

Good morning, Committee,

For the record, my name is Esme Cole, and I am a Representative from Hartford who served on the Committee on Agriculture, Food Resiliency, and Forestry during the deliberations, crafting, and eventual passage of Act 182.

The impetus for this policy is first conveyed in the extensive list of findings on the first three pages of the bill. Our committee collected testimony from a diverse set of witnesses, whose research and agricultural expertise illustrated the consequences of neonicotinoid use at current rates. As a committee, we were not comfortable with these consequences. Policy intervention would be necessary to prevent further colony loss, strengthen immunity from the parasitic varroa mite, and increase population diversity to support Vermont's ecological landscape and food system.

It would not have been realistic to us to assume that these goals could be achieved through optional suggestions for best management practices. This is why the committee was intentional in choosing the following language on page 11 of the bill as passed: AAFM **SHALL** adopt by **RULE** best management practices for the use in the State. Instead of shall, we could have said "should." Instead of rule, we could have said something to the tune of "suggestion." Doing the bill walk-through with legislative counsel there was no reason for our committee to flag this language because it appeared to be the strongest possible. I personally do not recall the Agency clarifying that

these BMPS would not be enforced despite our inclusion of the language, “shall.”

In the original version of the bill as introduced, the best management practices were going to be repealed when the prohibition of treated seeds began in 2029. As a committee, we made the policy choice to keep those BMPs in place for applicators who were granted exemptions and used neonicotinoids after the prohibition. If these practices were merely suggestions, it would have been hard to justify the importance of creating a new draft of the bill to keep them.

I hope that these points are helpful in conveying our legislative intent. Thank you for taking the time to consider my testimony.