

Department of Legislative Services
Maryland General Assembly
2021 Session

FISCAL AND POLICY NOTE
Third Reader

Senate Bill 352

(Chair, Education, Health, and Environmental Affairs
Committee)(By Request - Departmental - Agriculture)

Education, Health, and Environmental Affairs

Environment and Transportation

Agriculture – Multiflora Rose Management – Repeal

This departmental bill repeals provisions that make multiflora rose a nuisance weed that must be managed.

Fiscal Summary

State Effect: The bill is not anticipated to materially affect State finances or operations. The Maryland Department of Agriculture (MDA) advises that it has not enforced these provisions in more than 30 years.

Local Effect: The bill is not anticipated to materially affect local finances or operations.

Small Business Effect: MDA has determined that this bill has minimal or no impact on small business (attached). The Department of Legislative Services concurs with this assessment.

Analysis

Bill Summary/Current Law: Chapter 460 of 1982, as codified in the Agriculture Article, (1) declares that multiflora rose may be a public and common nuisance on land used for agricultural production; (2) requires a person who owns land where multiflora rose is grown to maintain the land in accordance with management techniques prescribed by MDA to prevent spread to adjoining property used for agricultural production; (3) requires the Secretary of Agriculture to make an investigation as to the extent of any proscribed infestation, upon receiving certain signed, written complaints; and (4) requires a landowner to initiate compliance action within 30 days of written notice from the Secretary of a

violation. Additionally, the Secretary may accept, use, or expend funds made available from any private or public source to carry out these provisions.

The bill repeals the entire Multiflora Rose Management subtitle.

Background: Multiflora rose is an invasive thorny shrub native to Asia that can grow up to 15-feet tall. Formerly promoted as a “living fence,” roadside median, windbreak, and forage crop, multiflora rose can quickly spread and create dense thickets that crowd out native vegetation, change natural ecosystems, and alter wildlife habitats and food sources. Controlling infestations of multiflora rose can require several years of manual, mechanical, or herbicide control methods.

MDA advises that the State’s agricultural industry has multiflora rose contained and under control, making the current law no longer necessary.

Additional Information

Prior Introductions: None.

Designated Cross File: None.

Information Source(s): Garrett County; Howard County; Montgomery County; Maryland Department of Agriculture; Department of Natural Resources; Maryland Invasive Species Council; U.S. Department of Agriculture; Department of Legislative Services

Fiscal Note History: First Reader - January 11, 2021
rh/sdk Third Reader - February 2, 2021

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ANALYSIS OF ECONOMIC IMPACT ON SMALL BUSINESSES

TITLE OF BILL: Agriculture – Multiflora Rose Management Law - Repeal

BILL NUMBER: SB 352

PREPARED BY: Cassie Shirk

PART A. ECONOMIC IMPACT RATING

This agency estimates that the proposed bill:

WILL HAVE MINIMAL OR NO ECONOMIC IMPACT ON MARYLAND SMALL
BUSINESSES

OR

WILL HAVE A MEANINGFUL ECONOMIC IMPACT ON MARYLAND SMALL
BUSINESSES

PART B. ECONOMIC IMPACT ANALYSIS

There is not expected to be any economic impact with the repeal of this law.