~~
~~engaged-in-the-business-of-selling-purple-loosestrife-shall~~
~~keep-accurate-records-as-specified-by-the-department-of~~
~~agriculture-and-land-stewardship-of-each-variety-of-purple~~
~~loosestrife-sold-offered-for-sale-or-distributed--The~~
~~person-shall-allow-the-department-of-agriculture-and-land~~

MARY E. KRAMER
President of the Senate

BRENT SIEGRIST
Speaker of the House

I hereby certify that this bill originated in the Senate and
is known as Senate File 84, Seventy-ninth General Assembly.

MICHAEL E. MARSHALL
Secretary of the Senate

Approved *April 30*, 2001

THOMAS J. VILSACK
Governor