

HOUSE No. 88

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 strengthening local food systems.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Natalie M. Blais</i>	<i>1st Franklin</i>	<i>1/18/2023</i>
<i>Mindy Domb</i>	<i>3rd Hampshire</i>	<i>1/20/2023</i>
<i>Bud L. Williams</i>	<i>11th Hampden</i>	<i>1/25/2023</i>
<i>Smitty Pignatelli</i>	<i>3rd Berkshire</i>	<i>1/25/2023</i>
<i>Tram T. Nguyen</i>	<i>18th Essex</i>	<i>1/25/2023</i>
<i>Hannah Kane</i>	<i>11th Worcester</i>	<i>1/25/2023</i>
<i>Susannah M. Whipps</i>	<i>2nd Franklin</i>	<i>1/25/2023</i>
<i>Patricia A. Duffy</i>	<i>5th Hampden</i>	<i>1/26/2023</i>
<i>James C. Arena-DeRosa</i>	<i>8th Middlesex</i>	<i>1/26/2023</i>
<i>Lindsay N. Sabadosa</i>	<i>1st Hampshire</i>	<i>1/26/2023</i>
<i>Susan Williams Gifford</i>	<i>2nd Plymouth</i>	<i>1/26/2023</i>
<i>Joseph D. McKenna</i>	<i>18th Worcester</i>	<i>1/27/2023</i>
<i>Carol A. Doherty</i>	<i>3rd Bristol</i>	<i>1/29/2023</i>
<i>Michael P. Kushmerek</i>	<i>3rd Worcester</i>	<i>2/1/2023</i>
<i>Vanna Howard</i>	<i>17th Middlesex</i>	<i>2/1/2023</i>
<i>Margaret R. Scarsdale</i>	<i>1st Middlesex</i>	<i>2/3/2023</i>
<i>Christopher M. Markey</i>	<i>9th Bristol</i>	<i>2/3/2023</i>
<i>Jon Santiago</i>	<i>9th Suffolk</i>	<i>2/6/2023</i>

<i>Mary S. Keefe</i>	<i>15th Worcester</i>	<i>2/6/2023</i>
<i>Thomas M. Stanley</i>	<i>9th Middlesex</i>	<i>2/7/2023</i>
<i>Paul McMurtry</i>	<i>11th Norfolk</i>	<i>2/8/2023</i>
<i>Tricia Farley-Bouvier</i>	<i>2nd Berkshire</i>	<i>2/8/2023</i>
<i>Paul A. Schmid III</i>	<i>8th Bristol</i>	<i>2/10/2023</i>
<i>Colleen M. Garry</i>	<i>36th Middlesex</i>	<i>2/13/2023</i>
<i>Erika Uytterhoeven</i>	<i>27th Middlesex</i>	<i>2/13/2023</i>
<i>Daniel Cahill</i>	<i>10th Essex</i>	<i>2/17/2023</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	<i>2/19/2023</i>
<i>Walter F. Timilty</i>	<i>Norfolk, Plymouth and Bristol</i>	<i>2/21/2023</i>
<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>	<i>2/22/2023</i>
<i>Samantha Montaño</i>	<i>15th Suffolk</i>	<i>2/26/2023</i>
<i>Jonathan D. Zlotnik</i>	<i>2nd Worcester</i>	<i>3/1/2023</i>
<i>Natalie M. Higgins</i>	<i>4th Worcester</i>	<i>3/16/2023</i>
<i>Bruce E. Tarr</i>	<i>First Essex and Middlesex</i>	<i>7/20/2023</i>

HOUSE No. 88

By Representative Blais of Deerfield, a petition (accompanied by bill, House, No. 88) of Natalie M. Blais and others for legislation to strengthen local food systems. Agriculture.

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act strengthening local food systems.

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 6A of the General Laws is hereby amended by inserting after
2 section 18Z the following section:-

3 Section 18AA. The Massachusetts emergency management agency shall consider and
4 develop, in all emergency preparedness planning efforts, plans for supporting agricultural,
5 seafood, and processed food production in the commonwealth in order to mitigate the impacts of
6 food supply chain disruptions. Plans shall be developed in coordination with the department of
7 agricultural resources, the department of public health, and the department of transitional
8 assistance, and shall include consideration for production, transportation, storage, and
9 distribution.

10 SECTION 2. Section 6C of chapter 20 of the General Laws is amended by inserting after
11 subsection (g) the following subsection:-

12 (h) The council shall appoint a full time food system coordinator as an employee. The
13 food system coordinator shall have access to all relevant agency meetings; serve in an advisory
14 capacity to all relevant departments to inventory existing state programs which relate to the food
15 system across all state agencies, including, but not limited to, agencies associated with the
16 council; facilitate communication and resource collaboration across state agencies; develop and
17 track metrics related to food system goals; identify opportunities to eliminate duplicative efforts
18 and strengthen complementary programs and projects; identify gaps in services and supports and
19 make recommendations; and provide input to help coordinate outreach to underserved
20 communities. The food system coordinator shall submit a report 1 week prior to each council
21 meeting with findings, progress updates, and recommendations to the clerks of the senate and the
22 house of representatives, the council, relevant department secretaries, and relevant department
23 commissioners.

24

25 SECTION 3. Chapter 20 of the General Laws is hereby amended by inserting after
26 section 6C the following section:-

27 Section 6D. There shall be established within the department a circuit rider program to
28 provide on-site guidance to businesses in the commonwealth that are regulated by the department
29 of agricultural resources about state programs, regulations, and funding opportunities. Subject to
30 appropriation, the commissioner shall designate a program director. The director shall establish
31 places at which and the methods whereby farmers may make requests for a farm visit by program
32 staff at no cost. Program staff shall coordinate with state agencies as necessary to assist farmers

33 with compliance. Farm visits under the circuit rider program shall be made in a non-enforcement
34 capacity.

35

36 SECTION 4. The second sentence of subsection (a) of section 23 of chapter 20 of the
37 General Laws, as appearing in the 2020 Official Edition, is hereby amended by inserting after the
38 words “agricultural purposes,” in line 14, the following words:- ; provided, that the committee or
39 any independent appraisal to determine the fair market value of the land restricted for
40 agricultural purposes shall include in its valuation the appraised value of any easements and
41 infrastructure including dwellings, structures, plumbing and irrigation systems on the entire
42 parcel in its fair market value consideration or any payment,.

43

44 SECTION 5. Chapter 20 of the General Laws is hereby amended by inserting after
45 section 32 the following section:-

46 Section 33. Notwithstanding any general or special law to the contrary, the secretary of
47 energy and environmental affairs shall establish a program to acquire by purchase, gift, lease,
48 eminent domain, or otherwise lands and waters and easements therein to protect and conserve
49 land for the purpose of furthering the department’s mission, including, but not limited to,
50 retaining land in agricultural or horticultural use as defined by section 1A of chapter 128 and
51 providing affordable and equitable access to agricultural and horticultural lands.

52

53 The commissioner may, from funds appropriated to carry out this section or from funds
54 received from other sources, compensate a landowner for the acquisition of real estate in such
55 amount as is determined by the commissioner to be equitable in consideration of anticipated
56 benefits from such acquisition in accordance with land acquisition regulations of the department.
57 The commissioner may use departmental funds to create, replace, and maintain appropriate
58 infrastructure and improvements that the department deems consistent with the goals of this
59 section and the department's mission.

60

61 The department may lease, license, or otherwise manage these lands as it sees fit in its
62 sole discretion to best carry out this section and the department's mission and goals.

63

64 Acquisition of land or water under this section shall not guarantee any public access
65 unless otherwise agreed to by the department.

66

67 The department may promulgate rules and regulations relative to the rights, privileges
68 and use of lands, waters, real estate interests and associated improvements acquired and
69 maintained hereunder.

70

71 The department may dispose of such real estate as permitted under section 5A of chapter
72 3 or through the sale to a qualified farmer or beginning farmer in conjunction with permanent

73 protection of the real estate interest such as through an agricultural preservation restriction to the
74 commonwealth or other qualified conservation entity.

75

76 SECTION 6. Chapter 29 of the General Laws is hereby amended by inserting after
77 section 2QQQQQ the following section:-

78 Section 2RRRRR. (a) There shall be established and set up on the books of the
79 commonwealth a separate fund to be known as the Next Generation Farmers Fund. The fund
80 shall be administered by the secretary of energy and environmental affairs, in consultation with
81 the secretary of labor and workforce development.

82

83 (b) The fund shall be credited with \$3,000,000 annually from the Massachusetts
84 Alternative and Clean Energy Investment Trust Fund, established by section 35FF of chapter 10,
85 for an agricultural workforce development grant program. Said program shall award grants to the
86 commonwealth's higher education institutions, vocational technical schools, or community-
87 based organizations that have existing programs for providing workforce development training to
88 first time farmers or the capacity to create such programs. Priority consideration shall be given to
89 programs that serve a high percentage of minority or low-income students or people with
90 disabilities, as well as programs that include hands-on training and training in agricultural
91 practices that mitigate climate change and protect the environment. Not less than \$3,000,000
92 annually from this fund shall go to programs that provide training in agriculture as defined by
93 section 1A of chapter 128, provided that not more than \$1,000,000 shall be granted annually to
94 programs providing training in the growing and harvesting of forest products upon forest land.

95

96 (c) A report detailing the expenditures of the fund shall be submitted annually on or
97 before May 30 to the clerks of the house of representatives and the senate, the house and senate
98 committees on ways and means, the committees on economic development and emerging
99 technologies and the committee on environment, natural resources and agriculture.

100 SECTION 7. Chapter 61A of the General Laws is hereby amended by striking out section
101 2 and inserting in place thereof the following section:-

102 Section 2. Land shall be considered to be in horticultural use when primarily and directly
103 used in raising fruits, vegetables, berries, nuts and other foods for human consumption, feed for
104 animals, tobacco, flower, sod, trees, nursery or greenhouse products, and ornamental plants and
105 shrubs for the purpose of selling these products or a product derived from such plants in the
106 regular course of business; or when primarily and directly used in raising forest products under a
107 certified forest management plan, approved by and subject to procedures established by the state
108 forester, designed to improve the quantity and quality of a continuous crop for the purpose of
109 selling these products in the regular course of business; or when primarily and directly used in a
110 related manner which is incidental to those uses and represents a customary and necessary use in
111 raising these products and preparing them for market or the products derived therefrom for
112 market.

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