

HOUSE BILL 535

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1998 Regular Session
(8r0967)

ENROLLED BILL

-- Environmental Matters/Economic and Environmental Affairs --

Introduced by **Delegate Weir**

Read and Examined by Proofreaders:

Proofreader.

Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this
____ day of _____ at _____ o'clock, ____ M.

Speaker.

CHAPTER _____

1 AN ACT concerning

2 **Natural Resources - Phragmites - ~~Biennial~~ Reports**

3 FOR the purpose of requiring the Department of Natural Resources to determine the
4 spread of phragmites on a per-acre basis and to prepare ~~biennial~~ reports on the
5 extent of infestation; providing for a certain time to submit the first and
6 subsequent reports; providing for a delayed effective date; and generally relating
7 to the management and control of phragmites in the State.

8 BY repealing and reenacting, with amendments,
9 Article - Natural Resources
10 Section 8-2101 and 8-2103
11 Annotated Code of Maryland
12 (1990 Replacement Volume and 1997 Supplement)

13 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
14 MARYLAND, That the Laws of Maryland read as follows:

1

Article - Natural Resources

2 8-2101.

3 The General Assembly finds that the growth of the tall, reed-like grass
4 Phragmites communis, commonly known as phragmites, may be a public and common
5 nuisance on land and wetlands used for wildlife habitat areas. THEREFORE, IT IS THE
6 INTENT OF THE GENERAL ASSEMBLY THAT THIS SUBTITLE REQUIRE THAT
7 STATEWIDE STUDIES OF PHRAGMITES BE CONDUCTED IN ORDER TO DETERMINE ITS
8 SPREAD AND DETERMINE ANY PROGRESS MADE IN CURRENT MANAGEMENT AND
9 CONTROL PROGRAMS.

10 8-2103.

11 (a) (1) The Department shall study and analyze the effectiveness of the cost
12 sharing program in the Department that assists landowners in paying for the cost of
13 the management and control of the spread of phragmites.

14 (2) The analysis required in paragraph (1) of this subsection shall
15 include information on how assistance under the cost sharing program is allocated.

16 (b) The Department of Natural Resources SHALL ASCERTAIN ON A PER-ACRE
17 BASIS THE STATEWIDE EXTENT OF INFESTATION OF PHRAGMITES, WHEN
18 NECESSARY DATA IS AVAILABLE, AND shall study and analyze the progress made in
19 the management and control of the spread of phragmites on:

20 (1) Lands that the Department of Natural Resources owns or controls;
21 and

22 (2) Any real property on which the Department of Natural Resources
23 assists landowners with the control of phragmites.

24 (c) (1) The Department shall annually submit a report under subsections (a)
25 and (b) of this section to:

26 [(1)] (I) The Environmental Matters Committee of the House of
27 Delegates of Maryland; and

28 [(2)] (II) The Economic and Environmental Affairs Committee of the
29 Senate of Maryland.

30 (2) BEGINNING IN 2000, THE DEPARTMENT SHALL ~~BIENNIALY~~ SUBMIT
31 EVERY 5 YEARS A REPORT ON THE EXTENT OF INFESTATION OF PHRAGMITES ~~ON A~~
32 ~~PER ACRE BASIS~~ TO:

33 (I) THE ENVIRONMENTAL MATTERS COMMITTEE OF THE HOUSE
34 OF DELEGATES OF MARYLAND; AND

35 (II) THE ECONOMIC AND ENVIRONMENTAL AFFAIRS COMMITTEE
36 OF THE SENATE OF MARYLAND.

1 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
2 October 1, 1998.