

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Agriculture and Forestry to which was referred House
3 Bill No. 626 entitled “An act relating to the sale, use, or application of
4 neonicotinoid pesticides” respectfully reports that it has considered the same
5 and recommends that the bill be amended by striking out all after the enacting
6 clause and inserting in lieu thereof the following:

7 Sec. 1. 6 V.S.A. § 1105a is amended to read:

8 § 1105a. TREATED ARTICLES; POWERS OF SECRETARY; BEST
9 MANAGEMENT PRACTICES

10 (a) The Secretary of Agriculture, Food and Markets, upon the
11 recommendation of the Agricultural Innovation Board, ~~may~~ shall adopt by rule
12 all of the following:

13 (1) ~~best~~ Best management practices (BMPs), standards, procedures, and
14 requirements relating to the sale, use, storage, or disposal of treated articles the
15 use of which the Agricultural Innovation Board has determined will have a
16 hazardous or long-term deleterious effect on the environment, presents a likely
17 risk to human health, or is dangerous; In establishing the BMPs, the Secretary
18 of Agriculture, Food and Markets, after consultation with the Agricultural
19 Innovation Board, shall consider:

20 (A) establishment of threshold levels of pest pressure;

21 (B) availability of nontreated seeds;

1 (C) economic impact;

2 (D) human toxicity;

3 (E) surveillance and monitoring techniques;

4 (F) ways to reduce pest harborage and their impact on conservation

5 tillage practices; and

6 (G) criteria for a system of approval.

7 (2) The Secretary of Agriculture, Food and Markets shall monitor

8 managed pollinator health to establish pollinator health benchmarks for

9 Vermont, including:

10 (A) presence of pesticides in hives;

11 (B) mite pressure;

12 (C) disease pressure;

13 (D) mite control methods;

14 (E) genetic influence on survival;

15 (F) winter survival rate; and

16 (G) forage availability.

17 ~~(3) requirements~~ Requirements for the response to or corrective actions

18 for exigent circumstances or contamination from a treated article that presents

19 a threat to human health or the environment;

20 ~~(3)(4) requirements~~ Requirements for the examination or inspection of

21 treated articles the use of which the Agricultural Innovation Board has

1 determined will have a hazardous or long-term deleterious effect on the
2 environment, presents a likely risk to human health, or is dangerous;

3 ~~(4)(5) requirements~~ Requirements for persons selling treated articles to
4 keep or make available to the Secretary records of sale of treated articles, and
5 what treatments were received, the use of which the Agricultural Innovation
6 Board has determined will have a hazardous or long-term deleterious effect on
7 the environment, presents a likely risk to human health, or is dangerous; ~~or.~~

8 ~~(5)(6) requirements~~ Requirements for reporting of incidents resulting
9 from accidental contamination from or misuse of treated articles the use of
10 which the Agricultural Innovation Board has determined will have a hazardous
11 or long-term deleterious effect on the environment, presents a likely risk to
12 human health, or is dangerous.

13 (b) At least 30 days prior to prefiling a rule authorized under subsection (a)
14 of this section with the Interagency Committee on Administrative Rules under
15 3 V.S.A. § 837, the Secretary shall submit a copy of the draft rule to the Senate
16 Committee on Agriculture and the House Committee on Agriculture and
17 Forestry for review.

18 Sec. 2. AGENCY OF AGRICULTURE, FOOD AND MARKETS;

19 RESIDUALS MANAGEMENT POSITIONS

20 Two new permanent classified positions at the Agency of Agriculture, Food
21 and Markets are authorized in fiscal year 2023 for the purpose of staffing the

1 Agency's Residuals Management Program, supporting the Agricultural
2 Innovation Board, and enforcing and reviewing the use of treated article
3 pesticides in the State. The two positions shall be transferred and converted
4 from existing vacant positions in the Executive Branch. The two positions
5 shall be funded from the revenue raised from the registration of soil
6 amendments under 6 V.S.A. chapter 28 and the registration of dosage form
7 animal health products and feed supplements under 6 V.S.A. chapter 26

8 Sec. 3. EFFECTIVE DATE

9 This act shall take effect on July 1, 2022.

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12 (Committee vote: _____)

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Representative _____

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FOR THE COMMITTEE