

PROHIBITED AND RESTRICTED SPECIES

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House Bill 4579

Sponsor: Rep. Rebekah Warren

Committee: Great Lakes and Environment

Complete to 3-19-09

A REVISED SUMMARY OF HOUSE BILL 4579 AS INTRODUCED 3-12-09

In general, Part 413 (Transgenic and Nonnative Organisms) of the Natural Resources and Environmental Protection Act regulates (1) the *possession* of live specimens of prohibited and restricted species and (2) the *introduction* of fish or aquatic plants that are prohibited, restricted, genetically-engineered, or non-native. Part 413 also contains penalties for violations of its provisions. House Bill 4579 would amend Section 41301 (MCL 324.41301), which defines prohibited and restricted species.

Prohibited Species. The bill would create the following categories of "prohibited species": (1) prohibited aquatic plant species; (2) prohibited bird species; (3) prohibited crustacean species; (4) prohibited fish species; (5) prohibited insect species; (6) prohibited mammal species; and (7) prohibited mollusk species; and make the following changes to the species listed in these categories:

- Prohibited aquatic plants. The **Yellow flag iris** (*Iris Pseudacorus*) would be removed from the list of prohibited aquatic plants. The rest of the aquatic plants currently prohibited (African oxygen weed, Brazilian elodea, European frogbit, Giant hogweed, Giant salvinia, Hydrilla, Japanese knotweed, Parrot's feather, Water chestnut, and Yellow floating heart) would be kept on the prohibited list.
- Prohibited birds. The **Eurasian Collared Dove** (*Streptopelia decaocto*) would become a "prohibited bird species."
- Prohibited crustaceans. The **Rusty Crayfish** (*Orconectes rusticus*) would become a "prohibited crustacean species."
- Prohibited fish. The **Eurasian Ruffe** (*Gymnocephalus cernuus*), **Round Goby** (*Neogobius Melanostomus*), and **Tubenose Goby** (*Proterorhinus marmoratus*) would be added to the list of "prohibited fish species." (Current prohibited fish species are Bighead carp, Bitterling, Black carp, Grass carp, Ide, Japanese weatherfish, Rudd, Silver carp, any fish in the snakehead family, and Tench.)
- Prohibited insects. The current list of prohibited insects (Asian longhorned beetle and Emerald ash borer) would be retained as is.

- Prohibited mammals. The **Nutria** (*Myocastor coypus*) would become a "prohibited mammal species."
- Prohibited mollusks. The **Giant African Snail** (*Achatina fulica*) and **Giant Pond Snail** (*Helix aspersa*) would become "prohibited mollusk species."

Restricted species. The bill would create the following categories of "restricted species": (1) restricted aquatic plants; and (2) restricted mollusks, and make the following changes to species listed in these categories:

- Restricted aquatic plants. The current list of restricted aquatic plants (Curly leaf pondweed, Eurasian watermilfoil, Flowering rush, Phragmites or common reed, and Purple loosestrife (except sterile cultivars of Purple loosestrife approved by the director of the Department of Agriculture)) would be retained as is.
- Restricted mollusk species. The **Quagga mussel** (*Dreissena bugensis*) and **Zebra mussel** (*Dreissena polymorpha*) would become restricted mollusk species.

Inclusion of hybrids, genetically-engineered variants, fragments, seeds, and eggs. As is currently the case, with respect to each prohibited or restricted species, if the species is prohibited or restricted, so too are *hybrids* and *genetically-engineered variants* of the species. In the case of prohibited or restricted aquatic plants, *fragments or seeds* of the species or of a hybrid or genetically-engineered variant of the species are also prohibited or restricted. In the case of prohibited birds, crustaceans, fish, insects, mollusks as well as restricted mollusks, *eggs* of the species or of a hybrid or genetically-engineered variant are also prohibited or restricted.

FISCAL IMPACT:

This bill would not have a fiscal impact on the state or on local governmental units.

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■ 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.