



Wes Moore, Governor
Aruna Miller, Lt. Governor
Josh Kurtz, Secretary
David Goshorn, Deputy Secretary

February 7, 2024

BILL NUMBER: House Bill 173 – First Reader

SHORT TITLE: State Buildings and State Highways-Collection of Yard Waste

DEPARTMENT’S POSITION: FAVORABLE WITH AMENDMENT

EXPLANATION OF DEPARTMENT’S POSITION

This legislation serves to improve the disposal methods of yard waste generated in the course of gardening, landscaping, and tree trimming activities occurring on the grounds of state facilities through the prohibition of single-use plastic containers for such purposes. The Department of Natural Resources supports the intent and implementation of this bill with a proposed amendment.

It is anticipated that this bill would have a minor impact on Departmental expenditures, as compostable yard waste bags are two to three times the cost of conventional plastic bags. The number of units cannot be projected as the extent of use by state employees and contractors for the purpose of disposing of organic plant waste derived from grounds keeping activities is unknown.

In general, it is believed that most DNR-managed sites do NOT routinely dispose of yard waste in single-use plastic containers, however contractors of the state may do so with greater frequency. This legislation may be difficult to enforce with contractors; although standard contract language can be included, monitoring for compliance may be difficult. It is anticipated that increased costs associated with the state’s contractors deploying alternative containers for yard waste disposal would be passed along to the state.

It is also anticipated that local governments leasing properties from the state and/or operating facilities that receive yard waste from state buildings and state highways may sustain some impacts from this bill. Small businesses providing contracted landscaping and gardening services to the state may sustain some fiscal and operational impacts, as the cost of compostable yard waste bags is higher than conventional plastic contractor bags. Vendors selling compostable yard waste bags and reusable containers may experience a positive impact from increased sales as a result of this bill.

As the bill defines “state building” broadly to include “an improvement of a public area used for gathering or amusement, including a state park, recreation center, or similar area,” it is the Department’s recommendation that, in order to reduce the spread of invasive species and listed noxious weeds, an amendment to this legislation be considered. Bagging removed plant material in black plastic is a method of containment and heat treatment used to prevent viable seeds and other

Contact: Dylan Behler, Director, Legislative and Constituent Services
dylan.behler@maryland.gov ♦ 410-260-8113 (office) ♦ 443-924-0891 (cell)

reproductive material from noxious and invasive plants from being conveyed off-site. To this end, the Department supports this legislation with the following amendment:

AMENDMENT NO. 1

On page 2, in line 26, after “(C)”, and on page 3, in line 1, after “(D)”, in each instance, strike “A” and in the same lines, in each instance, insert “EXCEPT FOR DISPOSAL OF NOXIOUS WEEDS DESIGNATED BY THE DEPARTMENT OF AGRICULTURE OR DISPOSAL OF INVASIVE SPECIES, A”.

BACKGROUND INFORMATION

Disposing of organic plant waste such as leaves, garden waste, lawn cuttings, weeds, and prunings in single-use plastic containers is generally poor practice in that plastic does not decompose at the same rate as yard waste and prevents effective composting of organic material.

BILL EXPLANATION

This bill would prohibit a person from disposing of yard waste collected on the grounds of a State building or State highway in a certain container; require a person to collect yard waste on the grounds of a State building or State highway in a certain container; and generally relates to the collection of yard waste on the grounds of State buildings and State highways.