

1 H.280

2 Introduced by Representative Durfee of Shaftsbury

3 Referred to Committee on

4 Date:

5 Subject: Agriculture; control of pesticides; right-of-way permit; notice of
6 application

7 Statement of purpose of bill as introduced: This bill proposes to allow any
8 person to request and receive electronically or through the mail the printed
9 statement of information that residents adjacent to the right of way receive
10 under the Vermont Regulations for the Control of Pesticides regarding the
11 proposed application of an herbicide.

12 An act relating to notice of application of herbicides under a right-of-way
13 permit

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

15 Sec. 1. 6 V.S.A. § 1104 is amended to read:

16 § 1104. POWERS OF SECRETARY

17 (a) The Secretary in furtherance of the purposes of this chapter may:

18 (1) Regulate and license the display, sale, application, use, storage,
19 treatment, and disposal of economic poisons and their waste products and
20 establish restrictions on the use, application, storage, treatment, and disposal of

1 economic poisons and their waste products ~~which~~ that are deemed toxic or
2 hazardous to humans, animals, or the natural environment.

3 * * *

4 (3) Adopt standards, procedures, and requirements relating to the
5 display, sale, use, application, treatment, storage, or disposal of economic
6 poisons or their waste products and limit the conditions under which the same
7 may be sold, used, treated, stored, or disposed of. The use of pesticides ~~which~~
8 that the Secretary finds to have a hazardous or long-term deleterious effect on
9 the environment shall be restricted, and permits shall be required for their use
10 in accordance with rules adopted by the Secretary. Specific uses of certain
11 pesticides deemed to present a likely risk to human health or be dangerous
12 shall be restricted by rule or by ordering the deletion of certain uses for
13 registered pesticides from the label on pesticide products to be marketed in the
14 State. Approved methods for the safe display, storage, and shipping of
15 poisonous pesticides shall be prescribed and enforced. Procedures for the
16 disposal of pesticides ~~which~~ that are illegal, obsolete, surplus, or in damaged
17 containers shall be adopted and enforced with the cooperation of the Agency of
18 Natural Resources.

19 * * *

20 (17) Make information reported to the Agency relative to the use of
21 pesticides available to the public via the Internet or in any other way deemed

1 appropriate, and may allow the required reporting of pesticide use data to be
2 submitted electronically.

3 (b) An applicant for a permit to apply an herbicide in a right-of-way shall
4 allow any Vermont resident to request and receive the printed statement of
5 information regarding application of the herbicide that residents adjacent to the
6 right of way are required to receive under the Vermont Regulations for the
7 Control of Pesticides. The permit applicant shall allow a request under this
8 subsection at any time through the applicant's website, electronic mail, or
9 postal mail.

10 Sec. 2. EFFECTIVE DATE

11 This act shall take effect on passage.