

1 H.610

2 Introduced by Representative Buxton of Tunbridge

3 Referred to Committee on

4 Date:

5 Subject: Agriculture; pest survey, detection, and management; sale of invasive
6 plant

7 Statement of purpose: This bill proposes to ban the propagation,
8 transplantation, importation, barter, or sale of Japanese barberry, common
9 barberry, Norway maple, Amur maple, winged euonymus, European naiad,
10 and yellow flag iris.

11 An act relating to the sale of invasive plants

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

13 Sec. 1. 6 V.S.A. § 1034 is amended to read:

14 § 1034. QUARANTINES

15 (a) Except as authorized under section 1035 of this title, beginning
16 January 1, 2013, no person shall propagate, transplant, import, barter, sell, or
17 offer for sale one or more of the following plant species, including their
18 cultivars, and varieties in the state of Vermont:

19 (1) Japanese barberry (*Berberis thunbergii*);

20 (2) Common barberry (*Berberis vulgaris*);

- 1 (3) Norway maple (*Acer platanoides*);
2 (4) Amur maple (*Acer ginnala*);
3 (5) Winged euonymus (*Euonymus alatus*);
4 (6) European naiad (*Najas minor*);
5 (7) Yellow flag iris (*Iris pseudacorus*); and
6 (8) A plant identified by the secretary by rule under subsection (b) of
7 this section.

8 (b) The secretary may establish and maintain quarantines and adopt other
9 orders and rules pursuant to 3 V.S.A. chapter 25 concerning the planting,
10 exposing, sale, importation, cultivation, and transportation of all plants and
11 plant products, including invasive species, and regulated articles capable of
12 carrying plant pests of an injurious nature in any living stage within the state.

13 Sec. 2. 6 V.S.A. § 1035 is amended to read:

14 § 1035. PERMITS

15 (a) No person may sell, offer for sale, barter, expose, move, transport,
16 deliver, ship, or offer for shipment into or within this state any plant pest or
17 biological control agent in any living stage without first obtaining either a
18 federal permit, where applicable, and a state permit from the secretary. A state
19 permit may only be issued after it has been determined by the secretary that the
20 plant pests or biological control agents are not injurious, are generally present
21 already, or are for scientific purposes subject to specified safeguards.

1 (b) The secretary may issue a permit for the propagation, transplantation, or
2 importation of a plant listed under subsection 1034(a) of this title if the plant
3 species is to be used for scientific or educational purposes. A permit issued
4 under this subsection shall include permit conditions to prevent the spread or
5 harmful effect of the permitted plant species.

6 Sec. 3. EFFECTIVE DATE

7 This act shall take effect on passage.