HOUSE DOCKET, NO. 4206 FILED ON: 4/30/2021

HOUSE . . . . . No. 3991

The Commonwealth of Massachusetts

PRESENTED BY:

James K. Hawkins

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 pesticides.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
James K. Hawkins	*2nd Bristol*	*4/30/2021*
Katrina Bergman, New England Wildlife Center	*500 Columbian St., Weymouth, MA. 02190*	*6/4/2021*
Laura Hagen	*Humane Society of the United States, 203 Washington Street, PMB 186, Salem, MA. 01970*	*4/30/2021*
Stephanie J. Harris	*Animal Legal Defense Fund, 525 East Cotati Avenue, Cotati, CA. 94931*	*4/30/2021*
Kara L. Holmquist	*Massachusetts Society for the Prevention of Cruelty to Animals, 350 S. Huntington Ave., Boston, MA. 02130*	*4/30/2021*
Martin Dagoberto L. Driggs	*Northeast Organic Farming Association/ MA Chapter, P.O. Box 60043, Florence, MA. 01062*	*4/30/2021*
Lisa Owens Viani	*Raptors Are The Solution | A Project of Earth Island Institute, 2150 Allston Way, Suite 460,Berkeley, CA. 94704*	*4/30/2021*
Heidi Ricci	*Mass Audubon, 208 South Great*	*4/30/2021*

	Road, Lincoln, MA. 01733	
Patricia A. Haddad	*5th Bristol*	*5/5/2021*
David F. DeCoste	*5th Plymouth*	*5/6/2021*
Patricia A. Duffy	*5th Hampden*	*5/6/2021*
Carol A. Doherty	*3rd Bristol*	*5/6/2021*
Alan Silvia	*7th Bristol*	*5/6/2021*
Michelle L. Ciccolo	*15th Middlesex*	*5/6/2021*
Paul A. Schmid, III	*8th Bristol*	*5/6/2021*
Carmine Lawrence Gentile	*13th Middlesex*	*5/6/2021*
Mike Connolly	*26th Middlesex*	*5/6/2021*
Lindsay N. Sabadosa	*1st Hampshire*	*5/6/2021*
Joanne M. Comerford	*Hampshire, Franklin and Worcester*	*5/6/2021*
Adam J. Scanlon	*14th Bristol*	*5/6/2021*
Thomas M. Stanley	*9th Middlesex*	*5/6/2021*
Christopher Hendricks	*11th Bristol*	*5/6/2021*
Steven C. Owens	*29th Middlesex*	*5/6/2021*
Steven S. Howitt	*4th Bristol*	*5/6/2021*
Christina A. Minicucci	*14th Essex*	*5/6/2021*
Natalie M. Higgins	*4th Worcester*	*5/6/2021*
Tram T. Nguyen	*18th Essex*	*5/6/2021*
Danillo A. Sena	*37th Middlesex*	*5/7/2021*
Christine P. Barber	*34th Middlesex*	*5/7/2021*
Joan B. Lovely	*Second Essex*	*5/7/2021*
Kay Khan	*11th Middlesex*	*5/7/2021*
Daniel M. Donahue	*16th Worcester*	*5/10/2021*
Paul R. Feeney	*Bristol and Norfolk*	*5/10/2021*
Jason M. Lewis	*Fifth Middlesex*	*5/10/2021*
Sean Garballey	*23rd Middlesex*	*5/12/2021*
Tommy Vitolo	*15th Norfolk*	*5/16/2021*
Marcos A. Devers	*16th Essex*	*5/20/2021*
Jeffrey N. Roy	*10th Norfolk*	*5/23/2021*
Jack Patrick Lewis	*7th Middlesex*	*5/25/2021*
William C. Galvin	*6th Norfolk*	*5/25/2021*
Ruth B. Balser	*12th Middlesex*	*5/25/2021*
Tami L. Gouveia	*14th Middlesex*	*6/1/2021*
Erika Uyterhoeven	*27th Middlesex*	*6/1/2021*
Patrick M. O'Connor	*Plymouth and Norfolk*	*6/4/2021*
Steven G. Xiarhos	*5th Barnstable*	*6/7/2021*
Michelle M. DuBois	*10th Plymouth*	*6/21/2021*

Patrick Joseph Kearney	*4th Plymouth*	*6/29/2021*
Adrian C. Madaro	*1st Suffolk*	*6/30/2021*
Lori A. Ehrlich	*8th Essex*	*7/9/2021*
David M. Rogers	*24th Middlesex*	*6/11/2021*
Nika C. Elugardo	*15th Suffolk*	*7/9/2021*
Patricia D. Jehlen	*Second Middlesex*	*7/12/2021*
David Henry Argosky LeBoeuf	*17th Worcester*	*7/14/2021*
Jonathan D. Zlotnik	*2nd Worcester*	*7/21/2021*
Vanna Howard	*17th Middlesex*	*7/30/2021*
Meghan Kilcoyne	*12th Worcester*	*8/2/2021*
Josh S. Cutler	*6th Plymouth*	*8/2/2021*
Kimberly N. Ferguson	*1st Worcester*	*8/5/2021*
Walter F. Timilty	*Norfolk, Bristol and Plymouth*	*8/10/2021*
John J. Cronin	*Worcester and Middlesex*	*8/16/2021*
Bradley H. Jones, Jr.	*20th Middlesex*	*8/23/2021*
Edward R. Philips	*8th Norfolk*	*8/24/2021*
Kenneth I. Gordon	*21st Middlesex*	*8/25/2021*
Paul W. Mark	*2nd Berkshire*	*8/25/2021*
Tricia Farley-Bouvier	*3rd Berkshire*	*9/2/2021*
Natalie M. Blais	*1st Franklin*	*9/4/2021*
James M. Kelcourse	*1st Essex*	*9/14/2021*
Marjorie C. Decker	*25th Middlesex*	*11/8/2021*
Sal N. DiDomenico	*Middlesex and Suffolk*	*12/1/2021*
Jessica Ann Giannino	*16th Suffolk*	*12/16/2021*
Daniel R. Carey	*2nd Hampshire*	*12/21/2021*
Jacob R. Oliveira	*7th Hampden*	*1/5/2022*
Jeffrey Rosario Turco	*19th Suffolk*	*1/19/2022*

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HOUSE . . . . . No. 3991

By Mr. Hawkins of Attleboro, a petition (subject to Joint Rule 12) of James K. Hawkins and others relative to pesticides. Environment, Natural Resources and Agriculture.

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Second General Court
(2021-2022)

An Act relative to pesticides.

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

Whereas, the use of Second Generation Anticoagulant Rodenticides (SGARs) to address conflicts with commensal rodents has been demonstrated to cause primary, secondary, and, in some cases, tertiary poisoning in non-target wildlife species, including birds of prey (e.g. eagles, owls, and hawks).

Whereas, research has shown that Second Generation Anticoagulant Rodenticides have a higher potency than first generation predecessors and when consumed prevent the clotting of blood and cause impacted species to die from internal bleeding or simple, external lacerations.

Whereas, a single feeding of a Second Generation Anticoagulant Rodenticide contains a lethal dose of poison of which harmful residues will be present and persist in a rodent's tissues that can then be passed through the food chain to predators and scavengers who consume the dead or dying rodents, causing secondary and tertiary poisoning.

Whereas, Massachusetts research has demonstrated widespread exposure to Second Generation Anticoagulant Rodenticides in four species of birds of prey in Massachusetts that have a dietary dependance on rodents.

Whereas, Massachusetts research data indicates that chemical rodenticides, specifically SGARs, are heavily relied upon as a method of rodent control among Massachusetts PMP companies.

Whereas, data regarding the quantity and type of rodenticides used by pest management professionals in Massachusetts is not readily available to the public or researchers in an accessible or quantifiable form or format so that potential linkages to exposure in non-target species could be better understood.

Whereas, while the Environmental Protection Agency has taken steps to reduce consumer access to Second Generation Anticoagulant Rodenticides, consumers (i.e. homeowners) are able to obtain them through online vendors; and EPA previously expressed concern that a variety of factors may preclude consumer adherence to label directions regarding proper rodenticide

application; and a FIFRA scientific advisory panel identified that available reports demonstrated that residential consumers in general did not read and/or follow label directions, all factors which could result in unintentional rodenticide exposure.

Whereas, a FIFRA scientific advisory panel concluded that helping homeowners more easily understand how their actions can impact children, pets, and wildlife has the potential of reducing the off label uses that increase risk of non-target impacts.

SECTION 1. Subsection (a) of section 6E of Chapter 132B of the General Laws is hereby amended by:

(a) striking “2001” and inserting “2022”;

(b) adding the following after the word “each”: “public institution of higher education, as established by section 5 of chapter 15A,”;

(c) adding the following after the word “any”: “public institution of higher education, as established by section 5 of chapter 15A,”;

(d) Adding the following after the words “adopted by the”: “public institution of higher education, as established by section 5 of chapter 15A,”; and

(e) Adding the following after the word “grounds”: “and public lands of the commonwealth”.

SECTION 2. Section 6E of Chapter 132B of the General Laws is hereby amended by adding at the end thereof, the following new subsections:

(c) The department shall implement demonstration and education programs to support adoption of integrated pest management plans.

(d) Prior to providing pest control services, any certified, licensed, or permitted pesticide applicator shall provide to the customer information describing integrated pest management strategies. This information shall be provided to the customer in written form and shall have an acknowledgment of receipt of information form, which must be signed by the customer and the

pesticide applicator prior to service. The written acknowledgement form shall include the following statement from the United States Environmental Protection Agency: “All the anticoagulants interfere with blood clotting, and death can result from excessive bleeding. The second-generation anticoagulants are especially hazardous for several reasons. They are highly toxic, and they persist a long time in body tissues. The second-generation anticoagulants are more likely to be toxic in a single feeding than earlier products, but since time-to-death is several days, rodents can feed multiple times before death, leading to carcasses containing residues that may be many times the lethal dose. Predators or scavengers that feed on those poisoned rodents may consume enough to suffer harm. Non-target wildlife and pets can be poisoned if they eat rodent baits, as can predators or scavengers that consume rodents that have eaten certain poisons.” The pesticide applicator shall retain a copy of the acknowledgement form for a period of 2 years.

SECTION 3. Subsection (a) of section 7A of chapter 132B is hereby amended by adding at the end the following: “On or before January 31, 2022, said department shall convert the pesticide use reporting system to an electronic format, and said department shall require reports to be filed electronically using the ePlace Portal System or similar electronic system.”