

FOR the purpose of redefining certain terms; repealing a certain date for certain reports to the Governor; altering certain license and inspection fees for nursery stock; exempting Federal, State, and local public agencies from these fees; making stylistic changes; and generally relating to the control of plant pests.

BY repealing and reenacting, with amendments,

Article - Agriculture
Section 5-301, 5-303, and 5-309
Annotated Code of Maryland
(1974 Volume and 1984 Supplement)

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

Article - Agriculture

5-301.

(a) In this subtitle the following words have the meanings indicated.

(b) "Broker" means any person, who solicits, takes orders, sells or distributes nursery stock in the State other than a nurseryman or dealer.

(c) (1) "Dealer" means any person, except a nurseryman or broker, who buys, collects, or otherwise acquires wild plants or nursery stock for the purpose of selling, PLANTING or distributing them.

(2) "DEALER" DOES NOT INCLUDE A PERSON WHO ACQUIRES PLANTS FOR PERSONAL USE.

(d) "Nursery stock" means (1) [all trees, shrubs, and woody vines,] ANY HARDY PLANT OR PLANT THAT SURVIVES MARYLAND WINTERS, INCLUDING A DECIDUOUS OR-- EVERGREEN-- OR--HERBACEOUS TREE, SHRUB, AND OR WOODY VINE whether cultivated, native, or wild, and all viable parts of the [plants] PLANT; (2) [any other plant included by the Secretary, if he considers control of its movement necessary to control any dangerously injurious plant pest; and (3) woody plants, whether greenhouse or field grown, if for outside planting, except florists' or greenhouse plants for inside culture or use, unless the Secretary declares otherwise] ANY NONHARDY PLANT OR PLANT PART TO BE DISTRIBUTED IN ANOTHER STATE THAT REQUIRES PLANT INSPECTION AND CERTIFICATION BEFORE ENTERING THAT STATE; AND (3) ANY OTHER PLANT INCLUDED BY THE SECRETARY, IF REGULATING ITS MOVEMENT IS NECESSARY TO CONTROL ANY DANGEROUSLY INJURIOUS PLANT PEST.

(e) "Nursery" means any place where nursery stock is produced for sale or distribution.