

HOUSE No. 896

The Commonwealth of Massachusetts

PRESENTED BY:

Carolyn C. Dykema

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 to protect Massachusetts pollinators.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Carolyn C. Dykema</i>	<i>8th Middlesex</i>	<i>2/3/2021</i>
<i>Tram T. Nguyen</i>	<i>18th Essex</i>	<i>2/4/2021</i>
<i>Maria Duaine Robinson</i>	<i>6th Middlesex</i>	<i>2/5/2021</i>
<i>Tami L. Gouveia</i>	<i>14th Middlesex</i>	<i>2/5/2021</i>
<i>Christina A. Minicucci</i>	<i>14th Essex</i>	<i>2/5/2021</i>
<i>David Henry Argosky LeBoeuf</i>	<i>17th Worcester</i>	<i>2/8/2021</i>
<i>Steven C. Owens</i>	<i>29th Middlesex</i>	<i>2/8/2021</i>
<i>Patricia A. Duffy</i>	<i>5th Hampden</i>	<i>2/8/2021</i>
<i>Colleen M. Garry</i>	<i>36th Middlesex</i>	<i>2/8/2021</i>
<i>Timothy R. Whelan</i>	<i>1st Barnstable</i>	<i>2/9/2021</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>	<i>2/9/2021</i>
<i>Lindsay N. Sabadosa</i>	<i>1st Hampshire</i>	<i>2/9/2021</i>
<i>Lori A. Ehrlich</i>	<i>8th Essex</i>	<i>2/11/2021</i>
<i>Natalie M. Blais</i>	<i>1st Franklin</i>	<i>2/12/2021</i>
<i>Jeffrey N. Roy</i>	<i>10th Norfolk</i>	<i>2/12/2021</i>
<i>Brian M. Ashe</i>	<i>2nd Hampden</i>	<i>2/12/2021</i>
<i>Susannah M. Whipps</i>	<i>2nd Franklin</i>	<i>2/12/2021</i>
<i>Mary S. Keefe</i>	<i>15th Worcester</i>	<i>2/12/2021</i>

<i>Jack Patrick Lewis</i>	<i>7th Middlesex</i>	<i>2/12/2021</i>
<i>Steven Ultrino</i>	<i>33rd Middlesex</i>	<i>2/12/2021</i>
<i>Ryan C. Fattman</i>	<i>Worcester and Norfolk</i>	<i>2/12/2021</i>
<i>Hannah Kane</i>	<i>11th Worcester</i>	<i>2/12/2021</i>
<i>Angelo L. D'Emilia</i>	<i>8th Plymouth</i>	<i>2/12/2021</i>
<i>Joanne M. Comerford</i>	<i>Hampshire, Franklin and Worcester</i>	<i>2/12/2021</i>
<i>Angelo J. Puppolo, Jr.</i>	<i>12th Hampden</i>	<i>2/12/2021</i>
<i>David F. DeCoste</i>	<i>5th Plymouth</i>	<i>2/12/2021</i>
<i>Shawn Dooley</i>	<i>9th Norfolk</i>	<i>2/12/2021</i>
<i>Danielle W. Gregoire</i>	<i>4th Middlesex</i>	<i>2/12/2021</i>
<i>Kevin G. Honan</i>	<i>17th Suffolk</i>	<i>2/12/2021</i>
<i>Michael P. Kushmerek</i>	<i>3rd Worcester</i>	<i>2/12/2021</i>
<i>Kate Hogan</i>	<i>3rd Middlesex</i>	<i>2/12/2021</i>
<i>Sarah K. Peake</i>	<i>4th Barnstable</i>	<i>2/12/2021</i>
<i>Ruth B. Balsler</i>	<i>12th Middlesex</i>	<i>2/12/2021</i>
<i>Kimberly N. Ferguson</i>	<i>1st Worcester</i>	<i>2/12/2021</i>
<i>Sal N. DiDomenico</i>	<i>Middlesex and Suffolk</i>	<i>2/12/2021</i>
<i>Daniel R. Carey</i>	<i>2nd Hampshire</i>	<i>2/12/2021</i>
<i>Ann-Margaret Ferrante</i>	<i>5th Essex</i>	<i>2/12/2021</i>
<i>Bradley H. Jones, Jr.</i>	<i>20th Middlesex</i>	<i>2/12/2021</i>
<i>Mindy Domb</i>	<i>3rd Hampshire</i>	<i>2/15/2021</i>
<i>John Barrett, III</i>	<i>1st Berkshire</i>	<i>2/15/2021</i>
<i>Brian W. Murray</i>	<i>10th Worcester</i>	<i>2/15/2021</i>
<i>Adrian C. Madaro</i>	<i>1st Suffolk</i>	<i>2/15/2021</i>
<i>Paul J. Donato</i>	<i>35th Middlesex</i>	<i>2/15/2021</i>
<i>Carmine Lawrence Gentile</i>	<i>13th Middlesex</i>	<i>2/15/2021</i>
<i>Carole A. Fiola</i>	<i>6th Bristol</i>	<i>2/16/2021</i>
<i>Jessica Ann Giannino</i>	<i>16th Suffolk</i>	<i>2/16/2021</i>
<i>Steven G. Xiarhos</i>	<i>5th Barnstable</i>	<i>2/16/2021</i>
<i>Christine P. Barber</i>	<i>34th Middlesex</i>	<i>2/16/2021</i>
<i>Thomas M. Stanley</i>	<i>9th Middlesex</i>	<i>2/16/2021</i>
<i>Jay D. Livingstone</i>	<i>8th Suffolk</i>	<i>2/18/2021</i>
<i>James M. Murphy</i>	<i>4th Norfolk</i>	<i>2/18/2021</i>
<i>Carol A. Doherty</i>	<i>3rd Bristol</i>	<i>2/20/2021</i>
<i>Richard M. Haggerty</i>	<i>30th Middlesex</i>	<i>2/22/2021</i>
<i>Patrick Joseph Kearney</i>	<i>4th Plymouth</i>	<i>2/22/2021</i>
<i>Michael O. Moore</i>	<i>Second Worcester</i>	<i>2/23/2021</i>
<i>Danillo A. Sena</i>	<i>37th Middlesex</i>	<i>2/24/2021</i>
<i>Elizabeth A. Malia</i>	<i>11th Suffolk</i>	<i>2/24/2021</i>

<i>Tricia Farley-Bouvier</i>	<i>3rd Berkshire</i>	<i>2/24/2021</i>
<i>Sheila C. Harrington</i>	<i>1st Middlesex</i>	<i>2/24/2021</i>
<i>Kathleen R. LaNatra</i>	<i>12th Plymouth</i>	<i>2/24/2021</i>
<i>Dylan A. Fernandes</i>	<i>Barnstable, Dukes and Nantucket</i>	<i>2/24/2021</i>
<i>Michael J. Barrett</i>	<i>Third Middlesex</i>	<i>2/25/2021</i>
<i>David Paul Linsky</i>	<i>5th Middlesex</i>	<i>2/25/2021</i>
<i>James J. O'Day</i>	<i>14th Worcester</i>	<i>2/25/2021</i>
<i>Antonio F. D. Cabral</i>	<i>13th Bristol</i>	<i>2/25/2021</i>
<i>Michael S. Day</i>	<i>31st Middlesex</i>	<i>2/25/2021</i>
<i>David Allen Robertson</i>	<i>19th Middlesex</i>	<i>2/25/2021</i>
<i>William C. Galvin</i>	<i>6th Norfolk</i>	<i>2/25/2021</i>
<i>Joan Meschino</i>	<i>3rd Plymouth</i>	<i>2/25/2021</i>
<i>Paul W. Mark</i>	<i>2nd Berkshire</i>	<i>2/25/2021</i>
<i>Tommy Vitolo</i>	<i>15th Norfolk</i>	<i>2/25/2021</i>
<i>James K. Hawkins</i>	<i>2nd Bristol</i>	<i>2/26/2021</i>
<i>Kate Lipper-Garabedian</i>	<i>32nd Middlesex</i>	<i>2/26/2021</i>
<i>David M. Rogers</i>	<i>24th Middlesex</i>	<i>2/26/2021</i>
<i>Mark J. Cusack</i>	<i>5th Norfolk</i>	<i>2/26/2021</i>
<i>Sean Garballey</i>	<i>23rd Middlesex</i>	<i>2/26/2021</i>
<i>Andres X. Vargas</i>	<i>3rd Essex</i>	<i>2/26/2021</i>
<i>Michelle M. DuBois</i>	<i>10th Plymouth</i>	<i>2/26/2021</i>
<i>Michelle L. Ciccolo</i>	<i>15th Middlesex</i>	<i>2/26/2021</i>
<i>William J. Driscoll, Jr.</i>	<i>7th Norfolk</i>	<i>2/26/2021</i>
<i>Josh S. Cutler</i>	<i>6th Plymouth</i>	<i>2/26/2021</i>
<i>Daniel Cahill</i>	<i>10th Essex</i>	<i>2/26/2021</i>
<i>David Biele</i>	<i>4th Suffolk</i>	<i>3/3/2021</i>
<i>Brendan P. Crighton</i>	<i>Third Essex</i>	<i>3/5/2021</i>
<i>Jacob R. Oliveira</i>	<i>7th Hampden</i>	<i>3/2/2021</i>
<i>Alice Hanlon Peisch</i>	<i>14th Norfolk</i>	<i>3/2/2021</i>
<i>John H. Rogers</i>	<i>12th Norfolk</i>	<i>3/8/2021</i>
<i>Adam J. Scanlon</i>	<i>14th Bristol</i>	<i>3/1/2021</i>
<i>Peter Capano</i>	<i>11th Essex</i>	<i>3/9/2021</i>
<i>Eric P. Lesser</i>	<i>First Hampden and Hampshire</i>	<i>3/16/2021</i>
<i>Adam G. Hinds</i>	<i>Berkshire, Hampshire, Franklin and Hampden</i>	<i>4/20/2021</i>

HOUSE No. 896

By Ms. Dykema of Holliston, a petition (accompanied by bill, House, No. 896) of Carolyn C. Dykema and others relative to the use and protection of pollinators by further regulating the spraying, release, deposit or application of a neonicotinoid on certain agricultural land. Environment, Natural Resources and Agriculture.

The Commonwealth of Massachusetts

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

An Act to protect Massachusetts pollinators.

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 132B of the General Laws, as appearing in the 2018
2 Official Edition, is hereby amended by inserting after the definition of “Nematode” the following
3 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 inserting after the second paragraph the following paragraph:-

11 No person shall distribute a neonicotinoid, or any substance containing a neonicotinoid,
12 except a neonicotinoid-treated nursery plant, to any person except a certified commercial
13 applicator, a certified private applicator, or a licensed applicator.

14 SECTION 3. Said chapter 132B, as so appearing, is hereby amended by inserting after
15 section 6K the following section:-

16 Section 6L. (a) Neonicotinoids shall only be sprayed, released, deposited or applied on
17 any property within the commonwealth by a certified commercial applicator, certified private
18 applicator or licensed applicator.

19 (b) Upon entering into an agreement to provide services that include application of
20 neonicotinoids, a certified commercial applicator, certified private applicator, or licensed
21 applicator shall provide to property owners the following: (i) a form authorizing the applicator to
22 apply neonicotinoids; (ii) a copy of any warning statements concerning bees on the label of
23 neonicotinoids being applied; and (iii) an acknowledgment signifying that the owner has
24 received and understands this information. This subsection shall not apply to any certified
25 commercial applicator, certified private applicator, or licensed applicator using a neonicotinoid
26 on property that he or she owns.

27 (c) The subsections (a) and (b) shall not apply to the following products: (i) pet care
28 products used to mitigate fleas, mites, ticks, heartworms, or other animals that are harmful to the
29 health of a domesticated animal; (ii) personal care products used to mitigate lice and bedbugs;
30 (iii) indoor pest control products used to mitigate insects indoors, including ant bait and (iv) any
31 products used by licensed or certified applicators for use in industrial, institutional, structural and
32 health related pest control, as defined in 333 CMR 10.03.7.

33 SECTION 4. Section 10 of said chapter 132B, as so appearing, is hereby amended by
34 inserting in line 61 after the word “management” the following words:- and the protection of
35 pollinators from adverse effects of pesticide applications.

36 SECTION 5. Section 14 of said chapter 132B, as so appearing, is hereby amended by
37 inserting after the word “inclusive”, in lines 9 and 10, the following words:- , section 6L.

38 SECTION 6. The Massachusetts Department of Transportation shall identify
39 opportunities in the commonwealth for the replacement of non-native, cool-season turf grasses
40 around solar energy installations on property owned by the department with native plant
41 communities that include flowers, wildflowers, vegetables, weeds, herbs, ornamental plants,
42 cover crops and legume species to attract honey bees and other pollinators.

43 SECTION 7. Sections 2 through 5, inclusive, shall take effect 6 months after the passage
44 of this Act.