SENATE DOCKET, NO. 207 FILED ON: 1/25/2021

SENATE . . . . . No. 528

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:	
James B. Eldridge	*Middlesex and Worcester*	
Sean Garballey	*23rd Middlesex*	
Elizabeth A. Malia	*11th Suffolk*	*2/24/2021*
Michael J. Barrett	*Third Middlesex*	*2/25/2021*
Tami L. Gouveia	*14th Middlesex*	*2/26/2021*
James J. O'Day	*14th Worcester*	*2/26/2021*
Joanne M. Comerford	*Hampshire, Franklin and Worcester*	*3/5/2021*
John H. Rogers	*12th Norfolk*	*3/8/2021*
Michael O. Moore	*Second Worcester*	*3/9/2021*
Lindsay N. Sabadosa	*1st Hampshire*	*3/18/2021*
Kay Khan	*11th Middlesex*	*9/10/2021*

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By Mr. Eldridge, a petition (accompanied by bill, Senate, No. 528) of James B. Eldridge, Sean Garballey, Elizabeth A. Malia, Michael J. Barrett and other members of the General Court for legislation to protect pollinators by eliminating harmful products. Environment, Natural Resources and Agriculture.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. *463* OF 2019-2020.]

The Commonwealth of Massachusetts

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

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:

SECTION 1. Section 1 of chapter 132B of the General Laws, as appearing in the 2018 Official Edition, is hereby further amended by inserting after the definition of "Nematode" the following definition:-

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

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

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

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

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

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

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

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

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

SECTION 7. Sections 1, 2, 4, and 6 shall take effect on January 1, 2022.

SECTION 8. Sections 3 and 5 shall take effect on January 1, 2023.