HOUSE DOCKET, NO. 61 FILED ON: 1/6/2011

HOUSE . . . . . No. 263

The Commonwealth of Massachusetts

PRESENTED BY:

William M. Straus

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 passage of the accompanying:

An Act relative to the leasing of publicly owned land for agricultural purposes..

PETITION OF:

NAME:	DISTRICT/ADDRESS:
William M. Straus	*10th Bristol*
Jennifer E. Benson	*37th Middlesex*
William N. Brownsberger	☐ *[District]* ☐
Cleon H. Turner	*1st Barnstable*
Bruce E. Tarr	☐ *[District]* ☐
Thomas M. Stanley	*9th Middlesex*
Chris Walsh	*6th Middlesex*
Kate Hogan	*3rd Middlesex*
Carolyn C. Dykema	*8th Middlesex*
Christine E. Canavan	*10th Plymouth*
John J. Mahoney	*13th Worcester*

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HOUSE . . . . . No. 263

By Mr. Straus of Mattapoisett, a petition (accompanied by bill, House, No. 263) of William M. Straus and others relative to authorizing the lease of publicly-owned land for agricultural purposes. Environment, Natural Resources and Agriculture.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE
HOUSE
, NO. *843* OF 2009-2010.]

The Commonwealth of Massachusetts

An Act relative to the leasing of publicly owned land for agricultural purposes..

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

SECTION 16 of chapter 30B of the General Laws is hereby amended by adding the following subsection:-

(j) Notwithstanding the provisions of Section 12 of this chapter, and further notwithstanding any contrary provision of any law or the provisions of any charter, a state, regional or municipal government body may enter into leases for the rental of conservation land for agricultural purposes, or other municipally-owned or otherwise publicly-owned land for agricultural purposes, subject to the approval, in the case of municipally-owned land, of t he city council or board of selectmen or town council in towns with a town council form of government and with the consent of the board or agency with jurisdiction over said lands, for a lease period not to exceed ten years if the lessor demonstrates to th e satisfaction of said board or agency and the city council or board of selectmen or town council in towns with a town council form of government that a significant capital investment has been or will be made by the lessor for the purposes of increasing th e productivity and agricultural value of said land. No document transferring care, custody, control, and management of any property leased under the provision of this section shall be valid unless such document provides that said property shall be used so lely for agricultural purposes and the capital investment required under this section is made by the lessee. The document shall include a reversionary clause that stipulates that the property will revert to the lessor in the event that the leased property ceases to be used for agricultural

19 purposes or if the capital investment required by the document of transfer is not timely made. In
20 the case of conservation land, the proceeds of any such lease permitted under this section shall
21 be used by the lessor t own for conservation improvements to achieve no net loss in lands which
22 were acquired for the purposes stated in article 97 of the Amendments of the Constitution.