This revised analysis replaces the analysis dated 1-3-96.

House Legislative Analysis Section

Olds Plaza Building, 10th Floor
Lansing, Michigan 48909
Phone: 517/373-6466

BAN PURPLE LOOSESTRIFE

House Bill 4774 as enrolled
Revised Second Analysis (6-7-96)
Public Act 182 of 1995

Sponsor: Rep. James Middaugh

House Committee: Conservation, Environment, and Great Lakes
Senate Committee: Natural Resources and Environmental Affairs

THE APPARENT PROBLEM:

The species *Lythrum virgatum*, or wand loosestrife, is a popular garden perennial. It grows four to eight feet high, with colorful blooms in shades of magenta. However, its cousin, *Lythrum salicaria* (usually referred to as purple loosestrife), is considerably less popular. Although not native to North America, *Lythrum salicaria* 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 country, is it is very difficult to destroy. According to the LSB background paper, wetland scientists are in agreement that purple loosestrife degrades wetland habitats, because it self-sows with abandon and crowds out native plants such as cattails, rushes, and a native species of loosestrife, *Lythrum alatum*, or winged loosestrife. The plant also clogs agricultural drainage ditches.

The Department of Natural Resources (DNR) uses several methods to control purple loosestrife: manual removal; manipulating water levels in impoundments and other areas; the use of chemical herbicides; and biological control (the use of the plant's natural insect enemies from its native habitat). For example, in July, 1994, the DNR launched its biological control program by releasing beetles in state wildlife areas. It has become apparent, however, that no single method of control can eliminate the plant. Instead, the DNR hopes to simply contain it. However, nurseries and mail order companies 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. Consequently, legislation has been proposed to prohibit the sale and distribution of *Lythrum* seed and of hybrid seed.

THE CONTENT OF THE BILL:

House Bill 4774 would amend the Insect Pest and Plant Disease Act to prohibit the sale or distribution of seed from "purple loosestrife," which would be defined under the bill to mean a nonnative member of the genus *Lythrum*, or a hybrid of that genus. Except for cultivars that were developed and recognized to be sterile, and approved by the director of the Department of Agriculture (DOA), retail sales of the plant would not be allowed in the state after January 1, 1997.

Exceptions. The bill would prohibit retail sales, or offers to sell at retail, of any nonnative cultivars of the genus *Lythrum,* or hybrids of that genus, with the exception of the following cultivars of *lythrum virgatum*, commercially known as: Rose Queen, The Rocket, Morden Pink, Morden Gleam, Morden Rose, Dropmore Purple, and Columbia Pink.

Further, the bill would allow the Department of Agriculture to issue a permit authorizing a person to conduct research using purple loosestrife.

MCL. 286.216a

FISCAL IMPLICATIONS:

According to the Senate Fiscal Agency, the bill would have no state fiscal impact. (9-14-95)

ARGUMENTS:

For:

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. However, wetlands in which purple loosestrife is a dominant plant harbor fewer desirable species, since they cannot provide the diversity of plant species favored by wildlife. For example, as pointed out in a background report, "Purple Loosestrife In Michigan: Problems and Controls," issued by the Legislative Service Bureau (LSB), 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. However, large clumps of purple loosestrife in shallow water 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 -- which 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. The provisions of the bill would allow Michigan to protect its valuable wetlands, and to join other states in controlling purple loosestrife.

Analyst: R. Young

■This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.