



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

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February 18, 2025

**BILL NUMBER: Senate Bill – 932 – First Reader**

**SHORT TITLE: Pesticide and Pest Control - State-Owned Property - Pesticide Use Restrictions and Pollinator Habitat**

**DEPARTMENT’S POSITION: LETTER OF INFORMATION**

### **EXPLANATION OF DEPARTMENT’S POSITION**

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DNR appreciates the intent of the proposed legislation to bolster pollinator populations and protect their habitats on state-owned lands, as it aligns with the department’s ongoing efforts to restore natural ecosystems and provide opportunities for pollinators to flourish. However, several significant challenges are identified in the proposed language that could hinder its effectiveness and create significant operational and fiscal impacts.

As drafted, the proposed language regarding pesticides raises concerns about the practical and timely ability to address emerging invasive species issues on state-owned properties.

The Department would be happy to continue conversations with the sponsors and the Department of Agriculture toward a mutually agreeable resolution.

### **BACKGROUND INFORMATION**

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A primary concern revolves around the practical implementation of the bill. The requirement for individual pollinator plans for *each tract* of land, while well-intentioned, presents a significant logistical hurdle. The volume of work involved with plan development for each individual tract of DNR-owned property would strain resources and require additional Natural Resource Planner IIIs (Grade 16/Step 5 = \$65,657 annually) for each land managing unit and require several years to complete. It is noted that many of the bill's objectives are already addressed by existing Sustainable Forestry certifications, and many land units already have robust Best Management Practices (BMPs) or Integrated Management Plans (IMPs) in place, perhaps leading to some redundancy of effort. Finally, DNR already has in place a Pollinator Habitat Plan for the conservation of pollinators and pollinator habitat on DNR lands for the benefit of Maryland’s citizens ([https://dnr.maryland.gov/wildlife/documents/pollinatorhabitatplan\\_june2017.pdf](https://dnr.maryland.gov/wildlife/documents/pollinatorhabitatplan_june2017.pdf)).

Also noted are some ambiguities in the bill's language that could lead to operational challenges and unintended consequences. The definitions of "aesthetic pesticide" and "invasive species," for example, require further clarification. The current definition of "invasive species" excludes certain native species that can be highly invasive and damaging in specific contexts. Expanding the definition to read ‘non-native invasive species

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and native species exhibiting context-specific opportunistic behavior' would alleviate this concern. Similarly, the restriction on indoor pest control to areas "around or near the foundation of a building" is impractical for the diverse range of state-owned structures, including barns, storage facilities, and other outbuildings where more targeted efforts may be necessary. These definitional issues warrant careful attention to ensure the legislation achieves its intended goals.

Furthermore, the proposed restrictions on pesticide use, while aimed at protecting pollinators, could inadvertently harm them and other valuable species. The blanket 20% restriction on chemical applications within each tract, regardless of the specific ecological context, is overly rigid and could hamper effective management of invasive species and the preservation of valuable trees and successful establishment of early successional flowering plants. The broad prohibition on pesticides "known to be toxic to pollinators" also raises concerns, and the authority charged with making that determination is unclear. This could potentially ban nearly all pesticides, including those essential for controlling invasive species and protecting vulnerable ecosystems. A more nuanced approach, focusing on targeted restrictions and promoting integrated pest management strategies, would likely be more effective. Depending on the bill's implementation on state-owned properties leased out for agricultural operations, significant additional fiscal impacts may be sustained.

#### **BILL EXPLANATION**

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This bill restricts pesticide use on state property to specific pesticides and purposes. It mandates the Department of Agriculture to create a model pesticide and pollinator habitat management plan, which each managing unit of state government must adapt for their specific tracts of land.