

HOUSE No. 859

The Commonwealth of Massachusetts

PRESENTED BY:

Natalie M. Blais

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 modernize certain provisions of the agricultural preservation restriction program.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Natalie M. Blais</i>	<i>1st Franklin</i>	<i>1/22/2021</i>
<i>Steven S. Howitt</i>	<i>4th Bristol</i>	<i>2/25/2021</i>
<i>Mathew J. Muratore</i>	<i>1st Plymouth</i>	<i>2/26/2021</i>
<i>David F. DeCoste</i>	<i>5th Plymouth</i>	<i>2/26/2021</i>
<i>Susan Williams Gifford</i>	<i>2nd Plymouth</i>	<i>2/26/2021</i>
<i>Paul McMurtry</i>	<i>11th Norfolk</i>	<i>2/26/2021</i>
<i>Joan B. Lovely</i>	<i>Second Essex</i>	<i>3/22/2021</i>
<i>Norman J. Orrall</i>	<i>12th Bristol</i>	<i>3/31/2021</i>
<i>Adam G. Hinds</i>	<i>Berkshire, Hampshire, Franklin and Hampden</i>	<i>4/20/2021</i>

HOUSE No. 859

By Ms. Blais of Sunderland, a petition (accompanied by bill, House, No. 859) of Natalie M. Blais and others relative to certain provisions of the agricultural preservation restriction program. Environment, Natural Resources and Agriculture.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Second General Court
(2021-2022)**

An Act to modernize certain provisions of the agricultural preservation restriction program.

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 23 of chapter 20 of the General Laws, as appearing in the 2018
2 Official Edition, is hereby amended by striking out, in line 84, the words “a maximum of 5 years
3 duration” and inserting in place thereof the following words:- a period of at least 1 year.

4 SECTION 2. Subsection (b) of said section 23 of said chapter 20, as so appearing, is
5 hereby amended by adding the following 3 sentences:- Notwithstanding the foregoing, the
6 department may approve a special permit for a trial period of 1 year to evaluate a proposal for
7 nonagricultural activities. If a special permit is issued to a permit holder for a 1-year trial period
8 under this subsection, the department shall notify the permit holder of the department’s decision
9 to renew, revoke or amend the permit within 1 year of the date of issuance. If the department
10 fails to notify the permit holder within 1 year of the date of issuance of a special permit of its
11 decision to renew, revoke or amend the special permit, the special permit shall automatically be
12 renewed for a period of 5 years.”.

13 SECTION 3. Said section 23 of said chapter 20, as so appearing, is hereby further
14 amended by striking out, in line 112, the words “for a special permit authorized in subsection
15 (b)” and inserting in place thereof the following words:- any landowner of land subject to an
16 agricultural preservation restriction who is subject to and aggrieved by a decision of the
17 department relative to a special permit authorized under subsection (b), including a decision
18 regarding the renewal, revocation, amendment to or length of a special permit”.