

HB0062/243026/1

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL 62  
(First Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, after “**Management**” insert “**and Utility-Designated Pollinator Areas**”; strike beginning with “pollinator-friendly” in line 5 down through “companies” in line 7 and substitute “utility-designated pollinator areas maintained by a public service company”; in line 7, after “conditions;” insert “requiring certain public service companies to mow utility-designated pollinator areas in a certain manner;”; and in line 9, after “management” insert “and utility-designated pollinator areas”.

AMENDMENT NO. 2

On page 3, strike in their entirety lines 18 through 22, inclusive, and substitute:

**“(2) “INTEGRATED VEGETATION MANAGEMENT” MEANS:**

**(I) THE USE OF A SCIENTIFICALLY ESTABLISHED COMBINATION OF NONCHEMICAL METHODS FOR CREATING AND MAINTAINING A STABLE LOW-GROWING PLANT COMMUNITY, INCLUDING MANUAL, MECHANICAL, OR BIOLOGICAL MEANS OF REMOVAL OR SUPPRESSION OF ANY SPECIES THAT IS NOT COMPATIBLE WITH THAT PLANT COMMUNITY; AND**

**(II) WHEN THE METHODS UNDER ITEM (I) OF THIS PARAGRAPH HAVE BEEN EXHAUSTED OR HAVE BEEN SCIENTIFICALLY DEMONSTRATED TO BE INEFFECTIVE FOR POLLINATOR-FRIENDLY HABITATS, THE USE OF THE LEAST TOXIC CHEMICAL METHODS AVAILABLE USED IN A MANNER THAT MINIMIZES THE USE OF THESE CHEMICAL METHODS AND THE RISKS TO NATIVE POLLINATORS AND OTHER NATIVE WILDLIFE, NATIVE PLANTS, HUMAN HEALTH, AND THE ENVIRONMENT.**

**(3) “LOW-GROWING PLANT COMMUNITY” MEANS A COLLECTION OF PLANT SPECIES THAT TYPICALLY APPEAR GROWING TOGETHER ON LANDSCAPES WHERE TREES HAVE BEEN:**

**(I) REMOVED; OR**

**(II) PREVENTED FROM BECOMING ESTABLISHED DUE TO:**

**1. SOIL AND MOISTURE CONDITIONS;**

**2. NATURAL PHYSICAL DISTURBANCE;**

**3. ANIMAL HERBIVORY; OR**

**4. HUMAN ACTIVITY.”;**

in line 23, strike “**(3)**” and substitute “**(4)**”; in line 24, strike “**PIEDMONT REGION OR THE COASTAL PLAIN REGION OF THE**”; in the same line, after “**STATE**” insert “**:**”

**(I)**”;

strike beginning with “**U.S.**” in line 24 down through the second “**THE**” in line 25; and in line 26, after “**PROJECT**” insert “**;OR**”

**(II) IN THE MARYLAND PLANT ATLAS OR “VASCULAR PLANTS OF MARYLAND, USA: A COMPREHENSIVE ACCOUNT OF THE STATE’S BOTANICAL DIVERSITY”, AS REVISED”.**

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On pages 3 and 4, strike in their entirety the lines beginning with line 27 on page 3 through line 1 on page 4, inclusive.

On page 4, in line 6, after “**THAT**” insert “:

**1.**”;

in the same line, after “**FOR**” insert “**NATIVE**”; in line 7, after “**OTHER**” insert “**NATIVE**”; in the same line, strike “**BY PROVIDING**” and substitute “**AND NATIVE PLANTS THAT TOGETHER FORM AN INTERDEPENDENT NATURAL COMMUNITY; AND**

**2. PROVIDES**”;

strike in their entirety lines 10 through 22, inclusive, and substitute:

**1. EMPLOYING NO-MOW METHODS, SUCH AS HAND-CUTTING, PULLING PLANTS, AND BIOCONTROLS TO MINIMIZE DISTURBANCES TO HABITATS;**

**2. EMPLOYING ROTATIONAL MOWING CYCLES:**

**A. TO PROMOTE THE AVAILABILITY OF STANDING VEGETATION AND HABITAT; AND**

**B. UNDER WHICH NOT MORE THAN HALF OF A UTILITY-DESIGNATED POLLINATOR AREA IS MOWED DURING A SINGLE FALL AND WINTER SEASON;**

**3. USING INTEGRATED VEGETATION MANAGEMENT TO MAINTAIN LOW-GROWING PLANT COMMUNITIES BY CONTROLLING PLANT**

(Over)

SPECIES, SUCH AS TREES AND NONNATIVE INVASIVE PLANTS, IN A MANNER THAT REDUCES THE NEED TO MOW AND MINIMIZES THE RISK TO NATIVE POLLINATORS AND OTHER NATIVE WILDLIFE, NATIVE PLANTS, HUMAN HEALTH, AND THE ENVIRONMENT; AND

4. USING SCIENTIFICALLY ACCEPTED APPROACHES FOR THE PROTECTION OF THE STATE’S RARE, THREATENED, OR ENDANGERED PLANT AND WILDLIFE SPECIES.”;

and after line 32, insert:

“(9) “UTILITY-DESIGNATED POLLINATOR AREA” MEANS PROPERTY, INCLUDING ANY RIGHT-OF-WAY OR EASEMENT:

(I) THAT IS MAINTAINED BY A PUBLIC SERVICE COMPANY;

(II) FOR WHICH THE PUBLIC SERVICE COMPANY HAS EXCLUSIVE MAINTENANCE RIGHTS; AND

(III) THAT IS VOLUNTARILY IDENTIFIED BY THE PUBLIC SERVICE COMPANY AS AN AREA THAT WILL BE MAINTAINED WITH POLLINATOR-FRIENDLY VEGETATION MANAGEMENT TO SUPPORT POLLINATORS.”.

On page 5, in line 9, after “TO” insert “:

(I);

in lines 13 and 15, strike “(I)” and “(II)”, respectively, and substitute “1.” and “2.”, respectively; in line 15, after “SAFETY” insert “; OR

**(II) LIMIT OR RESTRICT MOWING OUTSIDE OF A UTILITY-DESIGNATED POLLINATOR AREA**”;

strike beginning with “ON” in line 17 down through “EASEMENT” in line 20 and substitute “, INCLUDING A LAND USE RESTRICTION, ON A UTILITY-DESIGNATED POLLINATOR AREA MAINTAINED BY A PUBLIC SERVICE COMPANY”; in line 20, strike “THE PUBLIC SERVICE COMPANY”; strike beginning with “HAS” in line 21 down through “AND” in line 22 and substitute “THE UTILITY-DESIGNATED POLLINATOR AREA IS SUBJECT TO A CANDIDATE CONSERVATION AGREEMENT BETWEEN THE U.S. FISH AND WILDLIFE SERVICE AND THE PUBLIC SERVICE COMPANY; OR”; in line 23, after “(2)” insert “THE PUBLIC SERVICE COMPANY”; in line 24, strike “POLLINATOR-FRIENDLY VEGETATION MANAGEMENT” and substitute “UTILITY-DESIGNATED POLLINATOR AREA BY PERFORMING OR OVERSEEING POLLINATOR-FRIENDLY VEGETATION MANAGEMENT IN ACCORDANCE WITH SUBSECTION (D) OF THIS SECTION”; and after line 24, insert:

**“(D) A PUBLIC SERVICE COMPANY THAT CHOOSES TO PERFORM OR OVERSEE POLLINATOR-FRIENDLY VEGETATION MANAGEMENT IN A UTILITY-DESIGNATED POLLINATOR AREA SHALL, AS PART OF ITS POLLINATOR-FRIENDLY VEGETATION MANAGEMENT, MOW THE UTILITY-DESIGNATED POLLINATOR AREA:**

**(1) ONLY FROM NOVEMBER 1 THROUGH MARCH 31, INCLUSIVE, AND NOT MORE THAN ONCE EVERY OTHER YEAR; OR**

**(2) ONLY FROM OCTOBER 1 THROUGH APRIL 30, INCLUSIVE, AND NOT MORE THAN ONCE EVERY OTHER YEAR IF THE UTILITY-DESIGNATED POLLINATOR AREA IS LOCATED IN THE APPALACHIAN PLATEAU PROVINCE OR THE RIDGE AND VALLEY PROVINCE AS DEFINED BY THE MARYLAND GEOLOGICAL SURVEY.**”.