

COMMITTEE ON ENVIRONMENT, NATURAL RESOURCES AND AGRICULTURE

Bill Summary

Bill Number: H 655

Name: An Act protecting Massachusetts pollinators

Sponsor(s): Representative Dykema

Hearing Date: Tuesday, November 17th, 2015 at 1:00 PM in Hearing Room A-2

Similar Bills: H 731, H 3417

Prior History:

01/20/2015 House Referred to the committee on Environment, Natural Resources
and Agriculture

01/20/2015 Senate Senate concurred

Current Law:

None

Summary of Redrafted Legislation:

Under this bill, no one can distribute a neonicotinoid pesticide or product containing a neonicotinoid pesticide for an agricultural or horticultural use, unless that person is a certified commercial applicator, certified private applicator, or a licensed applicator. Further, neonicotinoids can only be sprayed, released, deposited, or applied under these conditions:

1. During the blooming season for agricultural or horticultural uses only by a certified commercial applicator, certified private applicator, or licensed applicator
2. Outside of the blooming season for any reason only by a certified commercial applicator, certified private applicator, or licensed applicator

When a neonicotinoid is used, the property owner must be notified of the risks associated with its use, a list of alternatives, and the owner must acknowledge that they have received and understand this information. A blooming or flowering plant, plant material, or seed that has been treated with a neonicotinoid must have a label clearly stating this in order to be sold in the state. DAR will integrate training on the use and risks of neonicotinoids into the existing licensing and certification process and will work with the Center for Agriculture, Food and the Environment at UMass Amherst to do so.

Further, this bill establishes a special commission to investigate and study method and solutions to protect and promote pollinator health. The commission will be chaired by the Secretary of EOEEA. The rest of the commission will include:

- 1 member of the Senate appointed by the Senate President
- 1 member of the House appointed by the Speaker
- 1 member of the Senate appointed by the Senate Minority Leader
- 1 member of the House appointed by the House Minority Leader
- 5 members appointed by the Governor:

- 1 university faculty member specializing in pollinator health
- 1 representative of an advocacy group for nurseries, greenhouse producers, or lawn care specialists
- 1 representative of an advocacy group for farmers
- 1 representative of an advocacy group for organic farmers
- 1 representative of an advocacy group for cranberry producers
- 6 members appointed by the Attorney General:
 - 1 representative of an advocacy group dedicated to the protection of pollinators and invertebrates
 - 1 representative of an advocacy group dedicated to environmental protection
 - 1 certified master gardener, representing the public
 - 1 commercial beekeeper
 - 2 beekeepers, representing the County Beekeepers Associations

The special commission will study current regulations in Massachusetts, other states, and other countries on pollinators, study public education and outreach regarding pollinator health, evaluate the current apiary program with a focus on parasitic diseases, identify funding for efforts to promote or protect pollinator health, investigate how other states gather data on bees and pollinators, evaluate best management practices, and evaluate proposed state pollinator protection plans. The commission can hold public hearings and take testimony related to pollinator health. The commission will defer to the State Pesticide Board on the regulation, review and use of pesticides, including neonicotinoids. Lastly, the commission will issue a final report on the results of its investigation, study, and recommendations, including any necessary legislation. The final report will be submitted to the House and Senate clerks and ENRA on or before December 28, 2016.