

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19

H.256

Introduced by Representatives Cina of Burlington, Browning of Arlington,
Chesnut-Tangerman of Middletown Springs, Colburn of
Burlington, and Kornheiser of Brattleboro

Referred to Committee on

Date:

Subject: Transportation; highways; conservation and development;
agriculture; invasive plant species; pesticides; economic poison

Statement of purpose of bill as introduced: This bill proposes to direct the
Agency of Transportation to refrain from using pesticides to prevent the spread
of invasive plants and the Agency of Agriculture, Food and Markets, upon a
showing of extraordinary need, to grant the Agency of Transportation a
pesticide right-of-way permit.

An act relating to invasive plant control in State highway rights-of-way

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

Sec. 1. 19 V.S.A. § 1 is amended to read:

§ 1. DEFINITIONS

As used in this title:

* * *

1 (26) “Invasive plant” means a terrestrial plant that is a pest under
2 6 V.S.A. § 1101 and shall include phragmites (Phragmites australis) and
3 poison parsnip (Pastinaca sativa).

4 Sec. 2. 19 V.S.A. § 10 is amended to read:

5 § 10. DUTIES

6 The Agency shall, except where otherwise specifically provided by law:

7 * * *

8 (18) Refrain from applying pesticides, which for purposes of this section
9 shall have the same definition as “economic poison” in 6 V.S.A. § 911, to
10 control the spread of invasive plants. In extraordinary circumstances, and upon
11 application and a showing that there are no viable alternatives by the Agency
12 of Transportation, the Agency of Agriculture, Food and Markets may grant the
13 Agency of Transportation a limited right-of-way permit to apply pesticides in
14 the State highway right-of-way.

15 Sec. 3. EFFECTIVE DATE

16 This act shall take effect on July 1, 2019.