

1 H.539

2 Introduced by Representative Deen of Westminster

3 Referred to Committee on

4 Date:

5 Subject: Conservation and development; wildlife; pollinators

6 Statement of purpose of bill as introduced: This bill proposes to establish a
7 Pollinator Protection Committee to evaluate the causes of reduced pollinator
8 populations in the State and to recommend measures the State can adopt to
9 conserve and protect pollinator populations.

10 An act relating to establishment of a Pollinator Protection Committee

11 It is hereby enacted by the General Assembly of the State of Vermont:

12 ~~Sec. 1. POLLINATOR PROTECTION COMMITTEE; REPORT~~

13 ~~(a) Definition. As used in this section, “pollinator” means bees and other~~
14 ~~insects that pollinate flowers.~~

15 ~~(b) Creation. There is created a Pollinator Protection Committee to:~~

16 ~~(1) evaluate the causes of reduced pollinator populations in the~~

17 ~~State; and~~

18 ~~(2) recommend measures the State can adopt to conserve and protect~~

19 ~~pollinator populations.~~

1 ~~(c) Membership. The Pollinator Protection Committee shall be composed~~

2 of the following seven members:

3 (1) one member of the House of Representatives, who shall be appointed
4 by the Speaker of the House;

5 (2) one member of the Senate, who shall be appointed by the Committee
6 on Committees;

7 (3) the Secretary of Agriculture, Food and Markets or his or her
8 designee;

9 (4) a person representing greenhouse or nursery owners, appointed by
10 the Governor;

11 (5) a person representing an organization advocating the protection of
12 pollinators, appointed by the Committee on Committees;

13 (6) a person who is a beekeeper, appointed by the Speaker of the
14 House; and

15 (7) a person who is a university employee with expertise in the
16 protection of pollinators, appointed by the Governor.

17 (d) Powers and duties. The Pollinator Protection Committee shall:

18 (1) evaluate other state or international pesticide regulations that are
19 more protective of pollinator health than the pesticide regulations of Vermont
20 or the U.S. Environmental Protection Agency;

1 ~~(2) study available education and outreach plans from other states that~~
2 ~~have been successful in increasing public awareness of pollinator health issues;~~

3 ~~(3) evaluate the effectiveness of pesticide applicator licensing and other~~
4 ~~pesticide requirements in the State in protecting pollinator health;~~

5 ~~(4) evaluate best management practices for application of neonicotinoid~~
6 ~~pesticides in a manner that avoids harm to pollinators; and~~

7 ~~(5) identify possible sources of funds for use in the protection of~~
8 ~~pollinator health.~~

9 ~~(e) Assistance. The Pollinator Protection Committee shall have the~~
10 ~~administrative, technical, and legal assistance of the Agency of Agriculture,~~
11 ~~Food and Markets and the Agency of Natural Resources.~~

12 ~~(f) Report. On or before January 15, 2017, the Pollinator Protection~~
13 ~~Committee shall submit a written report to the House Committees on Fish,~~
14 ~~Wildlife and Water Resources and on Agriculture and Forest Products and the~~
15 ~~Senate Committees on Natural Resources and Energy and on Agriculture with~~
16 ~~its findings and any recommendations for legislative action.~~

17 ~~(g) Meetings.~~

18 ~~(1) The Secretary of Agriculture, Food and Markets shall call the first~~
19 ~~meeting of the Committee to occur on or before September 1, 2016.~~

20 ~~(2) The Committee shall select a chair from among its members at the~~
21 ~~first meeting.~~

1 ~~(3) A majority of the membership shall constitute a quorum.~~

2 ~~(4) The Committee shall cease to exist on February 15, 2017.~~

3 ~~(h) Reimbursement.~~

4 ~~(1) For attendance at meetings during adjournment of the General~~
5 ~~Assembly, legislative members of the Committee shall be entitled to per diem~~
6 ~~compensation and reimbursement of expenses pursuant to 2 V.S.A. § 406.~~

7 ~~(2) Other members of the Committee who are not employees of the State~~
8 ~~of Vermont and who are not otherwise compensated or reimbursed for their~~
9 ~~attendance shall be entitled to per diem compensation and reimbursement of~~
10 ~~expenses pursuant to 32 V.S.A. § 1010 to be paid by the Agency of~~
11 ~~Agriculture, Food and Markets.~~

12 Sec. 2. EFFECTIVE DATE

13 ~~This act shall take effect on passage.~~

Sec. 1. POLLINATOR PROTECTION COMMITTEE; REPORT

(a) Definition. As used in this section, "pollinator" means bees, birds, bats, and other insects or wildlife that pollinate flowering plants.

(b) Creation. There is created a Pollinator Protection Committee to:

(1) evaluate the causes and occurrences of reduced pollinator populations in the State; and

(2) recommend measures the State can adopt to conserve and protect pollinator populations.

(c) Membership. The Pollinator Protection Committee shall be composed of the following ten members:

(1) the Secretary of Agriculture, Food and Markets or designee;

(2) a person who is a beekeeper, appointed by the Governor;

(3) a dairy farmer, appointed by the Governor;

(4) a person representing a not-for-profit organization advocating the protection of pollinators, appointed by the Governor;

(5) a person who is a beekeeper, appointed by the Speaker of the House;

(6) a person who is a university employee with expertise in the protection of pollinators, appointed by the Speaker of the House;

(7) a tree fruit farmer, appointed by the Speaker of the House;

(8) a vegetable farmer, appointed by the Committee on Committees;

(9) a person licensed or certified to sell or apply pesticides, herbicides, or other economic poisons in the State, appointed by the Committee on Committees; and

(10) a person who owns or operates a greenhouse or plant nursery, appointed by the Committee on Committees.

(d) Powers and duties. The Pollinator Protection Committee shall:

(1) Evaluate the status in Vermont of the U.S. Department of Agriculture's five pillars of pollinator health. The five pillars of pollinator

health are: pollinator biology; nutrition and habitat; pathogens and pests; pesticide use; and genetics and breeding.

(2) Evaluate the effectiveness of pesticide applicator licensing and other pesticide requirements in the State in protecting pollinator health.

(3) Evaluate other state or international pesticide regulations that are more protective of pollinator health than the pesticide regulations of Vermont or the U.S. Environmental Protection Agency.

(4) Study available education and outreach plans from other states that have been successful in increasing public awareness of pollinator health issues.

(5) Evaluate best management practices for application of neonicotinoid pesticides in a manner that avoids harm to pollinators.

(6) Identify possible sources of funds for use in the protection of pollinator health.

(7) Consider the requirements in 2015 Acts and Resolves No. 64 (State Clean Water Act) regarding buffers along State waters and whether and how areas in buffers or other areas that require perennial vegetation should be encouraged for use as pollinator forage zones or pollinator growing areas.

(8) Develop a State pollinator protection plan using the framework and critical elements from the Association of American Pesticide Control Officials Pollinator Protection Plan guidance.

(e) Assistance. The Pollinator Protection Committee shall have the administrative, technical, and legal assistance of the Agency of Agriculture, Food and Markets. Upon request of the Committee, the Department of Health, the State Toxicologist, the Agency of Natural Resources, the Agency of Transportation, the University of Vermont Extension, or the Department of Forests, Parks and Recreation shall provide technical or professional services related to performance of the powers and duties of the Committee. The Committee may request input or assistance from other stakeholders or organizations that have an interest in pollinator health or the use and regulation of pesticides in the State.

(f) Report. On or before ~~January 15, 2017~~ December 15, 2016, the Pollinator Protection Committee shall submit a written report to the House Committees on Fish, Wildlife and Water Resources and on Agriculture and Forest Products and the Senate Committees on Natural Resources and Energy and on Agriculture with its findings and any recommendations for legislative action.

(g) Meetings.

(1) The Secretary of Agriculture, Food and Markets shall call the first meeting of the Committee to occur on or before September 1, 2016.

(2) The Committee shall select a chair from among its members at the first meeting.

(3) A majority of the membership shall constitute a quorum.

(4) The Committee shall cease to exist on February 15, 2017.

(h) Reimbursement. Members of the Pollinator Protection Committee shall not be entitled to compensation or reimbursement of expenses for participation in the Committee.

Sec. 2. EFFECTIVE DATE

This act shall take effect on passage.