

Senate Energy and Natural Resources Committee

Joshua Schauer 271-3077

HB 1431-FN, restricting the use of neonicotinoid pesticides.

Hearing Date: April 7, 2026

Time Opened: 10:08 a.m.

Time Closed: 11:10 a.m.

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

Members of the Committee Absent : Senators Avard and Watters

Bill Analysis: This bill restricts the use of neonicotinoid pesticides and requires the pesticide control board to develop rules about the proper application of neonicotinoid pesticides.

Sponsors:

Rep. J. MacDonald

Rep. Crawford

Rep. Damon

Rep. Maggiore

Rep. Peternel

Rep. Rung

Who supports the bill: 217 Individuals signed in Support of the legislation. Please contact Joshua.Schauer@gc.nh.gov for more information.

Who opposes the bill: 33 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

- He said that neonicotinoids have lasting impacts on pollinators and birds, as well as on the health of New Hampshire's lakes, rivers, and streams. The bill comes before the committee after years of work.
- After filing these bills, he met with Commissioner Jasper and the control board to collaborate on the issue. He emphasized that it is important to work with stakeholders and agencies, not against them.
- New Hampshire has been examining this problem for over a decade and is now moving toward implementation.
- He said he worked with the subcommittee of the pesticide board and the agriculture board to get the language that is currently in the bill.

- The bill is straightforward; it restricts use of the products on turf and ensure that the products are only used by hired trained applicators. It provides clarity. It does not expand government or have a fiscal impact, it keeps authority with the pesticide control board

Senator Rosenwald said it was her understanding that, in 2022, the EPA found that these chemicals were responsible for harming over 1,000 endangered species and destroying their habitats, is that correct.

Representative MacDonald responded that it was a reasonable assumption and noted that a study conducted by the agricultural committee also provided relevant information. He added that the main concern is that something needs to be done, and that the Pesticide Control Board is not taking action.

Representative Bixby, Strafford 13

- He spoke about the amendment that was added and said that unlike seed treatments, neonicotinoids are regulated by the EPA and classified as general-use pesticides in New Hampshire, meaning anyone can apply them.
- He said it is clear these chemicals are environmentally harmful, and that it is important only licensed applicators be allowed to use them. The bill makes those concerns explicit and directs the board to consider them. While it does not impose an outright requirement, it establishes clear expectations.
- He added that the board “shall” meet certain deadlines and notify apiaries when spraying occurs. The House committee recognized that, while organophosphates are more acutely toxic, neonicotinoids are systemic and pose different long-term risks which is why this bill was brought forward with an amendment.
- He also noted that the “restricted-use classification” would still allow for application to plant roots under appropriate management practices.

Representative Jonah Wheeler,

- He spoke in support of the legislation. He said that Representative MacDonald did a good job working with stakeholders and the Subcommunities to bring the bill together.
- He said the measure helps protect the environment and supports the balance of the ecosystem. He emphasized that we should not move backward in technology but instead move forward in a way that also protects the planet.
- He highlighted that small insects and bugs play a crucial role in the ecosystem and are placed in significant danger by neonicotinoids. He said the State should do everything they can to protect these important species.

Rosemary Malfi, Xerces Society for Invertebrate Conservation

- She expressed support for the legislation, stating that pollinators and other beneficial insects are in decline, with roughly 40% of species in New Hampshire either endangered or extinct.
- She pointed to the “windshield effect”, which is the noticeable decrease in insects hitting car windshields compared to the past, as evidence of this decline. She also noted that a single nanogram of these pesticides can kill one adult honeybee.
- She advocated for limiting neonicotinoid application to trained and licensed applicators only, emphasizing that pesticide labels are complex and not the most simple for the average person.
- She added that the EPA has been “kicking the can down the road,” and that a turf ban is a sensible step in the right direction. New Hampshire would be joining about a dozen other states that have already restricted these pesticides if this bill passed.

Tonya Albee,

- She spoke in support of the bill and explained the background of its introduction, noting that she worked closely with Representative MacDonald and the stakeholders to get this bill off the ground.
- She described the bill as straightforward, with no fiscal impact. She added that they would like to amend the language from “may” to “shall,” emphasizing that this change is not new to stakeholders and would help ensure a proper follow-through at the PCB.

Carol Foss, NH Audubon

- She spoke in support of the legislation and provided testimony emphasizing the importance of acting in a timely manner. She stressed that delays in addressing these issues could prolong harm to pollinators and the broader ecosystem, and that moving forward now is both necessary and appropriate.

Denise Dalaker, Native plant grower

- She spoke in support of the bill, emphasizing that ecosystems can recover when pesticide use is reduced. She noted that neonicotinoids are among the most widely used and most potent pesticides. Because they are systemic, they move throughout the plant and affect the nervous systems of insects.
- She explained that pollinators, particularly bees, are especially vulnerable. Exposure can reduce food consumption and disrupt development, contributing to a steady decline in bee populations and colonies, approaching what she described as a potential systemic collapse. She stressed that without pollinators, ecosystems themselves are at risk of collapse.

- She noted that New Hampshire has relied on the Pesticide Control Board to address these concerns, but to date, no meaningful action has been taken. Without clear legislative direction, she said, it is unclear when or how action will occur.
- She added that the bill would allow New Hampshire to move forward deliberately and build on existing solutions that reduce the need for chemical inputs. She pointed out that demand for these alternative approaches is already increasing and that the legislation aligns with policies that have been successfully implemented elsewhere.

Chuck Southern, Apple Hill Farm

- He spoke in opposition to the bill, noting that the Pesticide Control Board had already moved forward in March to remove these products from store shelves, an action he supports.
- His primary concern is that the board already has the authority to act and has demonstrated that it can do so, making additional legislation unnecessary.
- He referenced a project called “Live Free and Pollinate,” in which participants collected and documented wild pollinators. He noted that approximately 15,000 pollinators were recorded, including over 100 species on his farm alone. Based on his observations, he said he continues to see a wide variety of species on his land.
- He also stated that neonicotinoids are considered safe for mammals, which is important for human health. When evaluating pesticides, he said his top priority is ensuring they are safe for people.
- He emphasized that growers are committed to using pesticides responsibly and seek products that are both safe and effective. In his view, the bill is not necessary.

Nisa Marks, Sweet View Farm

- Ms. Marks claimed that the bill has the potential to significantly benefit pollinators, though she said it could still be improved. She noted that there are two agricultural uses that may still present risks of exposure, including greenhouse applications where neonicotinoids can be used and spraying over fruit orchards.
- She also referenced concerns about exposure through propagated plants, adding that studies have detected neonicotinoid residues in pregnant women. This is linked to birth defects in the heart and the brain.
- She acknowledged that the bill is already a compromise, reflecting a range of diverse and competing concerns. Despite its limitations, she expressed support for it as a balanced and workable compromise.

Sarah Wrocklage, Tecce Farm

- She spoke in opposition to the bill, arguing that the department and the Pesticide Control Board should retain authority over these decisions. She said they have consistently demonstrated expertise and rely on science-based studies, and that this authority should be preserved rather than shifted to the legislature.
- She did however express concern that these products are available on the shelves of home improvement stores, while farmers are required to be knowledgeable and trained in the use of neonicotinoid pesticide. She said that anyone can purchase them without similar requirements and it is worrisome.
- She also stated that her farm maintains between 15 and 20 Honeybee hives at any one time and their beekeeper has said there is no sign of any poisoning in any of their hives. However she added that wild bees are more resilient and effective pollinators than domesticated honeybees and want them to stay around.

Caelin Graber, Greenville

- She spoke in support of the bill and noted that the committee is likely to hear many similar bills in the future. She encouraged members to take the issue seriously and consider the broader implications.
- She referenced a book she had brought to share with the committee, which discusses pesticide use and its associated dangers. She said her warning at the time did not have the intended impact.
- She also noted that there has been an increase in pests, including mosquitoes and others, and said this reflects broader ecological imbalance.
- She emphasized that a response to the biodiversity crisis is necessary, describing it as a problem decades in the making. She concluded by providing copies of the Silent Spring for committee members to review.

Cynthia Walter,

- She provided testimony in support of the bill. She shared that she has encouraged her students to visit farms and other agricultural sites to better understand these issues firsthand.
- She noted that a statewide standard could benefit New Hampshire growers by creating consistency, especially compared to states with mixed rules regarding landscape plants. She added that New Hampshire growers could gain a competitive advantage under a clear, uniform approach.
- She also emphasized that visitors should be able to enjoy lakes and parks in a safe environment, free from concerns about contamination, including potential drift or runoff. She raised concerns about water safety, noting that some people choose bottled water over well water due to perceived risks.

- She acknowledged the potential economic burden on farmers but said she is encouraged to see the Pesticide Control Board begin to take action, while also emphasizing that stronger regulation is still needed.
- She concluded by stressing the importance of ensuring neighbor safety and said the legislature has a role in providing momentum and direction for the control board.

Fawn Gaudet, Black foot Nation

She spoke in support of the bill, noting that it would help protect biodiversity. She pointed to the availability of organic seeds as environmentally beneficial alternatives.

She referenced a policy study from Washington, D.C., and raised concerns about potential health impacts, including hormone-dependent breast cancer and neurological effects associated with pesticide exposure.

She described the bill as a good first step toward protecting public health and the environment and emphasized the importance of promoting chemical-free alternatives.

David Trumble, Weare

- He spoke in support of the bill, stating that it represents a step in the right direction. He emphasized that there should be clear rules in place to ensure proper regulation.
- He suggested adding language to the bill that makes it explicit that action is expected, and that it would help ensure the Pesticide Control Board takes meaningful steps to address the issue.
- He added that clear statutory direction would provide accountability and ensure the intent of the legislation is implemented consistently, rather than left open to interpretation or delay.

Bruce Sprig, Connecticut river valley farmer

- He noted that they do use pesticides, and expressed concern about the use of neonicotinoids. He explained that these products can replace four to seven spray applications, but their long half-life means they remain in the environment long enough to be beyond the reach of pollinators.
- He said he is not opposed to pesticides in general, but raised questions about claims that neonicotinoids are more harmful than DDT, noting uncertainty about how those comparisons are made and whether neonicotinoids have the same long-lasting impacts.
- He expressed concern about the legislative process, arguing that a legislative committee risks politicizing the issue and that decision-making should remain with the Pesticide Control Board.
- He added that the state legislature, in his view, is the last place he would turn for guidance on how to grow strawberries.

Angela Brennan, AB Strategies Household products assoc.

- She spoke in opposition to the bill, noting that it represents a departure from policies adopted in other states.
- She said many households rely on these pesticides to protect their homes and expressed concern that the bill would reduce access to cost-effective and affordable pest management tools.
- She added that testimony has sometimes treated neonicotinoids as a single, uniform category, when in fact they encompass a broad range of products. She explained that consumers often purchase products containing only small percentages of neonicotinoids, which are different from the formulations used in agricultural settings.
- She suggested that the committee consider educational materials to help Granite Staters better understand these products and their effects.
- Senator Rosenwald asked whether her organization had opposed a 2017 decision by the Fish and Game agency to prohibit pesticide use on lands they control. She responded that she was unsure whether the organization was active in the state at that time.
- She concluded by stating that they support bills grounded in science, and in her view, this legislation does not meet that standard, while remaining open to further discussion and concerns from the committee.

Robert Johnson, NH Farm Bureau

- He spoke in opposition to the bill, stating that its passage would set a concerning precedent by allowing the legislature to overstep and bypass the authority of the Pesticide Control Board.
- He noted that, regarding lines 19–21 on restricted use, he does not necessarily oppose the concept but believes it should remain under the review of the board.
- He added that provisions referenced on page 2 are unnecessary because the board already has the authority to address those matters.
- He also expressed concern about the notification requirements, saying the language does not align with integrated pest management principles, which he believes should be universally promoted.