

**HB0092-EHE\_MACo\_SUP.pdf**

Uploaded by: Butler, Alex

Position: FAV



**MARYLAND**  
*Association of*  
**COUNTIES**

## House Bill 92

### *Procurement - Invasive Plant Species - Prohibition on Use of State Funds*

MACo Position: **SUPPORT**

To: Education, Health, and Environmental  
Affairs Committee

Date: March 31, 2021

From: Alex Butler

The Maryland Association of Counties (MACo) **SUPPORTS** HB 92. The bill prohibits the use of state funds to plant invasive plants based on a list from Fish and Wildlife Service for the Chesapeake Bay Watershed.

The bill has been amended to only prohibit invasive plantings, with some exceptions. County concerns were directed at the bill as originally written that would have also included nonnative plants. MACo supports HB 92 as it passed the House. Counties use state funds such as Program Open Space for projects like grass sports fields. Nonnative grasses like Bermuda are widely used due to their durability. Bermuda in particular has a higher wear tolerance, and a lower irrigation requirement, making it a useful and cost-effective nonnative plant.

HB 92 has been amended to address county concerns, and accordingly MACo urges the Committee to give HB 92 a **FAVORABLE** report.

**HB 92\_CBF\_SUPPORT\_CROSS\_RobinClark.pdf**

Uploaded by: Clark, Robin Jessica

Position: FAV



# CHESAPEAKE BAY FOUNDATION

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*Environmental Protection and Restoration  
Environmental Education*

## House Bill 92

### **Procurement – Invasive and Nonnative Plant Species – Prohibition on Use of State Funds**

Date: March 31, 2021  
To: Senate Education, Health  
and Environmental Affairs

Position: Support  
From: Rob Schnabel, Maryland  
Restoration Specialist

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Chesapeake Bay Foundation (CBF) **SUPPORTS HB 92** which, as amended, prohibits the purchase or planting of invasive plant species with State funds, with exceptions for indoor plantings, and for agricultural and horticultural plantings for education or research.

#### **HB 92 seeks to ensure that trees planted to mitigate the loss of forest through development and for environmental restoration purposes are native species that help restore the local ecosystem.**

Environmental restoration, including tree and shrub plantings, is part of the State of Maryland's efforts to meet Maryland's Chesapeake Watershed Implementation Plan. The State also completes plantings to mitigate clear-cutting for new transportation infrastructure and helps to fund local government restoration projects. This legislation ensure that these plantings will be native species that provide the greatest ecosystem benefits.

#### **The strength of native species and their adaptations reduces the need for fertilizer and pesticide use and lessens the potential for pollutant runoff in the Bay**

The specific adaptations of native plants allow them to flourish in the region with little to no fertilizer. They are more resistant to insects and disease therefore do not require many, if any pesticides. Planting natives in the Bay region reduces the chances of harmful fertilizer and pesticide runoff into the Bay.

#### **Native plants provide food and cover for wildlife that are critical to the Bay region's ecosystem.**

Native plants are plants that naturally occur in the region in which they have evolved and support other species in the local ecosystem. Local wildlife, such as birds, insects, and mammals are also critically dependent on native plant communities (the zebra swallowtail butterfly, for example, feeds almost exclusively on pawpaw trees during its larval stage).

#### **Nonnatives may become invasive species that threaten ecosystems and create additional hurdles to conservation**

Nonnative plants are not in balance with the local ecosystem and may take over large swaths of land, creating monoculture zones that threaten wildlife living in the local ecosystem. Removal of nonnatives can be costly. The Maryland State Highway Administration has spent substantial funding in the removal of nonnative plant species along highways and wetland restoration projects.

Maryland Office • Philip Merrill Environmental Center • 6 Herndon Avenue • Annapolis • Maryland • 21403  
Phone (410) 268-8816 • Fax (410) 280-3513

*The Chesapeake Bay Foundation (CBF) is a non-profit environmental education and advocacy organization dedicated to the restoration and protection of the Chesapeake Bay. With over 300,000 members and e-subscribers, including over 109,000 in Maryland alone, CBF works to educate the public and to protect the interest of the Chesapeake and its resources.*

HB 92 references the US Fish and Wildlife Service Chesapeake Bay Field Office comprehensive listing of native plants in the Chesapeake region including; trees, shrubs, grasses, ferns and wetland plants.<sup>1</sup> In order to select the appropriate plant species, this guide lists the various conditions on which these native plants will thrive. These conditions consist of the sunlight requirements, moisture and soil conditions as well as the preferred region (coastal plain, piedmont, mountains) in which these species grow.

**CBF urges the Committee's FAVORABLE on HB 92.**

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<sup>1</sup> Native Plants for Wildlife Habitat and Conservation Landscaping, U.S. Fish and Wildlife Service, 2005  
<https://www.fws.gov/chesapeakebay/resources/native-plants.html>

# **Support of HB 92 - Procurement - Invasive Plant Sp**

Uploaded by: Ferguson, Colby

Position: FAV



# Maryland Farm Bureau, Inc.

3358 Davidsonville Road • Davidsonville, MD 21035 • (410) 922-3426

March 31, 2021

To: Senate Education, Health & Environmental Affairs Committee

From: Maryland Farm Bureau, Inc.

**Re: Support of HB 92 - Procurement - Invasive Plant Species - Prohibition on Use of State Funds**

On behalf of our member families, I submit this written testimony in support of HB 92, legislation that prohibits state agencies from purchasing invasive plants for public projects.

Invasive weeds are a major issue within the farming community. By nature, these weeds invade farm fields from nearby areas (in many cases, from public lands). So, controlling invasive weeds away from the farm, reduces the amount of crop protectants farmers need to maintain a clean and healthy crop. For these reasons, MDFB is in support of the invasive plants section of this bill.

**MDFB Policy:** We insist that local, county, state, federal governments, and public utilities control invasive species and abide by the noxious weed control laws on lands owned or controlled by them.

**MARYLAND FARM BUREAU SUPPORTS HB 92**

A handwritten signature in black ink, appearing to read "Colby Ferguson".

Colby Ferguson  
Director of Government Relations

*For more information contact Colby Ferguson at (240) 578-0396*

# **HB92 Sponsor Testimony (1).pdf**

Uploaded by: Luedtke, Eric

Position: FAV

ERIC LUEDTKE  
Legislative District 14  
Montgomery County

MAJORITY LEADER

Ways and Means Committee  
Chair, Revenues Subcommittee



The Maryland House of Delegates  
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THE MARYLAND HOUSE OF DELEGATES  
ANNAPOLIS, MARYLAND 21401

**SPONSOR Testimony: House Bill 92**

Chairman Pinsky, Nice Chair Kagan, Members of the Education, Health, and Environmental Affairs Committee,

In 1962, a Maryland resident named Rachel Carson published a book called *Silent Spring*. That book detailed, in powerful language, the impact of pesticides like DDT on the environment. And it is credited, in part, with sparking the environmental movements. This book was titled *Silent Spring* in reference to the lack of birdsong and insect sounds in a world where overuse of DDT and similar chemicals had wiped out animal life. Overuse of pesticides, though, is not the only thing that can silence spring.

The natural world is an extraordinary thing. Nature, over the millenia, created an almost unimaginable variety of plants, animals, and other living things that interact in an astoundingly complex, interdependent tapestry. That interdependence, though, means that if we as humans pull one thread on the tapestry, disrupt one part of the web of life, it will inevitably impact others.

This is the case with the replacement of native species by invasive species, both plant and animal. Over the centuries, human beings have introduced a huge number of invasive species to Maryland. As these species have displaced native species, they have increasingly disrupted the natural world. And, like it or not, this has impacted the human world in turn, because we are a part of the tapestry as well.

My home is surrounded by the woods just up the hill from the Patuxent River. My entire front yard is forested. But I rarely see any animal life there. Few birds. Few insects. Few mammals. When I first moved here I was puzzled as to why. But as the growing season continued in that first year, I understood. You see, the entire understory of my front yard consisted of non-native and invasive species. Japanese Stiltgrass. Garlic Mustard. Japanese Barberry. Plants that native species of animals cannot live on. Plants that had created what was for all intents and purposes an ecological desert.

And what's shocking is that we, as a society, keep putting these invasive species in the ground. This is part of the reason native pollinator populations aren't as robust as they once were, threatening agriculture. It's part of the reason wildlife populations aren't as strong as they might otherwise be. And while this is grim, it is solvable. The state has gone about solving this by actively killing and removing these invasive species from certain areas when they grow out of control. This bill proposes a way to slow the spread of these harmful species at their source.

We can simply stop planting these species, and intentionally try to plant more native species. That's what this bill is intended to do, at least for taxpayer-funded projects. It is premised on the idea that taxpayer dollars should not be used to harm our environment by planting invasive species. It bars state tax dollars from being used to plant invasives.

We have worked extensively with state agencies for the past 7 months to try to address any concerns they may have. Now, I look forward to working with the Committee to address any concerns or questions about the bill. And I urge the Committee to give it a favorable report.

Sincerely,

A handwritten signature in cursive script, appearing to read "Eric Luedtke".

Delegate Eric Luedtke

**HB0092\_DNR\_SUP EHEA 3-31-2021.pdf**

Uploaded by: McKitrick, James

Position: FAV



Larry Hogan, Governor  
Boyd Rutherford, Lt. Governor  
Jeannie Haddaway-Riccio, Secretary

March 31, 2021

The Honorable Paul G. Pinsky  
Chair, Education, Health and Environmental Affairs Committee  
2 West Miller Senate Office Building  
Annapolis, MD 21401

The Honorable Cheryl C. Kagan  
Vice Chair, Education, Health and Environmental Affairs Committee  
2 West Miller Senate Office Building  
Annapolis, MD 21401

***Re: Letter of Support – House Bill 92 – Procurement – Invasive Plant Species – Prohibition on Use of State Funds***

Dear Chair, Vice Chair and Committee Members,

The Maryland Department of Natural Resource supports House Bill 92 as amended. This bill prohibits the use of State funds to purchase or plant invasive plant species for an outdoor project.

Invasives are having a significant detrimental impact on natural habitats and native species throughout the world. In the U.S., approximately 45 percent of rare, threatened or endangered species are at risk due to invasive species. Human health and economies are also at risk from invasive species. The impacts of invasive species on our natural ecosystems and economy cost billions of dollars each year. Many of our commercial, agricultural, and recreational activities depend on healthy ecosystems supported by native plants and animals.

Native plants are those that occur naturally in a region in which they evolved. They are the ecological basis upon which life depends, capturing carbon, enriching the soil, filtering and managing water resources and supporting wildlife. Without native plants and the insects that co-evolved with them, native populations cannot survive. The World Conservation Union estimates that 12 percent of all bird species are threatened with extinction due to habitat loss and invasive species. Neotropical bird species, such as wrens, hawks and warblers, have declined nearly 50 percent since 1966. Native plants are essential to supporting populations of insects that are needed for the survival of bird nestlings. Research has shown, for example, that native oak trees support over 500 species of caterpillars whereas nonnative ginkgo trees, a commonly planted landscape tree from Asia, host only 5 species of caterpillars. When it takes over 6,000 caterpillars to raise one brood of chickadees, the loss of native plants results in a significant decline in chickadee populations.

DNR has prioritized the enhancement and restoration of native habitats on public lands by planting hundreds of acres of pollinator meadows, reducing lawns in park areas, planting tens of thousands of native trees and bushes, and removing invasive plant and animal species. The department is also educating visitors about the importance of incorporating native plants in their gardens and reducing their lawn areas to eliminate the need to use pesticides and to contribute to supporting Maryland's diverse natural plant and animal species.

For the above reasons, the department respectfully requests the committee to grant HB 92 a favorable report.

Respectfully submitted,

James W. McKitrick  
Director, Legislative and Constituent Services

# **HB92 - Invasive Plant Species-Prohibition on Use o**

Uploaded by: Tulkin, Josh

Position: FAV



7338 Baltimore Ave  
Suite 102  
College Park, MD 20740

**Committee: Education, Health, and Environmental Affairs**  
**Testimony on: HB92 – “Invasive Plant Species – Prohibition on Use of State Funds”**  
**Position: Support**  
**Hearing Date: March 31, 2021**

The Maryland Sierra Club submits this testimony in strong support of HB92, which prohibits the use of state funds to procure or plant invasive plants with a certain exception and minimal fiscal impact.

The exponential growth of invasive plant species in Maryland is a substantial and growing threat to our farms and natural places. The damage caused by invasive species in the United States, and the efforts to control them, are estimated to cost our country over \$138 billion annually. For example, English ivy and other invasives kill trees faster than forest stewards can control them, and are thus endangering our forests. The benefits of bringing invasive species under control include:

- a decrease in temperature extremes located in hotspots;
- increased carbon sequestration to mitigate climate change;
- decreased stormwater problem;
- expanded forest canopy; and
- increased biodiversity with more wildflowers such as spring beauty, native shrubs such as blackberry, and trees such as pawpaw.

Invasive plants from other areas of the world are harmful to our economy and environment because invasives have no natural competitors. They have characteristics such as copious amounts of seeds or runners that can allow them to eliminate nearly all other species in an area. Furthermore, they do not feed wildlife or pollinators vital to the health of our agricultural and recreational lands. Maryland trees are being strangled and overrun by invasive plants and vines destroying our climate-protecting tree canopy. With eight million acres of state land in Maryland, we cannot afford to have the negative effects of invasive plants multiplying geometrically.

Finally, when the public sees non-invasive plants at state-funded buildings, it highlights a good example in exercising stewardship over taxpayer money.

For these reasons, we strongly urge a favorable report on this bill.

Lily Fountain  
Chair, Natural Places Committee  
lily.fountain@mdsierra.org

Josh Tulkin  
Chapter Director  
josh.tulkin@mdsierra.org

Founded in 1892, the Sierra Club is America’s oldest and largest [national] grassroots environmental organization. The Maryland Chapter has over 75,000 members and supporters, and the Sierra Club nationwide has over 800,000 members and nearly four million supporters.

# **HB 92\_FWA\_MML IN SENATE.pdf**

Uploaded by: Fiore, Justin

Position: FWA



## Maryland Municipal League

*The Association of Maryland's Cities and Towns*

# TESTIMONY

March 31, 2021

**Committee:** Senate Education, Health and Environmental Affairs

**Bill:** HB 92 – Procurement – Invasive and Nonnative Plant Species – Prohibition on Use of State Funds

**Position:** Support as Amended

**Reason for Position:**

The Maryland Municipal League supports HB 92 as amended. As introduced, the bill would have prohibited State funds from being spent on invasive and nonnative plant species and required the Board of Public Works to both maintain a list of native plants and rule on potential exemptions.

MML is supportive of the bill's intent to promote the preservation of native habits and are hopeful that this legislation incentivizes local nurseries to include more native species. As drafted, the League was concerned about the exemption process for nonnative plants – specifically, that the Board of Public Works may not be as responsive as a State agency or have the necessary expertise to properly weigh those exemptions. However, this concern is resolved by the House amendments as the bill now only prohibits funding for invasive species.

For these reasons, the Maryland Municipal League respectfully requests a favorable committee report for HB 92 as amended.

**FOR MORE INFORMATION CONTACT:**

Scott A. Hancock	Executive Director
Angelica Bailey	Director, Government Relations
Bill Jorch	Director, Research & Policy Analysis
Justin Fiore	Manager, Government Relations

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