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SENATE BILL NO. 126

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the Senate Committee on Agriculture, Conservation and Natural Resources
on January 26, 2012)

(Patron Prior to Substitute—Senator Watkins)

A BILL to amend and reenact § 10.1-1114 of the Code of Virginia, relating to allowing the Department of Forestry to use methyl bromide gas fumigation.

Be it enacted by the General Assembly of Virginia:

1. That § 10.1-1114 of the Code of Virginia is amended and reenacted as follows:

§ 10.1-1114. Establishment of nurseries; distribution of seeds and seedlings.

A. The State Forester may establish and maintain a nursery or nurseries, for the propagation of forest tree seedlings, either upon one or more of the forest reservations of the Commonwealth, or upon such other land as he may and which he is empowered to acquire for that purpose. Seedlings from this nursery may be furnished to the Commonwealth without expense for use upon its state forests or other public grounds or parks. Seeds and seedlings may also be distributed to landowners and citizens of the Commonwealth pursuant to Department regulations.

B. *To the extent permitted by federal law and regulations, the preferred method of treatment shall be fumigation using methyl bromide in seedling plant beds prior to seeding.*

C. *The Commissioner of Agriculture and Consumer Services or his designee may issue an inspection certificate for intrastate and interstate shipments of conifer and hardwood seedlings to certify that they are apparently free of pests and diseases.*

SENATE SUBSTITUTE

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