

SENATE No. 487

The Commonwealth of Massachusetts

PRESENTED BY:

Paul R. Feeney

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:	
<i>Paul R. Feeney</i>	<i>Bristol and Norfolk</i>	
<i>Jack Patrick Lewis</i>	<i>7th Middlesex</i>	<i>1/26/2023</i>
<i>Sean Garballey</i>	<i>23rd Middlesex</i>	<i>1/26/2023</i>
<i>Vanna Howard</i>	<i>17th Middlesex</i>	<i>1/31/2023</i>
<i>Michael O. Moore</i>	<i>Second Worcester</i>	<i>2/1/2023</i>
<i>Jacob R. Oliveira</i>	<i>Hampden, Hampshire and Worcester</i>	<i>2/2/2023</i>
<i>Thomas M. Stanley</i>	<i>9th Middlesex</i>	<i>2/2/2023</i>
<i>Steven George Xiarhos</i>	<i>5th Barnstable</i>	<i>2/6/2023</i>
<i>Patrick M. O'Connor</i>	<i>First Plymouth and Norfolk</i>	<i>2/16/2023</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>	<i>2/16/2023</i>
<i>Steven S. Howitt</i>	<i>4th Bristol</i>	<i>2/16/2023</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	<i>2/20/2023</i>
<i>Bruce E. Tarr</i>	<i>First Essex and Middlesex</i>	<i>2/22/2023</i>
<i>James K. Hawkins</i>	<i>2nd Bristol</i>	<i>2/24/2023</i>
<i>Bradley H. Jones, Jr.</i>	<i>20th Middlesex</i>	<i>2/27/2023</i>
<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>	<i>3/1/2023</i>
<i>Marcus S. Vaughn</i>	<i>9th Norfolk</i>	<i>3/1/2023</i>
<i>Cindy F. Friedman</i>	<i>Fourth Middlesex</i>	<i>3/1/2023</i>

<i>Steven Owens</i>	<i>29th Middlesex</i>	<i>3/2/2023</i>
<i>James C. Arena-DeRosa</i>	<i>8th Middlesex</i>	<i>3/2/2023</i>
<i>Walter F. Timilty</i>	<i>Norfolk, Plymouth and Bristol</i>	<i>3/2/2023</i>
<i>Sal N. DiDomenico</i>	<i>Middlesex and Suffolk</i>	<i>3/2/2023</i>
<i>Angelo J. Puppolo, Jr.</i>	<i>12th Hampden</i>	<i>3/3/2023</i>
<i>Michael D. Brady</i>	<i>Second Plymouth and Norfolk</i>	<i>3/3/2023</i>
<i>John J. Cronin</i>	<i>Worcester and Middlesex</i>	<i>3/3/2023</i>

SENATE No. 487

By Mr. Feeney, a petition (accompanied by bill, Senate, No. 487) of Paul R. Feeney, Jack Patrick Lewis, Sean Garballey, Vanna Howard and other members of the General Court for legislation relative to pesticides. Environment and Natural Resources.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 3991 OF 2021-2022.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

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:

1 SECTION 1. Section 6E of chapter 132B of the General Laws, as appearing in the 2020
2 Official Edition, is hereby amended by striking out, in line 1, the words “On or before November
3 1, 2001, each” and inserting in place thereof the following word:- Each.

4 SECTION 2. Said section 6E of said chapter 132B, as so appearing, is hereby further
5 amended by inserting after the word “center”, in lines 2, 7 and 8, 9 and 18, the following words:-
6 , public institution of higher education, as established in section 5 of chapter 15A,.

7 SECTION 3. Section 6G of said chapter 132B, as so appearing, is hereby amended by
8 inserting after the word “center”, in line 2, the following words:- , public institution of higher
9 education, as established in section 5 of chapter 15A,.

10 SECTION 4. Said section 6G of said chapter 132B, as so appearing, is hereby further
11 amended by adding following paragraph:-

12 Notwithstanding the forgoing, a school, child care center, public institution of higher
13 education or school age child care program shall make reasonable efforts to use pesticide
14 products that: (i) are classified by the United States Environmental Protection Agency as an
15 exempt material pursuant to 40 C.F.R. 152.25, as amended; or (ii) include no active ingredients
16 other than those published in the National List at 7 C.F.R 205.601, as amended; provided,
17 however, that a school, child care center, public institution of higher education or school age
18 child care program may be granted a hardship waiver, at the discretion of the department, for use
19 of a pesticide that does not meet such qualifications.

20 SECTION 5. Section 7A of said chapter 132B, as so appearing, is hereby amended by
21 striking out, in line 2, the word “a” and inserting in place thereof the following words:- an
22 electronic.

23 SECTION 6. Said section 7A of said chapter 132B, as so appearing, is hereby further
24 amended by inserting after the word “the”, in line 5, the second time it appears, the following
25 word:- electronic.

26 SECTION 7. Said section 7A of said chapter 132B, as so appearing, is hereby further
27 amended by inserting after the word “the”, in lines 6, 19, 37 and 46 the following word:-
28 electronic.

29 SECTION 8. Subsection (a) of said section 7A of said chapter 132B, as so appearing, is
30 hereby further amended by striking out the last sentence and inserting in place thereof the
31 following sentence:- Said department may use the ePlace Portal system established by the

32 executive office of energy and environmental affairs to implement the requirements of this
33 section.

34 SECTION 9. Said section 7A of said chapter 132B, as so appearing, is hereby further
35 amended by inserting after the word “cost-effective”, in line 39, the following word:- electronic.

36 SECTION 10. Subsection (c) of said section 7A of said chapter 132B, as so appearing, is
37 hereby further amended by striking out the last sentence and inserting in place thereof the
38 following sentence:- Annually, the department shall make available data on pesticide use in the
39 commonwealth.

40 SECTION 11. Sections 3 to 10, inclusive, shall take effect 6 months after the effective
41 date of this act.