

Senate Energy and Natural Resources Committee

Joshua Schauer 271-3077

HB 1086-FN, creating a committee to study neonicotinoid seed treatments.

Hearing Date: April 7, 2026

Time Opened: 9:07 a.m.

Time Closed: 10:06 a.m.

Members of the Committee Present: Senators Avard, Pearl, McConkey, Watters and Rosenwald

Members of the Committee Absent : None

Bill Analysis: This bill creates a committee to study neonicotinoid seed treatments.

Sponsors:

Rep. J. MacDonald

Rep. R. Brown

Rep. Crawford

Rep. Damon

Rep. Ebel

Rep. Maggiore

Rep. Peternel

Rep. Rung

Who supports the bill: 220 Individuals signed in Support of the legislation. Please contact Joshua.Schauer@gc.nh.gov for more information.

Who opposes the bill: 25 Individuals signed in Opposition of the legislation. Please contact Joshua.Schauer@gc.nh.gov for more information.

Summary of testimony presented:

Representative John MacDonald, Carroll 6

- Rep. MacDonald is the prime sponsor of the legislation. He stated that the legislation would establish a committee to study neonicotinoid seed treatments.
- He stated that other states including NY and VT have established a timeline for action in 2029. NH has the opportunity to align themselves with this timeline. He spoke about a study done by Quebec, Cornell, and Penn State that showed that neonicotinoid seed treatments are often not necessary to protect crop yields.
- The purpose of the legislation is not to redo the work that others have done. The purpose is to review and consolidate existing science, document what is going on in NH, look at outcomes in Fish and Game lands, and ensure that appropriate seed options are available.

- He explained that one way to make the study efficient is to make sure that it concludes within one year. They would also use already established peer review studies and already available NH data. He stated that this would avoid the need for multi-year field studies.
- The stated that they would like this study to be targeted, efficient, and time bound. This would ensure that they can come back with legislation next year with informed and balanced legislation.

Senator Watters asked if the committee would be able to expand the scope of the studies beyond Quebec, VT and NY.

Rep. MacDonald answered yes, they would not limit what they looked at to just those places.

Senator Pearl asked if it was necessary to create a formal committee to study those bans.

Rep. MacDonald stated that they crafted this bill and the next with the pesticide control board. Stated that they did have a sub committee that studied this issue. He explained they want to make sure they have complete information before any further action.

Representative Peter Bixby, Strafford 13

- Rep. Bixby was in support of the legislation because of the protection it provides to aquatic and soil health. He explained that the micro-organisms, fungi, and arthropods are all critical parts of soil health. He stated that farms benefit from healthy soil ecosystems.
- He explained that neonicotinoid pesticides kill arthropods indiscriminately and disrupt the soil ecosystems vital to farm productivity. He further explained that neonicotinoids disrupt the aquatic food chain by killing off small prey species that larger species consume.
- He explained that neonicotinoids kill zooplankton that are responsible for eating cyanobacteria. Without zooplankton consuming cyanobacteria, populations will explode creating toxic cyanobacteria blooms.
- He stated that its critical that they do something about neonicotinoids now to protect both soil and aquatic health. He stated that they choose not to commit to a full ban because of the effect it would have on farmers and the agricultural economy.

Mary Rose Scozzafava, Conservation Law Foundation

- Mr. Scozzafava was in support of the legislation because it would allow the legislature to study the devastating effects of noenicitinoid pesticides on the

environment.

- She explained that neonicotinoid coated corn, soy and wheat seeds are widely used in the agriculture industry. She stated that 90% of neonicotinoid pesticides applied to seeds are not taken up by the plant, and instead leach into the soil and contaminate the environment.
- She stated that studies conducted by Cornell, Quebec, and Ontario have shown that there is no economic benefit to neonicotinoid seed treatments. She stated NH farmers are using a product that not only does not help them but also damages the natural systems they rely on.
- She stated that after being informed by these studies NY, VT, and Quebec have banned the sale and use of neonicotinoid coated seeds. Since Quebec instituted the ban in 2019, farmers have had easy access to non-neonicotinoid seeds that often have lower prices compared neonicotinoid seeds. Farmers have not seen any impact on crop yields as a result of the ban.
- She stated there is enough evidence of environmental harm to NH to take further steps to on responsible regulation of neonicotinoid coated seeds. She stated that the proposed legislation would create a committee that examines relevant and scientifically sound information.

Rosemary Malfi, Xerces Society for Invertebrate Conservation

- Ms. Malfi was in support of the legislation because neonicotinoids provide little economic benefit to farmers while massively harming the environment.
- She stated that pollinators like bees and butterflies are harmed by neonicotinoid pesticides. She explained that very small quantities of neonicotinoid pesticides can poison these pollinators. She further explained that when neonic pesticides are applied yearly it causes a build up in the soil. Neonic built up in the soil can runoff into the water and be taken up by non-target species of plants, spreading the poison to unintended places.
- She stated that birds and fish rely on the aquatic insects that are being killed by neonic pesticides. She explained that water quality studies have shown the increased presence of neonic in bodies of water. The concentration of neonic in water has reached a level where insects can be poisoned by just being in the water. She stated that both the fishing and birdwatching industries are under threat by neonicotinoid contamination.

Carol Foss, NH Audubon

- Ms. Foss was in support of the legislation because of the risks that neonicotinoids pose to environmental and human health.
- She stated that by examining nearby jurisdictions that have implemented neonic bans NH would have the opportunity to act based on the experience of

others.

- She was concerned that the agriculture industry is forced to buy neonicotinoid coated seeds as there are often no alternatives for certain varieties. She was concerned that neonic coated seeds offer no benefit to farmers while also harming the environment.
- She stated that neonicotinoids are entering the human food chain and pose potential health risks.

Chuck Souther, Apple Hill Farm

- Mr. Souther was opposed to the legislation. He was concerned that the study committee would be formed without critical stakeholders being involved.
- He was concerned that researchers from UNH and the Pesticide Control Board would not be on the study committee. He explained that they need to look at the effects neonics have specifically on NH rather than studying the effects on other places inside and out of the country. He also stated concerns about the efficiency of the study committee and worried it would take too long.

Senator Rosenwald stated that UNH recently had their budget cut. She asked if he believed UNH had the capacity to do these kinds of studies.

Chuck Souther stated he was aware of the budget cuts. He suggests that she contacts Dean Davis at COLSA and UNH Extension. He stated that they are more than excited to help NH farmers with their expertise.

Robert Johnson, NH Farm Bureau

- Mr. Johnson was opposed to the legislation because it would predetermine a ban by limiting the scope of the study to areas where bans have already been implemented. He was concerned that the study committee would not look at areas where bans have been rejected.
- He stated that the committee would not include NH farmers or crop experts who could provide valuable information on NH specific issues.
- He stated that neonicotinoid pesticides are valuable to farmers and are an essential tool for integrated pest management. He stated that neonicotinoids have low mammalian toxicity making it safer for humans than other alternatives.
- He believed that the pesticide control board should make a decision on this rather than the legislature.

Senator Watters asked Mr. Johnson if the legislation were to include a review of legislatures that have rejected a ban, would that be more acceptable.

Robert Johnson stated that he would still want to see the inclusion of the experts that he listed previously. He stated that the pesticide control board is already doing this in some capacity.

Senator Watters asked if was they understood that specifying what they could review would not exclude the committee from talking with the experts he mentioned.

Robert Johnson confirmed that he understood they would not be excluded but stated that the committee was not directed to speak with them.

Senator Avard asked if he was saying that the study could be skewed in a negative way for the needs of NH.

Robert Johnson answered correct.

Andrea LaMoreaux, NH Lakes Association

- Ms. LaMoreaux was in support of the legislation. She stated that they were concerned with the connection between neonicotinoid pesticides and cyanobacteria blooms.

Senator Avard asked if she had any comments on the potential bias of the study committee.

Andrea LaMoreaux responded that she would leave it others in the room to decide how the study should be formed.

Melody Lynn

- Ms. Lynn was in support of the legislation. She is a resident of Arlington Pond and she was concerned about the correlation between neonicotinoids and cyanobacteria blooms. She stated that Arlington Pond is one of the many ponds and lake in NH that has experienced a spike in cyanobacteria blooms.
- She was worried about the water-soluble nature of neonicotinoids. She stated that neonicotinoids have been found in wells and waterways across the nation. She referenced a statistic that said only 5% of the active ingredient of neonicotinoid coated seeds is actually taken up by the plant. The other 95% enters the soil and eventually the water.
- She stated that neonicotinoid contamination happens outside of her neighborhood and by extension outside of her control. She stated they need regulatory guardrails that can limit the use of neonicotinoids to protect all

bodies of water in NH.

- She stated she was concerned about the health of children that live around the lakes. She went on to say that neonicotinoids kill invertebrates that keep cyanobacteria blooms in check.

Nisa Marks, Sweet View Farm

- Ms. Marks was in support of the legislation because a study committee would allow the legislator to make more informed decisions about neonicotinoids. She stated that the environmental impacts are well researched and understood.
- She stated that the market has been changing in response to bans established in NY, VT, CT, NJ and Quebec. She went on to say that establishing a study committee that is targeted at understanding the dynamic regional market and its meaning for seed availability and on-the-ground practicalities is an important step in creating the right regulatory approach for neonicotinoids in New Hampshire.
- From an agricultural perspective, there is a growing body of science, including from the USDA, that shows no measurable impact or inconsistent impact to many crop yields when sprayed or treated when planted. However it is harming the pollinators and without those pollinators, it leads to the alternative, hand pollination which is extremely labor intensive and expensive.
- She said Neonicotinoids are not only harming pollinators but also harming beneficial insects that are the natural predators to aphids that destroy New Hampshire crops. The aphids are growing resistant to the neonicotinoids.
- She claimed that one seed treated with a neonicotinoids can kill up to 80,000 bees or one bird. She also added that less than one half of a percent actually ends up in the crops themselves.

Senator Watters asked if she supports requiring the commissioner to speak with New Hampshire farmers as part of his duties.

Ms. Marks said she never oppose stakeholder engagement.

Senator Watters said that the Department of Fish and Game has confirmed a 30–70% decline in bird populations across species, and asked whether she has observed a similar decrease.

Ms. Marks said absolutely, adding that each spring seems a little quieter, which she finds saddening. She noted that some species have been documented to be in decline and are consuming these products.

Senator Pearl asked whether she operates a produce farm and if she uses neonicotinoids on her farm

Ms. Marks said that she does have a small produce farm and confirmed that she does not use neonicotinoids.

Senator Pearl asked her to describe how her farm operates and to explain her pest control practices.

Ms. Marks said she relies on organic methods, noting that careful observation allows problems to be caught early and addressed more easily. She added that there are organic sprays available for common pests.

Senator Pearl asked whether she was aware of concerns about the effects of organic pesticides on animals and insects.

Ms. Marks said that any intervention can have an impact, but that neonicotinoids are well documented as being among the more ecologically toxic options on the market.

Senator Pearl then asked whether she would agree that the use of neonicotinoids has, in many cases, reduced the need for pyrethroids typically used in foliar applications.

Ms. Marks said she was not familiar with New Hampshire-specific data on that point and suggested that a study committee could examine it further.

Sarah Wrocklidge, Tecce Farm

- She said she agrees with Chuck, the other speaker, and believes the committee should consult with UNH, as they are the experts and can also coordinate with the Pesticide Control Board.
- She noted that some growers do not have the option to obtain untreated seed. In fields affected by seed corn maggot, they will see significant crop loss and the growing season is so short that they cannot risk replanting if a crop fails.
- She added that comparisons to other regions are not necessarily applicable to New Hampshire. In addition to neonicotinoid treatments, growers use a variety of sprays when needed.
- She pointed out that the Durham area and her farm remain one of the better birdwatching locations and has a significant butterfly presence. Overall, she emphasized that pesticides are one of several tools available to growers.

Senator Avard asked how they irrigate their crops.

Ms. Wrocklidge explained that in greenhouses they use hoses, while in the fields they rely on drip lines and their corn is not irrigated.

Senator Avard asked where they source their water.

Ms. Wrocklidge said they have water rights to their local river.

Senator Avard asked what they find in the water supply and if there are any contaminants.

Ms. Wrocklidge said they do not test for neonicotinoids, only for basic water quality measures.

Senator Rosenwald noted that different parcels can have varying soil conditions and asked whether that would also be true in other states, where individual farms might experience similar variation.

Ms. Wrocklidge agreed, but emphasized that the differences in New Hampshire are distinct. She explained that insect populations vary, and that broader factors like jet stream patterns play a huge part in the impact from insects and when farmers spray.

Cynthia Walter, retired Biologist

- She said she appreciated hearing farmers talk about the difficulties they face in making ends meet.
- She said one benefit of the study is that it would help farmers by giving them a chance to participate in the process and better understand regulations and seed coatings.
- She noted that the bill did not address certain aspects. She said it is important to understand how seed varieties are involved, adding that some seeds already come with coatings.
- She explained that, through the study, they could engage with manufacturers directly and it is important to bring all stakeholders together.
- She added that this would support integrated pest management (IPM) and help reduce unnecessary expenses and exposures. She said it would also provide an opportunity to monitor farms in New Hampshire.

Fawn Gaudet,

- Ms. Gaudet emphasized environmental concerns, describing significant declines in insect and pollinator populations and said it there is a broad ecological crisis affecting biodiversity. She said that this a dangerous time of change and this is a mass extinction.
- She raised concerns about pesticide impacts, claiming that treated seeds and related chemicals may harm bees and other wildlife, and referenced potential severe effects on pollinators and birds.
- She supported the proposed study, arguing it would allow farmers and stakeholders to better understand regulations, seed coatings, and pesticide use,

while also improving the communication with manufacturers and agencies.

- She highlighted agricultural challenges in New Hampshire, including irrigation practices, limited access to untreated seed, short growing seasons, and the need to balance pest management with reducing unnecessary costs and exposures.

David Trumble, Weare

- Mr. Trumble argued that neonicotinoids have increased environmental harm since their introduction, claiming they represent a harmful direction for modern agriculture and make farming more dangerous.
- He emphasized the importance of insects within the broader ecosystem and called for evaluating agricultural practices at an ecosystem level.
- He cited major ecological decline figures and provided a copy to the committee, including an “83% reduction” in zooplankton and fish populations, and echoed the claim that a single kernel of treated corn can harm large numbers of bees, negatively affecting pollinators and the honey industry.
- He stated that neonicotinoids harm beneficial insects that naturally control pests and supported the legislation to conduct a study with the added involvement from UNH to better understand impacts and learn from related environmental issues.

Representative Jonah Wheeler, Hillsborough 33

- Representative Wheeler spoke in support of the legislation, but added that he was the only member of the House committee to vote against it in its current form because he preferred the original language.
- He stated that the pesticides in question are “10 times more harmful than DDT” and argued that if the Legislature is not prepared to act directly, a legislative study committee is the appropriate next step.
- He said that a committee amendment is an appropriate way forward however he expressed concern that study committees are restricted to legislators and can be difficult to fully staff or sustain. He suggested that not all stakeholders such as UNH may have the capacity to participate consistently, however their inclusion in the process is still just as important.
- He recommended maintaining the proposal as a legislative study committee rather than a commission, emphasizing that the issue is urgent and requires timely attention.