
[Senate, September 13, 1983 — Substituted by amendment by the Senate (Amick) for a report of the committee on Natural Resources and Agriculture, ought not to pass under Joint Rule 10, on Senate, No. 1263].

The Commonwealth of Massachusetts

In the Year One Thousand Nine Hundred and Eighty-three.

AN ACT FURTHER REGULATING THE APPLICATION OF HERBICIDES.

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 132B of the General Laws as most re-
2 cently amended by chapter 722 of the acts of 1981 is hereby
3 further amended by adding the following new section: —

4 *Section 6F.* Exclusion from the Application of Pesticides.

5 (a) Except pursuant to a public health emergency declared
6 in accordance with section two-A of chapter seventeen, no per-
7 son shall apply any pesticide to any real property which the
8 owner or resident thereof has designated for exclusion from
9 such application in the manner set forth in paragraph (b) of
10 this section.

11 (b) An owner or resident of real property may designate
12 such property for exclusion from the application of pesticides
13 by filing a pesticide exclusion form with the clerk of the city
14 or town in which the property is located. The form shall in-
15 clude the name of the person filing the exclusion form, the lo-
16 cation of the property to be designated for exclusion, and the
17 program of pesticide application from which the property is
18 to be excluded. The property described in such form shall re-
19 main designated for exclusion from such application for a
20 period of five years from the date upon which the form is filed,
21 unless it is earlier revoked or modified by the person filing
22 the form. The pesticide board shall design and distribute to
23 the clerk of each city and town blank pesticide exclusion
24 forms.

1 SECTION 2. Section 8 of chapter 132 as most recently amend-
2 ed by section 5 of chapter 660 of the acts of 1948 is hereby

3 further amended by adding at the end thereof the following
4 sentence: — This section shall not be deemed to authorize
5 the application of a pesticide to any property which has been
6 designated for exclusion from such application in accordance
7 with section six F of chapter one hundred and thirty-two B.

1 SECTION 3. Section 14 of chapter 132B of the General Laws
2 as added by section 3 of chapter 3 of the acts of 1978 is here-
3 by amended by adding after the words "section six" in the
4 first paragraph thereof the following words: — or section
5 six F.