

HOUSE No. 873

The Commonwealth of Massachusetts

PRESENTED BY:

Paul A. Schmid, III and Joanne M. Comerford

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 adoption of the accompanying bill:

An Act to promote healthy soils and agricultural innovation within the Commonwealth.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Paul A. Schmid, III</i>	<i>8th Bristol</i>	<i>1/18/2019</i>
<i>Joanne M. Comerford</i>	<i>Hampshire, Franklin and Worcester</i>	<i>1/18/2019</i>
<i>Brian M. Ashe</i>	<i>2nd Hampden</i>	<i>1/22/2019</i>
<i>Paul W. Mark</i>	<i>2nd Berkshire</i>	<i>1/22/2019</i>
<i>Christine P. Barber</i>	<i>34th Middlesex</i>	<i>1/25/2019</i>
<i>John Barrett, III</i>	<i>1st Berkshire</i>	<i>1/29/2019</i>
<i>Natalie M. Blais</i>	<i>1st Franklin</i>	<i>1/28/2019</i>
<i>Michael D. Brady</i>	<i>Second Plymouth and Bristol</i>	<i>2/1/2019</i>
<i>Paul Brodeur</i>	<i>32nd Middlesex</i>	<i>2/1/2019</i>
<i>Antonio F. D. Cabral</i>	<i>13th Bristol</i>	<i>1/30/2019</i>
<i>Daniel R. Carey</i>	<i>2nd Hampshire</i>	<i>1/31/2019</i>
<i>Michelle L. Ciccolo</i>	<i>15th Middlesex</i>	<i>1/30/2019</i>
<i>Mike Connolly</i>	<i>26th Middlesex</i>	<i>1/24/2019</i>
<i>Edward F. Coppinger</i>	<i>10th Suffolk</i>	<i>1/31/2019</i>
<i>Julian Cyr</i>	<i>Cape and Islands</i>	<i>2/1/2019</i>
<i>Marjorie C. Decker</i>	<i>25th Middlesex</i>	<i>1/31/2019</i>
<i>Mindy Domb</i>	<i>3rd Hampshire</i>	<i>1/30/2019</i>
<i>Daniel M. Donahue</i>	<i>16th Worcester</i>	<i>1/29/2019</i>

<i>Michelle M. DuBois</i>	<i>10th Plymouth</i>	<i>1/20/2019</i>
<i>Carolyn C. Dykema</i>	<i>8th Middlesex</i>	<i>1/23/2019</i>
<i>Kimberly N. Ferguson</i>	<i>1st Worcester</i>	<i>1/28/2019</i>
<i>Dylan A. Fernandes</i>	<i>Barnstable, Dukes and Nantucket</i>	<i>1/23/2019</i>
<i>Carole A. Fiola</i>	<i>6th Bristol</i>	<i>1/24/2019</i>
<i>Sean Garballey</i>	<i>23rd Middlesex</i>	<i>1/26/2019</i>
<i>Colleen M. Garry</i>	<i>36th Middlesex</i>	<i>1/29/2019</i>
<i>Carmine Lawrence Gentile</i>	<i>13th Middlesex</i>	<i>1/31/2019</i>
<i>Susan Williams Gifford</i>	<i>2nd Plymouth</i>	<i>1/28/2019</i>
<i>Anne M. Gobi</i>	<i>Worcester, Hampden, Hampshire and Middlesex</i>	<i>1/24/2019</i>
<i>Kenneth I. Gordon</i>	<i>21st Middlesex</i>	<i>2/1/2019</i>
<i>Tami L. Gouveia</i>	<i>14th Middlesex</i>	<i>2/1/2019</i>
<i>James K. Hawkins</i>	<i>2nd Bristol</i>	<i>1/29/2019</i>
<i>Jonathan Hecht</i>	<i>29th Middlesex</i>	<i>1/18/2019</i>
<i>Christopher Hendricks</i>	<i>11th Bristol</i>	<i>1/29/2019</i>
<i>Natalie M. Higgins</i>	<i>4th Worcester</i>	<i>2/1/2019</i>
<i>Steven S. Howitt</i>	<i>4th Bristol</i>	<i>1/28/2019</i>
<i>Patricia D. Jehlen</i>	<i>Second Middlesex</i>	<i>1/31/2019</i>
<i>Bradley H. Jones, Jr.</i>	<i>20th Middlesex</i>	<i>2/1/2019</i>
<i>Hannah Kane</i>	<i>11th Worcester</i>	<i>1/30/2019</i>
<i>Mary S. Keefe</i>	<i>15th Worcester</i>	<i>1/28/2019</i>
<i>Kay Khan</i>	<i>11th Middlesex</i>	<i>2/1/2019</i>
<i>David Henry Argosky LeBoeuf</i>	<i>17th Worcester</i>	<i>1/31/2019</i>
<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>	<i>1/23/2019</i>
<i>David Paul Linsky</i>	<i>5th Middlesex</i>	<i>1/25/2019</i>
<i>Jay D. Livingstone</i>	<i>8th Suffolk</i>	<i>1/29/2019</i>
<i>Adrian C. Madaro</i>	<i>1st Suffolk</i>	<i>1/28/2019</i>
<i>Paul McMurtry</i>	<i>11th Norfolk</i>	<i>1/30/2019</i>
<i>Michael O. Moore</i>	<i>Second Worcester</i>	<i>2/1/2019</i>
<i>Mathew J. Muratore</i>	<i>1st Plymouth</i>	<i>1/30/2019</i>
<i>Brian W. Murray</i>	<i>10th Worcester</i>	<i>1/29/2019</i>
<i>Tram T. Nguyen</i>	<i>18th Essex</i>	<i>1/30/2019</i>
<i>Shaunna L. O'Connell</i>	<i>3rd Bristol</i>	<i>2/1/2019</i>
<i>James J. O'Day</i>	<i>14th Worcester</i>	<i>1/30/2019</i>
<i>Norman J. Orrall</i>	<i>12th Bristol</i>	<i>1/30/2019</i>
<i>Sarah K. Peake</i>	<i>4th Barnstable</i>	<i>2/1/2019</i>
<i>Elizabeth A. Poirier</i>	<i>14th Bristol</i>	<i>2/1/2019</i>
<i>Denise Provost</i>	<i>27th Middlesex</i>	<i>1/24/2019</i>

<i>Rebecca L. Rausch</i>	<i>Norfolk, Bristol and Middlesex</i>	<i>2/1/2019</i>
<i>David Allen Robertson</i>	<i>19th Middlesex</i>	<i>1/31/2019</i>
<i>David M. Rogers</i>	<i>24th Middlesex</i>	<i>2/1/2019</i>
<i>Lindsay N. Sabadosa</i>	<i>1st Hampshire</i>	<i>1/31/2019</i>
<i>Angelo M. Scaccia</i>	<i>14th Suffolk</i>	<i>1/29/2019</i>
<i>Alan Silvia</i>	<i>7th Bristol</i>	<i>1/19/2019</i>
<i>Thomas M. Stanley</i>	<i>9th Middlesex</i>	<i>1/30/2019</i>
<i>José F. Tosado</i>	<i>9th Hampden</i>	<i>2/1/2019</i>
<i>Dean A. Tran</i>	<i>Worcester and Middlesex</i>	<i>1/30/2019</i>
<i>Steven Ultrino</i>	<i>33rd Middlesex</i>	<i>1/25/2019</i>
<i>Aaron Vega</i>	<i>5th Hampden</i>	<i>1/31/2019</i>
<i>Tommy Vitolo</i>	<i>15th Norfolk</i>	<i>1/31/2019</i>
<i>Jonathan D. Zlotnik</i>	<i>2nd Worcester</i>	<i>1/31/2019</i>

HOUSE No. 873

By Representative Schmid of Westport and Senator Comerford, a joint petition (accompanied by bill, House, No. 873) of Paul A. Schmid, III, Joanne M. Comerford and others for legislation to promote healthy soils and agricultural innovation. Environment, Natural Resources and Agriculture.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

An Act to promote healthy soils and agricultural innovation within the Commonwealth.

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. Section 6C of chapter 20 of the General Laws, as appearing in the 2016
2 Official Edition, is hereby amended by striking out, in line 3, the figure “17” and inserting in its
3 place thereof the following figure:- 18.

4 SECTION 2. Said section 6C of said chapter 20, as so appearing, is further amended by
5 inserting in line 16, after the word “designee”, the following words:- ; 1 of whom shall be an
6 expert in healthy soils practices as defined in section 7A of chapter 128, appointed by the
7 secretary of energy and environmental affairs.

8 SECTION 3. Said section 6C of said chapter 20, as so appearing, is hereby further
9 amended by inserting after the word “foods”, in line 35, the following words:- ; especially those
10 produced using healthy soils practices as defined in section 7A of chapter 128.

11 SECTION 4. Said section 6C of said chapter 20, as so appearing, is hereby further
12 amended by inserting after the word “resources”, in line 42, the following words:- particularly
13 through practices which promote healthy soils as defined in section 7A of chapter 128.

14 SECTION 5. Section 20 of chapter 21 of the General Laws, as appearing in the 2016
15 Official Edition, is hereby amended by inserting after subsection 14 the following subsection:-

16 (15) Subject to the availability of funds, to oversee the advancement of policies and
17 practices related to a healthy soils program, which shall seek to optimize climate benefits while
18 supporting the economic viability of agriculture in the commonwealth by providing incentives,
19 including, but not limited to, loans, grants, research, technical assistance, educational material
20 and outreach to farmers whose management practices will contribute to healthy soils and
21 agricultural innovation and result in net long-term on-farm greenhouse gas benefits.

22 The commission shall manage the program in consultation with the Massachusetts
23 Association of Conservation Districts, Massachusetts Farm Bureau Federation, USDA’s National
24 Resources Conservation Services, Northeast Organic Farming Association/Massachusetts
25 Chapter, UMass Extension, and any other party which may be designated by the Governor,
26 established pursuant to section 2CCCCC of chapter 29. The program shall develop an outreach
27 program to identify and foster new, innovative ideas and approaches adding value to the
28 commonwealth’s agricultural economy.

29 SECTION 6. Chapter 29 of the General Laws, as appearing in the 2016 Official Edition,
30 is hereby amended by inserting after section 2BBBBB the following section:-

31 Section 2CCCCC. (a) There shall be established and set upon the books of the
32 commonwealth a separate fund to be known as the Massachusetts Healthy Soils Program Fund.

33 The fund shall be administered by the executive office of energy and the environment.
34 Notwithstanding any general or special law to the contrary, there shall be credited to the fund (1)
35 any revenue subject to appropriation from the Gaming Economic Development Fund, established
36 pursuant to section 2DDDD of chapter 29, (2) any revenue subject to appropriations or other
37 money authorized by the general court and specifically designated to be credited to the fund and
38 (3) any gifts, grants, private contributions, investment income earned by the fund's assets, and
39 any other sources of funds so designated. No expenditure from the fund shall cause the fund to
40 be in deficiency at the close of the fiscal year. Money in the fund at the end of the fiscal year
41 shall not revert to the General Fund and shall be available for expenditure in the subsequent year
42 and shall not be subject to section 5C of chapter 29.

43 (b) Funds shall be expended to enhance the education, training, employment, income,
44 productivity and retention of those working or aspiring to implement healthy soils practices, and
45 in providing incentives for healthy soils practices in the commonwealth. The Commission for
46 Conservation of Soil, Water and Related Resources, shall establish, develop and implement the
47 Massachusetts Healthy Soils Program in furtherance of this purpose. Amounts credited to the
48 fund shall be used to further the purposes of the Massachusetts Healthy Soils Program, without
49 further appropriation, for the costs associated with administering and implementing the program
50 and may also be used to provide grants or loans on a competitive basis to public, private and
51 charitable entities to finance projects in furtherance of the Massachusetts Healthy Soils Program.
52 Expenditures from the fund for this purpose shall complement and not replace existing local,
53 state, private or federal funding for related training and educational programs, and shall be
54 subject to the approval of the State Commission for Conservation of Soil, Water & Related
55 Resources, and in consultation with the Massachusetts Association of Conservation Districts,

56 Massachusetts Farm Bureau Federation, USDA’s National Resources Conservation Services,
57 Northeast Organic Farming Association/Massachusetts Chapter and UMass Extension.

58 SECTION 7. Section 7A of chapter 128, as so appearing is hereby amended by inserting
59 after the definition of “garden” the following:-

60 “Greenhouse gas benefits,” greenhouse gas emissions source reduction or carbon
61 sequestration.

62 “Healthy soils,” soils that enhance their continuing capacity to function as a biological
63 system, increase soil organic matter, improve soil structure and water- and nutrient-holding
64 capacity, and result in net long-term greenhouse gas benefits.

65 “Healthy soils practices,” agricultural practices developed in consultation with the
66 commission for conservation of soil, water and related resources established by section 19 of
67 chapter 21 which improve the health of soils, including, but not limited to, those that increase the
68 depth of topsoil horizons; increase water infiltration rates; increase organic carbon content;
69 increase bulk density; increase biological activity; increase biological and microbiological
70 diversity; and reduce bare ground, and as achieved through practices such as conservation tillage
71 or no-till, cover-cropping, planned grazing, integrated crop-livestock systems, efficient
72 chemicals use, and other methodologies.