



Senate Fiscal Agency
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BILL ANALYSIS



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House Bill 4774 (Substitute H-1 as reported without amendment)
 Sponsor: Representative James Middaugh
 House Committee: Conservation, Environment, and Great Lakes
 Senate Committee: Natural Resources and Environmental Affairs

Date Completed: 9-14-95

RATIONALE

The species *Lythrum virgatum*, or wand loosestrife, reportedly is a popular garden perennial. It grows four to eight feet high, with colorful blooms in shades of magenta. Its cousin, *Lythrum salicaria* (usually referred to as purple loosestrife), however, is considerably less popular. Although not native to North America, *Lythrum salicaria* apparently has spread rapidly throughout parts of the continent. A background report, "Purple Loosestrife in Michigan: Problems and Controls", issued by the Legislative Service Bureau (LSB) Science and Technology Division in November 1993, indicates that the plant grows in all of Michigan's southern counties and along the lakeshore of the Lower Peninsula, and in scattered locations in the Upper Peninsula. Moreover, it is expanding across the rest of the State, since, absent the parasites and diseases of its native land, Eurasia, it is very difficult to destroy. According to the LSB background paper, wetland scientists agree that purple loosestrife degrades wetland habitats, because it self-sows with abandon and crowds out native plants such as cattails and rushes. The plant also clogs agricultural drainage ditches.

The Department of Natural Resources (DNR) evidently has used several different methods in its attempts to control purple loosestrife, including cultural control through the manipulation of water levels in impoundments and other areas to discourage seed germination; mechanical control by removing the plant manually or with machinery; and chemical control through the application of selective herbicides. Recently, the U.S. government began pilot projects on biological control through the introduction of three species of insects from the plant's native habitat into wildlife areas. It has become apparent, however, that no

single method of control can eliminate the plant. Instead, the DNR hopes simply to contain it.

Nurseries and mail order companies, however, continue to sell purple loosestrife plants and seeds. In addition, horticulturalists have "hybridized" *Lythrum salicaria* with wand loosestrife (the garden perennial) and winged loosestrife (the native wildflower) to produce new varieties. This practice raises the concern that DNR field staff, and others, might not be able to tell the difference between the garden variety of loosestrife and the "nuisance" plant they seek to eradicate. It has been suggested, therefore, that the sale and distribution of purple loosestrife seed and hybrid seed be prohibited.

CONTENT

The bill would amend the Insect Pest and Plant Disease Act to prohibit a person from selling, offering to sell, or distributing seed from purple loosestrife in Michigan. "Purple loosestrife" would mean a nonnative member of the genus *Lythrum*, or hybrid of that genus.

In addition, the bill would prohibit a person from selling at retail or offering to sell at retail any nonnative cultivars of the genus *Lythrum*, or hybrids of that genus, except for the cultivars of *Lythrum virgatum* commercially known as rose queen, the rocket, morden pink, morden gleam, morden rose, dropmore purple, or columbia pink.

Further, as of January 1, 1997, retail sales of purple loosestrife would not be allowed in Michigan, except for cultivars developed and recognized to be sterile and approved by the Director of the Department of Agriculture.

The bill would allow one exception to these prohibitions: The Department of Agriculture could issue a permit authorizing a person to conduct research using purple loosestrife.
Proposed MCL 286.216a

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: A. Rich

ARGUMENTS

(Please note: The arguments contained in this analysis originate from sources outside the Senate Fiscal Agency. The Senate Fiscal Agency neither supports nor opposes legislation.)

Supporting Argument

Lythrum salicaria, or purple loosestrife, propagates rapidly and reduces the biological diversity of Michigan's wetlands by crowding out native wetland plants. Wetlands furnish feeding and breeding habitat for many fish and wildlife species. Wetlands in which purple loosestrife is a dominant plant, however, harbor fewer desirable species, since they cannot provide the diversity of plant species favored by wildlife. For example, as pointed out in the LSB background report, large stands of purple loosestrife provide poor nesting habitat for most wetland birds: Ducks, herons, and other wetland birds that build platform-type nests cannot use the stiff loosestrife stems as nest material. Further, shallow water habitats are important feeding and breeding areas for frogs, toads, salamanders, and fish such as the Northern Pike. Large clumps of purple loosestrife in shallow water, however, collect silt and debris, which eventually fill in and obliterate the shallow water habitat.

The problem is not unique to Michigan. The U.S. government has launched pilot biological control projects involving the use of three species of insects--two beetles and a weevil from Europe--that feed on purple loosestrife. The insects were released in a number of locations across the country, but not in Michigan, in 1994. Other Midwestern states such as Minnesota, Wisconsin, Ohio, and Illinois, have enacted "weed laws" to regulate purple loosestrife's cultivation and trade. By prohibiting the sale and distribution of seed from purple loosestrife and hybrids of the genus *Lythrum*, the bill would enable Michigan to protect its valuable wetlands, and to join other states in controlling purple loosestrife.

Legislative Analyst: L. Burghardt

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.