

1 H.539

2 Representative Pearson of Burlington moves that the proposal of
3 amendment of the Committee on Agriculture and Forest Products be amended
4 by striking out Sec. 2 (effective date) in its entirety and inserting in lieu thereof
5 the following:

6 Sec. 2. 6 V.S.A. chapter 36 is added to read:

7 CHAPTER 36. SEEDS THAT ARE TREATED ARTICLES

8 § 675. DEFINITIONS

9 As used in this chapter:

10 (1) “Agency” means the Agency of Agriculture, Food and Markets.

11 (2) “Agricultural seed” means grass, forage, cereal, oil, fiber, and other
12 kinds of crop seeds commonly recognized as agricultural seeds; lawn seeds;
13 and combinations of crop seeds and lawn seeds.

14 (3) “Flower seed” means the seed of herbaceous plants grown for their
15 blooms, ornamental foliage, or other ornamental parts, and commonly known
16 and sold under the name of flower seed.

17 (4) “Pesticide” shall have the same meaning as “economic poison” as
18 used in subdivision 911(5) of this title.

19 (5) “Secretary” means the Secretary of Agriculture, Food and Markets
20 or designee.

1 (6) “Treated article” means a pesticide or class of pesticides exempt
2 under 40 C.F.R. § 152.25(a) from regulation under the Federal Insecticide,
3 Fungicide, and Rodenticide Act, 7 U.S.C. § 136-136y.

4 § 676. REGULATION BY SECRETARY; PURPOSE

5 The Secretary is authorized to regulate the sale, use, storage, treatment, and
6 disposal of agricultural seeds or flower seeds that are treated articles in order to
7 protect agricultural and natural resources in the State.

8 § 677. RULEMAKING; POWERS OF SECRETARY

9 The Secretary in furtherance of the purpose of this chapter may adopt by
10 rule requirements for:

11 (1) regulation and registration of the sale, application, use, storage,
12 treatment, and disposal of agricultural seeds or flower seeds that are treated
13 articles;

14 (2) the use, application, storage, treatment, and disposal of agricultural
15 seeds or flower seeds that are treated articles;

16 (3) examination, testing, and approval of any apparatus or equipment
17 used in dispensing, applying, storing, treating, or disposing of agricultural
18 seeds;

19 (4) recordkeeping or reporting by manufacturers, distributors, dealers,
20 and applicators of agricultural seeds or flower seeds that are treated articles.

1 § 678. ADMINISTRATIVE PENALTY

2 The Secretary may assess an administrative penalty of up to \$1,000.00,
3 consistent with section 15 of this title, for each violation of this chapter or the
4 rules adopted under this chapter.

5 Sec. 3. AGENCY OF AGRICULTURE, FOOD AND MARKETS; REPORT
6 ON REGISTRATION FEES FOR AGRICULTURAL SEEDS AND
7 FLOWER SEEDS THAT ARE TREATED ARTICLES

8 On or before January 15, 2017, the Secretary of Agriculture, Food and
9 Markets shall submit to the House Committees on Agriculture and Forest
10 Products and on Ways and Means and the Senate Committees on Agriculture
11 and on Finance a recommended fee for the registration required under 6 V.S.A.
12 chapter 36 for agricultural seeds and flower seeds that are treated articles. The
13 Secretary's recommendation shall include the proposed amount of the fee and
14 proposed exceptions to the fee.

15 Sec. 4. EFFECTIVE DATES

16 (a) This section and Sec. 1 (pollinator protection committee) shall take
17 effect on passage.

18 (b) Secs. 2 and 3 (agriculture seeds and flower seeds; treated articles) shall
19 take effect on July 1, 2016.