

PRINCE GEORGE'S COUNTY COUNCIL

COMMITTEE REPORT

2024 Legislative Session

Reference No.:	CB-072-2024
Draft No.:	2
Committee:	COMMITTEE OF THE WHOLE
Date:	10/22/2024
Action:	FAVORABLE (A)

REPORT: Committee Vote: Favorable, as amended, 8-0 (In favor: Chair Ivey, Council Members Blegay, Dernoga, Fisher, Harrison, Olson, Oriadha, and Watson)

The County Council convened as the Committee of the Whole on September 24, 2024, to consider CB-072-2024. The Committee of the Whole also convened on October 22, 2024, to discuss CB-072-2024 (Proposed DR-2). The PHED Committee Director summarized the purpose of the legislation and informed the Committee of written comments received on referral. As presented on September 10, 2024, Draft-1 amends the Prince George's County Code to regulate invasive bamboo, prohibiting the sale, planting, or growth of invasive bamboo on a person's property.

The Budget and Policy Analysis Division provided a fiscal and policy note stating that the proposed legislation will likely have a modest adverse fiscal impact. The Department of Permitting, Inspections, and Enforcement (DPIE) will be required to inspect and cite violators through a complaint-driven system.

Enactment could have a favorable indirect impact on the County by reducing the threat to native plants and biodiversity, which can minimize ecosystem degradation and improve the quality of life for neighborhoods and communities.

Council Member Dernoga, the bill sponsor, explained that CB-072-2024 was intended to implement state law. In 2023, the Maryland General Assembly adopted legislation allowing the County to regulate bamboo. The legislation was supported by the Maryland Association of Counties (MACo), the Maryland Municipal League (MML), and the Sierra Club, among other organizations. The Administration would like to hold the bill to discuss a balanced approach to implementing the legislation, which the bill sponsor supported. The primary concern Council Member Dernoga heard was regarding removing bamboo or installing bamboo barriers. The property owner must dig a trench eighteen inches deep and install a thick, impenetrable barrier.

CB-072-2024 (DR-2) Report

Ms. Dinora Hernandez from the Office of Law explained that the proposed legislation is the authority given by the State of Maryland to the County. It is in proper legislative form and has no legal impediments to its enactment.

On behalf of the Administration, Ms. Sakinda Skinner, County Council Liaison with the County Executive's Office, requested more time to discuss the balanced approach to implementing the legislation so that DPIE can effectively enforce the enacted law. In addition, Ms. Skinner stated that DPIE has concerns with CB-072-2024 (DR-1). DPIE does not have the appropriate inspectors familiar with vegetation and overgrowth and has requested that the Prince George's County Department of the Environment or Soil Conservation be consulted when the definitions are revised. DPIE will need additional staff and resources to train inspectors and oversee abatement. DPIE may require contractors who specialize in eradicating this grass-like species.

Ms. Janet Gingold, on behalf of the Prince George's County Sierra Club, testified in support of the legislation. She requested that it be amended to provide higher fines for vendors and contractors who sell and plant invasive bamboo and lower penalties for homeowners trying to eradicate existing bamboo.

On a motion of Council Member Dernoga, seconded by Chair Ivey, the Committee of the Whole voted 7-0 to hold the bill.

On Tuesday, October 22, 2024, the Committee of the Whole convened to discuss CB-082-2024 (Proposed DR-2).

Ms. Reese Espy-Glassman, Legislative Officer, discussed amendments to the bill.

The amendments are as follows:

On page 2, line 4, add the words "Pleioblastus, Pseudosasa, and Bambusa."

Line 9 through 10, strike the words "grow on the property of the person" and insert any adjoining property."

Lines 17 through 18, strike the words "implement appropriate containment within three (3) months."

Line 18 insert "commence appropriate containment measures within six (6) months and shall complete the containment measures within twenty-four (24) months. Upon demonstration of appropriate containment measures or removal, the property owner may request a one-time six (6) month extension for completion."

CB-072-2024 (DR-2) Report

Council Member Dernoga, the bill sponsor, offered a few amendments that the Administration recommended.

The amendments are as follows.

On page 2, line 14, strike “Department of Permitting, Inspections and Enforcement” and insert the word “County.”

Line 16, strike "DPIE" and insert "County."

On page 3, line 6, strike “forty-five (45) calendar days after it becomes law” and insert “July 1st, 2025.”

On a motion of Council Member Dernoga, seconded by Council Member Watson, the Committee of the Whole voted 9-0 favorably on the amendments to the bill.

On a motion of Council Member Dernoga, seconded by Council Member Olson, the Prince George's County Council, sitting as the Committee of the Whole, voted 8-0 favorably on CB-072-2024 as amended.