

**SENATE . . . . . No. 463**

The Commonwealth of Massachusetts

PRESENTED BY:

*James B. Eldridge*

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 protecting pollinators by eliminating harmful products.

PETITION OF:

| NAME:                           | DISTRICT/ADDRESS:                   |                  |
|---------------------------------|-------------------------------------|------------------|
| <i>James B. Eldridge</i>        | <i>Middlesex and Worcester</i>      |                  |
| <i>Brian W. Murray</i>          | <i>10th Worcester</i>               | <i>1/22/2019</i> |
| <i>Jack Patrick Lewis</i>       | <i>7th Middlesex</i>                | <i>1/22/2019</i> |
| <i>Carmine Lawrence Gentile</i> | <i>13th Middlesex</i>               | <i>1/22/2019</i> |
| <i>Mary S. Keefe</i>            | <i>15th Worcester</i>               | <i>1/23/2019</i> |
| <i>Michael O. Moore</i>         | <i>Second Worcester</i>             | <i>1/24/2019</i> |
| <i>Mike Connolly</i>            | <i>26th Middlesex</i>               | <i>1/28/2019</i> |
| <i>Kenneth I. Gordon</i>        | <i>21st Middlesex</i>               | <i>1/28/2019</i> |
| <i>Patrick M. O'Connor</i>      | <i>Plymouth and Norfolk</i>         | <i>1/28/2019</i> |
| <i>Peter Capano</i>             | <i>11th Essex</i>                   | <i>1/28/2019</i> |
| <i>William N. Brownsberger</i>  | <i>Second Suffolk and Middlesex</i> | <i>1/29/2019</i> |
| <i>Marjorie C. Decker</i>       | <i>25th Middlesex</i>               | <i>1/29/2019</i> |
| <i>Jennifer E. Benson</i>       | <i>37th Middlesex</i>               | <i>1/29/2019</i> |
| <i>William L. Crocker, Jr.</i>  | <i>2nd Barnstable</i>               | <i>1/29/2019</i> |
| <i>Sal N. DiDomenico</i>        | <i>Middlesex and Suffolk</i>        | <i>1/29/2019</i> |
| <i>James Arciero</i>            | <i>2nd Middlesex</i>                | <i>1/29/2019</i> |
| <i>Tommy Vitolo</i>             | <i>15th Norfolk</i>                 | <i>1/30/2019</i> |
| <i>Edward F. Copping</i>        | <i>10th Suffolk</i>                 | <i>1/30/2019</i> |

|                                    |  |                   |
|------------------------------------|--|-------------------|
| <i>Michelle L. Ciccolo</i>         | <i>15th Middlesex</i>                    | <i>1/31/2019</i>  |
| <i>Kay Khan</i>                    | <i>11th Middlesex</i>                    | <i>1/31/2019</i>  |
| <i>Denise Provost</i>              | <i>27th Middlesex</i>                    | <i>1/31/2019</i>  |
| <i>Rebecca L. Rausch</i>           | <i>Norfolk, Bristol and Middlesex</i>    | <i>1/31/2019</i>  |
| <i>Jonathan Hecht</i>              | <i>29th Middlesex</i>                    | <i>1/31/2019</i>  |
| <i>Patricia D. Jehlen</i>          | <i>Second Middlesex</i>                  | <i>2/1/2019</i>   |
| <i>David Henry Argosky LeBoeuf</i> | <i>17th Worcester</i>                    | <i>2/1/2019</i>   |
| <i>Nika C. Elugardo</i>            | <i>15th Suffolk</i>                      | <i>2/1/2019</i>   |
| <i>Elizabeth A. Malia</i>          | <i>11th Suffolk</i>                      | <i>2/1/2019</i>   |
| <i>Natalie M. Higgins</i>          | <i>4th Worcester</i>                     | <i>2/1/2019</i>   |
| <i>James J. O'Day</i>              | <i>14th Worcester</i>                    | <i>2/1/2019</i>   |
| <i>David M. Rogers</i>             | <i>24th Middlesex</i>                    | <i>2/1/2019</i>   |
| <i>Sean Garballey</i>              | <i>23rd Middlesex</i>                    | <i>2/1/2019</i>   |
| <i>Maria Duaine Robinson</i>       | <i>6th Middlesex</i>                     | <i>2/1/2019</i>   |
| <i>Tami L. Gouveia</i>             | <i>14th Middlesex</i>                    | <i>2/1/2019</i>   |
| <i>Mindy Domb</i>                  | <i>3rd Hampshire</i>                     | <i>2/1/2019</i>   |
| <i>Liz Miranda</i>                 | <i>5th Suffolk</i>                       | <i>2/1/2019</i>   |
| <i>James K. Hawkins</i>            | <i>2nd Bristol</i>                       | <i>2/7/2019</i>   |
| <i>Tram T. Nguyen</i>              | <i>18th Essex</i>                        | <i>2/14/2019</i>  |
| <i>Joanne M. Comerford</i>         | <i>Hampshire, Franklin and Worcester</i> | <i>3/1/2019</i>   |
| <i>James T. Welch</i>              | <i>Hampden</i>                           | <i>3/1/2019</i>   |
| <i>Michael J. Barrett</i>          | <i>Third Middlesex</i>                   | <i>11/15/2019</i> |

**SENATE . . . . . No. 463**

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By Mr. Eldridge, a petition (accompanied by bill, Senate, No. 463) of James B. Eldridge, Brian W. Murray, Jack Patrick Lewis, Carmine Lawrence Gentile and other members of the General Court for legislation to protect pollinators by eliminating harmful products. Environment, Natural Resources and Agriculture.

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The Commonwealth of Massachusetts

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In the One Hundred and Ninety-First General Court  
(2019-2020)  
\_\_\_\_\_

An Act protecting pollinators by eliminating harmful products.

*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 1 of chapter 132B of the General Laws, as appearing in the 2016  
2 Official Edition, is hereby further amended by inserting after the definition of “Nematode” the  
3 following definition:-

4 “Neonicotinoid,” a pesticide belonging to the neonicotinoid class of chemicals which act  
5 selectively on nicotine acetylcholine receptors of organisms and are absorbed into plant tissue  
6 and can be present in pollen and nectar, including but not limited to, imidacloprid, acetamiprid,  
7 clothianidin, dinotefuran, nithiazine, nitenpyram, thiacloprid, and thiamethoxam and any other  
8 pesticide identified as a neonicotinoid by the United States Environmental Protection Agency.

9 SECTION 2. Section 6 of said chapter 132B, as so appearing, is hereby amended by  
10 adding the following:-

11 No person shall distribute a neonicotinoid, or any substance containing a neonicotinoid,  
12 except a neonicotinoid-treated nursery plant.

13 SECTION 3. Section 6 of said chapter 132B, as so appearing, is hereby amended by  
14 striking the words “, except a neonicotinoid-treated nursery plant”.

15 SECTION 4. Said chapter 132B is hereby further amended by inserting after section 6K  
16 the following section:-

17 Section 6L. (a) Neonicotinoids shall not be sprayed, released, deposited or applied on any  
18 property within the commonwealth.

19 (b) No blooming or flowering plant, plant material or seed that has been treated with a  
20 neonicotinoid shall be sold within the commonwealth unless it is clearly and conspicuously  
21 labeled as having been treated with a neonicotinoid and includes a brief description of the risks  
22 to pollinators and other non-target organisms associated with the use of neonicotinoids.

23 SECTION 5. Section 6L of said chapter 132B, as so appearing, is hereby amended by  
24 striking the words “unless it is clearly and conspicuously labeled as having been treated with a  
25 neonicotinoid and includes a brief description of the risks to pollinators and other non-target  
26 organisms associated with the use of neonicotinoids”.

27 SECTION 6. Section 14 of said chapter 132B, as so appearing, is hereby amended by  
28 inserting after the word “inclusive”, in lines 9 and 10, the following words:- , section 6L.

29 SECTION 7. Sections 1, 2, 4, and 6 shall take effect on January 1, 2020.

30 SECTION 8. Sections 3 and 5 shall take effect on January 1, 2021.