

1 H.799

2 Representative Ralston of Middlebury moves that the bill be amended by  
3 striking out all after the enacting clause and inserting in lieu thereof the  
4 following:

5 Sec. 1. PURPOSE

6 In order to protect Vermont’s indigenous forest from exotic and damaging  
7 pests, the State seeks to regulate the importation of firewood which often  
8 contains invasive and destructive insects such as the emerald ash borer and the  
9 Asian longhorned beetle.

10 Sec. 2. 10 V.S.A. chapter 83, subchapter 8 is added to read:

11 Subchapter 8. Importation of Firewood

12 § 2681. IMPORTATION OF FIREWOOD; PROTECTION FROM  
13 INVASIVE PESTS

14 (a) Definitions. As used in this section:

15 (1) “Commissioner” means the Commissioner of Forests, Parks and  
16 Recreation.

17 (2) “Department” means the Department of Forests, Parks and  
18 Recreation.

19 (3) “Firewood” means untreated or treated wood processed for  
20 residential, recreational, or commercial use in any wood burning appliance or  
21 fireplace, either indoor or outdoor, which is cut to a length less than 48 inches,

1 either split or unsplit. “Firewood” shall not mean wood chips, wood pellets,  
2 pulpwood, log-length wood, or other wood sold or transported for  
3 manufacturing purposes.

4 (4) “Treated firewood” means wood that has been processed and heat  
5 treated in compliance with the APHIS heat treatment requirements of 7 C.F.R.  
6 § 305.8.

7 (5) “Untreated firewood” means wood that has not been heat treated in  
8 compliance with the APHIS heat treatment requirements of 7 C.F.R. § 305.8.

9 (b) Rulemaking. On or before July 1, 2015, the Commissioner, after  
10 consultation with the Secretary of Agriculture, Food and Markets, shall adopt  
11 rules regulating the importation of untreated firewood into the State. The rules  
12 shall address:

13 (1) whether certain types of untreated firewood should be prohibited  
14 from importation due to the potential to spread invasive species;

15 (2) whether a heat treatment certificate or some other approval shall be  
16 required to import firewood from one or more states;

17 (3) whether persons who produce or sell firewood in the State shall be  
18 required to track purchases of untreated firewood from out of State in order to  
19 allow for identification of sources of invasive species;

20 (4) whether the State should design and implement a voluntary  
21 certification for firewood heat treatment; and

1           (5) any other issue the Commissioner identifies as necessary for  
2           preventing the importation of invasive species into the State when importing  
3           firewood.

4           Sec. 3. EFFECTIVE DATE

5           This act shall take effect on July 1, 2014.