

HOUSE No. 809

By Mr. Marzilli of Arlington, petition of J. James Marzilli, Jr., and Ruth B. Balsler that the University of Lowell be required to establish and maintain a non toxic pest management center. Environment, Natural Resources and Agriculture.

The Commonwealth of Massachusetts

In the Year Two Thousand and Seven.

AN ACT TO PROMOTE SUSTAINABLE AGRICULTURE AND THE USE OF NON TOXIC PEST MANAGEMENT.

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. Chapter 75 of the General Laws is hereby amended
2 by inserting the following new section:—
3 Section 2B. The University of Lowell shall establish, operate, and
4 maintain a Non Toxic Pest Management Center, hereinafter known
5 as the Center. The purpose of the Center shall be to reduce the use of
6 toxic pest management methods in Massachusetts and to provide
7 education and training in pest prevention and non-toxic methods of
8 pest control. For the programs required pursuant to this paragraph,
9 the Center shall be funded through the Non Toxic Pest Management
10 Fund established under section Two RR (2RR) of chapter twenty-
11 nine of the General Laws. The University of Lowell, through the
12 Center, shall offer the following services to businesses, municipali-
13 ties, and citizens of the Commonwealth:—
14 (1) Provide site specific consultations on non toxic pest manage-
15 ment principles and strategies;
16 (2) Maintain a listing of certified non toxic pest management
17 contractors and service providers;
18 (3) Maintain a library of references and disseminate resources on
19 non toxic pest management methods for preventing and controlling
20 pest problems;
21 (4) Act as a clearinghouse of model pollution prevention and
22 pesticide use reduction bylaws, ordinances, and regulations which
23 have been implemented in other states and countries;

24 (5) Provide assistance to Massachusetts municipalities who want
25 to develop such bylaws, ordinances, or regulations;

26 (6) Provide training programs to Massachusetts citizens,
27 municipalities, and businesses on how to use non toxic pest man-
28 agement and promote the use of non toxic pest management in
29 Massachusetts.

1 SECTION 2. Chapter 29 of the General Laws is hereby amended
2 by inserting after Section 2ZZ the following new section:—

3 Section AAA. There is hereby established and set up on the books
4 of the Commonwealth a separate fund to be known as the Non Toxic
5 Pest Management Fund. The following revenue sources shall be
6 credited to said Fund:

7 1) The revenue created by the taxation of sales of pesticides,
8 including insecticides, herbicides, fungicides, miticides and all
9 materials registered with the Environmental Protection agency as
10 pesticides under Federal Insecticide, Fungicide and Rodenticide Act
11 as well as other pesticides commonly regarded in the same category
12 and for the same purpose; and

13 2) No less than thirty percent of all revenue:—

14 (a) collected by the Department of Food and Agriculture from
15 fees associated with the issuance of pesticide certificates and
16 licenses pursuant to Section 10 of Chapter 132B; and

17 (b) collected by the Department of Food and Agriculture under
18 Section 7 of Chapter 132B for the registration of pesticides; and

19 (c) collected by the Department of Food and Agriculture under
20 Section 9 of Chapter 132B for issuing pesticide dealers' licenses;
21 and

22 (d) collected by the Department of Food and Agriculture under
23 Section 8 of Chapter 132B for the issuance of experimental use per-
24 mits; and

25 (e) collected by the Department of Food and Agriculture under
26 Section 14 of Chapter 132B for violations of the provisions of
27 Chapter 132B, excluding fines for violating sections 6C through 6I
28 of that chapter;

29 All amounts credited to such fund shall be used, subject to appro-
30 priation, for the Non Toxic Pest Management Center established at
31 the University of Lowell established pursuant to Section 2B of
32 Chapter 75 of the General Laws.

1 SECTION 3. Section 6 of Chapter 64H of the General Laws is
2 hereby amended in subsection (p) by deleting item (3), and inserting
3 in place thereof the following:—

4 (3) sales of fertilizer, including ground limestone, hydrated lime,
5 seed inoculants and plant hormones, as well as other substances
6 commonly regarded in the same category and for the same use, but
7 not including any sales of pesticides, including insecticides, herbi-
8 cides, fungicides, miticides and all materials registered with the
9 Environmental Protection agency as pesticides under Federal Insec-
10 ticide, Fungicide and Rodenticide Act as well as other pesticides
11 commonly regarded in the same category and for the same purpose;

1 SECTION 4. Any farmer who has filed an approved Integrated
2 Pest Management plan with the department of food and agriculture
3 shall be eligible for an abatement on all taxes paid pursuant to
4 Section 3 of this act. The commissioner of revenue shall establish
5 the guidelines for said abatement program in consultation with the
6 commissioner of agriculture.