

**SENATE . . . . . No. 2223**

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**The Commonwealth of Massachusetts**

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SENATE, May 26, 1981.

The committee on Natural Resources and Agriculture, to whom was referred the petition (accompanied by bill, Senate, No. 1052) of Robert D. Wetmore, Russell Toutant, Melva Toutant and Emily Zglobicki for legislation to require a utility company to send certain notices concerning the application of herbicidal products; and the petition (accompanied by bill, House, 5225) of James G. Collins for legislation to regulate the spraying of herbicides by public utility companies, reports the accompanying bill (Senate, No. 2223).

For the Committee,

CAROL C. AMICK

## The Commonwealth of Massachusetts

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

### AN ACT REQUIRING A UTILITY COMPANY TO SEND CERTAIN NOTICES CONCERNING THE APPLICATION OF HERBICIDAL PRODUCTS.

*Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:*

1 Chapter 132B of the General Laws is hereby amended by  
2 inserting after section 6A the following section: —

3 *Section 6B.* No gas, electric, telephone or other utility com-  
4 pany licensed to do business in the commonwealth shall spray,  
5 release, deposit, or apply any herbicide to any land which it  
6 owns or as to which it holds an easement or similar right and  
7 over which it maintains power, high tension or other lines  
8 without first notifying by registered mail, the mayor, city  
9 manager or chairman of the board of selectmen in the city or  
10 town where such land lies thirty days prior to such spraying.

11 The notice shall contain the following information: a. The  
12 date on which such spraying shall commence; b. the date on  
13 which such spraying shall end; c. the type of herbicide to be  
14 used and a copy of all information released by the manufac-  
15 turer thereof relative thereto; d. the name and address of the  
16 contractor who will make the application for the utility or the  
17 name, title and address of the employee who will be responsi-  
18 ble for carrying out the application if it is to be made by  
19 utility company employees.