

Chapter 614

(House Bill 132)

AN ACT concerning

State Government – Pollinator Habitat Plans

FOR the purpose of requiring ~~certain State agencies that own or manage property or land~~ the Department of Natural Resources, the Maryland Environmental Service, and the State Highway Administration, in consultation with the Department of Agriculture, to each establish a certain pollinator habitat ~~plans~~ plan on or before a certain date; requiring ~~certain State agencies~~ the Department of Natural Resources, the Maryland Environmental Service, and the State Highway Administration to make a certain pollinator habitat ~~plans~~ plan publicly available in a certain manner on or before a certain date; requiring ~~certain State agencies~~ the Department of Natural Resources, the Maryland Environmental Service, and the State Highway Administration to implement a certain pollinator habitat ~~plans~~ plan on or before a certain date; requiring ~~certain State agencies~~ the Department of Natural Resources, the Maryland Environmental Service, and the State Highway Administration to each report to certain committees of the General Assembly on or before a certain date; and generally relating to pollinator habitat plans.

BY adding to

Article – Agriculture

Section 2–1701 to be under the new subtitle “Subtitle 17. Pollinator Habitat Plans”

Annotated Code of Maryland

(2007 Replacement Volume and 2015 Supplement)

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

Article – Agriculture

SUBTITLE 17. POLLINATOR HABITAT PLANS.

2–1701.

(A) (1) ON OR BEFORE JULY 1, 2017, SUBJECT TO PARAGRAPH (2) OF THIS SUBSECTION, ~~A STATE AGENCY THAT OWNS OR MANAGES PROPERTY OR LAND~~ THE DEPARTMENT OF NATURAL RESOURCES, THE MARYLAND ENVIRONMENTAL SERVICE, AND THE STATE HIGHWAY ADMINISTRATION, IN CONSULTATION WITH THE DEPARTMENT, EACH SHALL ESTABLISH A POLLINATOR HABITAT PLAN ~~FOR EACH PROPERTY OR PIECE OF LAND OWNED OR MANAGED BY THE STATE AGENCY.~~

(2) ~~THE A POLLINATOR HABITAT PLANS PLAN~~ REQUIRED UNDER THIS SUBSECTION SHALL:

(I) SHALL INCLUDE BEST MANAGEMENT PRACTICES FOR THE MAINTENANCE, CREATION, ENHANCEMENT, AND RESTORATION OF POLLINATOR HABITATS;

(II) SHALL ADHERE TO THE DEPARTMENT'S MANAGED POLLINATOR PROTECTION PLAN;

(III) MAY NOT REQUIRE AN ACTION ON LAND THAT IS INCONSISTENT WITH ANY FEDERAL, STATE, OR LOCAL LAW, REGULATION, RULE, OR GUIDANCE THAT APPLIES TO THE LAND; AND

(IV) MAY NOT REQUIRE THE CREATION OF POLLINATOR HABITAT ON PRODUCTIVE FARMLAND.

(B) ~~A STATE AGENCY THAT IS REQUIRED TO ESTABLISH POLLINATOR HABITAT PLANS UNDER SUBSECTION (A) OF THIS SECTION~~ THE DEPARTMENT OF NATURAL RESOURCES, THE MARYLAND ENVIRONMENTAL SERVICE, AND THE STATE HIGHWAY ADMINISTRATION EACH SHALL:

(1) ON OR BEFORE SEPTEMBER 1, 2017, MAKE AVAILABLE TO THE PUBLIC ON ITS WEB SITE THE REQUIRED POLLINATOR HABITAT PLANS ON THE STATE AGENCY'S WEB SITE PLAN ESTABLISHED IN ACCORDANCE WITH SUBSECTION (A) OF THIS SECTION; AND

(2) ON OR BEFORE JULY 1, 2018, IMPLEMENT THE REQUIRED POLLINATOR HABITAT PLANS PLAN ESTABLISHED IN ACCORDANCE WITH SUBSECTION (A) OF THIS SECTION.

SECTION 2. AND BE IT FURTHER ENACTED, That, on or before January 1, 2018, ~~a State agency that is required to establish pollinator habitat plans under this Act shall~~ the Department of Natural Resources, the Maryland Environmental Service, and the State Highway Administration each shall report to the Senate Education, Health, and Environmental Affairs Committee and the House Environment and Transportation Committee, in accordance with § 2-1246 of the State Government Article, on the pollinator habitat ~~plans~~ plan established in accordance with § 2-1701 of the Agriculture Article, as enacted by Section 1 of this Act.

SECTION 3. AND BE IT FURTHER ENACTED, That this Act shall take effect July 1, 2016.

Approved by the Governor, May 19, 2016.