

SENATE BILL 876

M1
SB 801/15 – EHE

6lr3539
CF HB 870

By: **Senator Serafini**

Introduced and read first time: February 5, 2016

Assigned to: Education, Health, and Environmental Affairs

Committee Report: Favorable

Senate action: Adopted

Read second time: March 15, 2016

CHAPTER _____

1 AN ACT concerning

2 **Natural Resources – Black Fly Management and Control – Washington County**

3 FOR the purpose of requiring the Department of Natural Resources to establish a program
4 to control the spread of black flies in the State; requiring that the program be
5 implemented initially on certain property in Washington County; authorizing the
6 Department, in conjunction with the University of Maryland's Department of
7 Entomology, to conduct the program in a certain manner; authorizing the
8 Department of Natural Resources to accept, use, or expend certain funding to
9 implement this Act; requiring the Department to adopt certain regulations; stating
10 a certain finding and the intent of the General Assembly; and generally relating to
11 the management and control of black flies in the State.

12 BY adding to

13 Article – Natural Resources

14 Section 8–2201 through 8–2205 to be under the new subtitle “Subtitle 22. Black Fly
15 Management and Control”

16 Annotated Code of Maryland

17 (2012 Replacement Volume and 2015 Supplement)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
19 That the Laws of Maryland read as follows:

20 **Article – Natural Resources**

21 **SUBTITLE 22. BLACK FLY MANAGEMENT AND CONTROL.**

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.



1 **8-2201.**

2 (A) THE GENERAL ASSEMBLY FINDS THAT THE PROLIFERATION OF
3 CERTAIN SPECIES OF THE GROUP SIMULIUM JENNINGSI, COMMONLY KNOWN AS
4 BLACK FLIES, ARE A PUBLIC AND COMMON NUISANCE ON LAND AND WATERS USED
5 FOR RECREATION, EMPLOYMENT, AND TOURISM.

6 (B) IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT THE
7 DEPARTMENT, IN CONJUNCTION WITH THE UNIVERSITY OF MARYLAND'S
8 DEPARTMENT OF ENTOMOLOGY, SIGNIFICANTLY REDUCE THE POPULATION OF
9 BLACK FLIES IN THE STATE.

10 **8-2202.**

11 THE DEPARTMENT SHALL IMPLEMENT A PROGRAM TO CONTROL THE SPREAD
12 OF BLACK FLIES IN THE STATE.

13 **8-2203.**

14 (A) THE PROGRAM SHALL BE IMPLEMENTED INITIALLY IN WASHINGTON
15 COUNTY ON:

16 (1) STATE-OWNED PROPERTY;

17 (2) PROPERTY OWNED BY A LOCAL GOVERNMENT WITH CONSENT OF
18 THE LOCAL GOVERNMENT; AND

19 (3) PRIVATE PROPERTY WITH CONSENT OF THE PROPERTY OWNER.

20 (B) THE DEPARTMENT, IN CONJUNCTION WITH THE UNIVERSITY OF
21 MARYLAND'S DEPARTMENT OF ENTOMOLOGY, MAY:

22 (1) TREAT THE PROPERTY WITH AN AERIAL SPRAYING OR BACKPACK
23 SPRAYING OF BACILLUS THURINGIENSIS ISRAELENESIS;

24 (2) CONDUCT FIELD STUDIES TO DETERMINE THE NEED FOR,
25 LOCATION, AND TIMING OF SPRAYING;

26 (3) SCHEDULE SPRAYING WHEN THE CONDITIONS ARE OPTIMAL FOR
27 INGESTION BY THE BLACK FLIES;

1 **(4) NOTIFY APPROPRIATE PERSONS OF THE DATE AND LOCATION OF**
2 **AN UPCOMING SPRAYING;**

3 **(5) REVIEW THE EFFECTIVENESS OF THE SPRAYING; AND**

4 **(6) CONDUCT BIOMONITORING OF AQUATIC MACROINVERTEBRATES**
5 **AND FISH IN SELECTED STREAMS TO ENSURE THERE IS NO IMPACT ON THE**
6 **ENVIRONMENT.**

7 **8-2204.**

8 **THE DEPARTMENT MAY ACCEPT, USE, OR EXPEND ANY AID, GIFT, OR GRANT**
9 **MADE AVAILABLE FROM ANY PRIVATE OR PUBLIC SOURCE TO IMPLEMENT THE**
10 **PROVISIONS OF THIS SUBTITLE.**

11 **8-2205.**

12 **THE DEPARTMENT SHALL ADOPT REGULATIONS TO IMPLEMENT THE**
13 **PROVISIONS OF THIS SUBTITLE.**

14 **SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect**
15 **October 1, 2016.**

Approved:

Governor.

President of the Senate.

Speaker of the House of Delegates.