

SENATE BILL No. 1420

September 23, 2004, Introduced by Senators BIRKHOLZ, PATTERSON, HARDIMAN, GILBERT, HAMMERSTROM, ALLEN, McMANUS, VAN WOERKOM and SANBORN and referred to the Committee on Natural Resources and Environmental Affairs.

A bill to amend 1994 PA 451, entitled "Natural resources and environmental protection act," by amending section 41301 (MCL 324.41301), as added by 2003 PA 270.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Sec. 41301. As used in this part:

2 (a) "Council" means the nonnative species advisory council
3 created in section 41321.

4 (b) "Department" means the department of natural resources.

5 (c) ~~(a)~~ "Genetically engineered" refers to a fish whose
6 genome, chromosomal or extrachromosomal, is modified permanently
7 and heritably, using recombinant nucleic acid techniques, or the
8 progeny thereof.

9 (d) "Prohibited aquatic plant species" means any of the
10 following or fragments or seeds thereof:

- 1 (i) African oxygen weed (*Lagarosiphon major*).
- 2 (ii) Brazilian elodea (*Egeria densa*).
- 3 (iii) Curly leaf pondweed (*Potamogeton crispus*).
- 4 (iv) Eurasian watermilfoil (*Myriophyllum spicatum*).
- 5 (v) European frogbit (*Hydrocharis morsus-ranae*).
- 6 (vi) Flowering rush (*Butomus umbellatus*).
- 7 (vii) Giant salvinia (*Salvinia molesta*, *auriculata*, *biloba*,
- 8 or *herzogii*).
- 9 (viii) Hydrilla (*Hydrilla verticillata*).
- 10 (ix) Japanese knotweed (*Fallopia japonica*).
- 11 (x) Parrot's feather (*Myriophyllum aquaticum*).
- 12 (xi) Purple loosestrife (*Lythrum salicaria*), except for
- 13 cultivars developed and recognized to be sterile and approved by
- 14 the director of agriculture under section 16a of the insect pest
- 15 and plant disease act, 1931 PA 189, MCL 286.216a.
- 16 (xii) Water chestnut (*Trapa natans*).
- 17 (xiii) Yellow flag iris (*Iris pseudacorus*).
- 18 (xiv) Yellow floating heart (*Nymphoides peltata*).
- 19 (e) ~~(b)~~ "Prohibited fish species" means any of the
- 20 following or the eggs thereof:
- 21 (i) Bighead carp (*Hypophthalmichthys nobilis*) or a hybrid or
- 22 genetically engineered variant thereof.
- 23 (ii) Bitterling (*Rhodeus sericeus*) or a hybrid or genetically
- 24 engineered variant thereof.
- 25 (iii) Black carp (*Mylopharyngodon piceus*) or a hybrid or
- 26 genetically engineered variant thereof.
- 27 (iv) Grass carp (*Ctenopharyngodon idellus*) or a hybrid or

1 genetically engineered variant thereof.

2 (v) Ide (*Leuciscus idus*) or a hybrid or genetically
3 engineered variant thereof.

4 (vi) Japanese weatherfish (*Misgurnus anguillicaudatus*) or a
5 hybrid or genetically engineered variant thereof.

6 (vii) Rudd (*Scardinius erythrophthalmus*) or a hybrid or
7 genetically engineered variant thereof.

8 (viii) Silver carp (*Hypophthalmichthys molitrix*) or a hybrid
9 or genetically engineered variant thereof.

10 (ix) A fish of the snakehead family (family *Channidae*) or
11 genetically engineered variant.

12 (x) Tench (*Tinca tinca*) or a hybrid or genetically engineered
13 variant thereof.

14 (f) **"Prohibited species" means a prohibited fish species or**
15 **prohibited aquatic plant species.**

16 (g) ~~(e)~~ "Recombinant nucleic acid techniques" means
17 laboratory techniques through which genetic material is isolated
18 and manipulated in vitro and then inserted into an organism.

19 Enacting section 1. This amendatory act does not take
20 effect unless all of the following bills of the 92nd Legislature
21 are enacted into law:

22 (a) Senate Bill No. 1421.

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24 (b) Senate Bill No. 1422.

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26 (c) Senate Bill No. 1426.

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1 (d) Senate Bill No. 1423.

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3 (e) Senate Bill No. 1424.

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5 (f) Senate Bill No. 1425.

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