

CONFIDENTIAL
LEGISLATIVE BILL REVIEW FORM: 2016

Bill Number: H.539 Name of Bill: Establishment of a pollinator protection committee

Agency/ Dept: Agriculture Author of Bill Review: Cary Giguere

Date of Bill Review: 4/20/2016 Related Bills and Key Players S.200

Status of Bill: (check one): ☐ Upon Introduction ☐ As passed by 1st body ☒ As passed by both

Recommended Position:

☒ Support ☐ Oppose ☐ Remain Neutral ☐ Support with modifications identified in #8 below

Analysis of Bill

1. **Summary of bill and issue it addresses.** Establishes a short term working committee in order to establish a pollinator protection plan in Vermont. Committee will conduct outreach and research with regard to pollinators in Vermont. Will follow current national guidance on plan development
2. **Is there a need for this bill?** Not really but it helps to elevate the conversation about protecting pollinators outside of the Agency of Agriculture
3. **What are likely to be the fiscal and programmatic implications of this bill for this Department?** The Agency of Agriculture may see a savings of staff time in the development of the plan as this was something the agency was already working on and having help from the committee will benefit the Agency.
4. **What might be the fiscal and programmatic implications of this bill for other departments in state government, and what is likely to be their perspective on it?** None. Bill does not include other Agencies or require any staff time .
5. **What might be the fiscal and programmatic implications of this bill for others, and what is likely to be their perspective on it?** Farmers may be impacted by recommendations made by the committee but not by the bill directly.

6. Other Stakeholders:

6.1 Who else is likely to support the proposal and why? Vermont Farm Bureau, Rural Vermont, Croplife America, Honey Bee health coalition. Etc. Bill had wide support over all. It provides a mechanism for the folks who have the largest potential to impact pollinators an opportunity to sit down with the folks keeping bees and discuss management strategy's that allow for coexistence.


6.2 Who else is likely to oppose the proposal and why? There was not significant opposition to the bill as passes the house and senate.

7. **Rationale for recommendation:** *Justify recommendation stated above.*

8. **Specific modifications that would be needed to recommend support of this bill:** *Not meant to rewrite bill, but rather, an opportunity to identify simple modifications that would change recommended position.*

9. **Will this bill create a new board or commission AND/OR add or remove appointees to an existing one? If so, which one and how many?** Yes, a new committee of 10.

Secretary/Commissioner has reviewed this document:



Date:

4/29/16

H.539

An act relating to establishment of a Pollinator Protection Committee

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

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 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.