

**HOUSE . . . . . No. 742**

---

**The Commonwealth of Massachusetts**

PRESENTED BY:

***James C. Arena-DeRosa***

*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>James C. Arena-DeRosa</i>	<i>8th Middlesex</i>	<i>1/19/2023</i>
<i>Lindsay N. Sabadosa</i>	<i>1st Hampshire</i>	<i>1/24/2023</i>
<i>Michelle M. DuBois</i>	<i>10th Plymouth</i>	<i>2/14/2023</i>
<i>Ryan C. Fattman</i>	<i>Worcester and Hampden</i>	<i>3/7/2023</i>

**HOUSE . . . . . No. 742**

---

By Representative Arena-DeRosa of Holliston, a petition (accompanied by bill, House, No. 742) of James C. Arena-DeRosa 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 and Natural Resources.

---

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 896 OF 2021-2022.]

**The Commonwealth of Massachusetts**

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

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.