

Preamble

WHEREAS, Phragmites is a tall reedlike grass of the genus Phragmites communis that has tall stems, creeping rhizomes, broad flat leaves, and a large, bushy panicle or seed head; and

WHEREAS, Phragmites, which is widely distributed in moist areas throughout most of North America, including the State of Maryland, has the capacity to overwhelm tidal marshes, nontidal marshes, wetlands, ditches, and other moist areas by completely displacing other species of plants; and

WHEREAS, The neighboring State of Delaware has a program to control phragmites; ~~and under which a landowner of 5 to 200 acres pays half of the cost, and the State pays the other half of the cost, of spraying the phragmites with the systemic herbicide "Rodeo"; and~~

~~WHEREAS, Rodeo has been shown in certain studies to be safe when used near wetlands and other bodies of water; and~~

WHEREAS, Phragmites has little beneficial value as a food source or otherwise as a plant, except as a buffer for shore erosion or as a habitat for wetland birds and mammals; and

WHEREAS, Even though eradication may be impossible logistically, the General Assembly finds that the State of Maryland should institute a program to control the spread of phragmites; now, therefore,

SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That Section(s) 9-501, 9-502, 9-503, and "Subtitle 5. Penalties and Fines", respectively, of Article - Natural Resources of the Annotated Code of Maryland be renumbered to be Section(s) 9-601, 9-602, 9-603, and "Subtitle 6. Penalties and Fines", respectively.

SECTION 2. AND BE IT FURTHER ENACTED, That the Laws of Maryland read as follows:

Article - Natural Resources

SUBTITLE 5. PHRAGMITES MANAGEMENT AND CONTROL

9-501.

THE GENERAL ASSEMBLY FINDS THAT THE GROWTH OF THE TALL, REEDLIKE GRASS PHRAGMITES COMMUNIS, COMMONLY KNOWN AS PHRAGMITES, MAY BE A PUBLIC AND COMMON NUISANCE ON LAND AND WETLANDS USED FOR WILDLIFE HABITAT AREAS.