

SENATE No. 333

The Commonwealth of Massachusetts

PRESENTED BY:

Stephen M. Brewer

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to the powers of the Department of Agricultural Resources..

PETITION OF:

NAME:

Stephen M. Brewer

DISTRICT/ADDRESS:

*Worcester, Hampden, Hampshire and
Middlesex*

SENATE No. 333

By Mr. Brewer, petition (accompanied by bill, Senate, No. 333) of Brewer for legislation relative to the powers of the department of agricultural resources [Joint Committee on Environment, Natural Resources and Agriculture].

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 380 OF 2009-2010.]

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act relative to the powers of the Department of Agricultural Resources..

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 2 of Chapter 128 of the General Laws, as appearing in the 2006
2 Official Edition, is hereby amended by adding, after subsection (j), the following new
3 subsection:-

4 (k) maintain exclusive authority to regulate and enforce the registration and application of
5 plant nutrients put on or in soil to improve the quality or quantity of plant growth, including but
6 not limited to fertilizer, manure, and micronutrients in the Commonwealth and any rule,
7 regulation, ordinance or bylaw of a city or town which is inconsistent with or contrary to the
8 provisions of this chapter or regulations promulgated hereunder shall be void; provided however,
9 that the department shall work in conjunction with the University of Massachusetts Amherst
10 Extension to ensure any such regulations of the department are consistent with the program's

11 published information, educational materials and other public outreach programs relative to
12 nutrient management and fertilizer guidelines; provided further, that subject to appropriation, the
13 Department may establish regulations pursuant to this paragraph which shall be developed in
14 consultation with the University of Massachusetts Amherst Extension.