

1987 Assembly Bill 141

Date of enactment: August 25, 1987  
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## 1987 Wisconsin Act 41

AN ACT to create 23.23 and 66.955 of the statutes, relating to control of nuisance weeds and providing a penalty.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

SECTION 1. 23.23 of the statutes is created to read:

**23.23 Purple loosestrife.** (1) In this section, "purple loosestrife" means any nonnative member of the genus *Lythrum*.

(2) The department shall make a reasonable effort to conduct research to determine alternative methods to contain and control purple loosestrife in the most environmentally sound manner.

(3) (a) The department shall make a reasonable effort to develop a statewide program to control purple loosestrife on both public and private lands, as provided in this subsection.

(b) The department shall make a reasonable effort to implement control and quarantine methods on public lands as soon as practicable. The department shall make a reasonable effort to employ the least environmentally harmful methods available that are effective, based on research conducted under sub. (2).

(c) The department may conduct a pilot project using employes or other persons to engage in labor intensive efforts to control purple loosestrife on all public lands.

(d) The department shall request permission from private landowners to enter onto the land to control

stands of purple loosestrife which significantly threaten environmental resources or which threaten to invade a nearby watershed or subwatershed. If the landowner denies the department permission to enter onto the land, the department may not enter the land but shall inform the landowner of the seminars available under sub. (4) (c).

(e) The department may provide grants to other public agencies to allow the public agencies to control purple loosestrife on lands under their control.

(4) (a) The department shall make a reasonable effort to develop a statewide education program on the effects of purple loosestrife, as provided in this subsection.

(b) The department shall make a reasonable effort to educate the authorities in charge of the maintenance of all federal, state and county trunk highways and all forest and park land in this state on methods to identify and control purple loosestrife and multiflora rose. The department of transportation and all other authorities in charge of the maintenance of highways, forests and parks may cooperate with the department in efforts under this paragraph.

(c) The department shall make a reasonable effort to educate private landowners on methods to identify and control purple loosestrife. The department shall make a reasonable effort to conduct seminars periodi-

cally, at times determined by the department, to train private landowners in environmentally sound methods to identify and control purple loosestrife.

SECTION 2. 66.955 of the statutes is created to read:

**66.955 Nuisance weeds.** (1) In this section, "nuisance weeds" means any nonnative member of the genus *Lythrum* (purple loosestrife) or hybrids thereof and multiflora rose.

(2) Except as provided in sub. (3), no person may sell, offer for sale, distribute, plant or cultivate any nuisance weed or seeds thereof.

(3) The department of natural resources may conduct research on the control of nuisance weeds. The

secretaries of natural resources and of agriculture, trade and consumer protection may authorize any person to plant or cultivate nuisance weeds for the purpose of controlled experimentation.

(4) The department of natural resources shall make a reasonable effort to implement a statewide program for education, research, control and containment of purple loosestrife under s. 23.23.

(5) Any person who knowingly violates this section shall forfeit not more than \$100. Each violation of this section is a separate offense.

**SECTION 3. Program responsibility changes.** In the sections of the statutes listed in Column A, the program responsibilities references shown in Column B are deleted and the program responsibilities references shown in Column C are inserted:

<b>A</b>	<b>B</b>	<b>C</b>
Statute Sections	References Deleted	References Inserted
15.341 (intro.)	none	66.955 (3) and (4)
15.461 (intro.)	none	23.23 (4)(b)

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