

HOUSE No.

The Commonwealth of Massachusetts

PRESENTED BY:

John F. Quinn

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 bill:

An Act protecting the viability of farms in the Commonwealth.

PETITION OF:

NAME:

John F. Quinn

DISTRICT/ADDRESS:

9th Bristol

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 842 OF 2007-2008.]

The Commonwealth of Massachusetts

In the Year Two Thousand and Nine

AN ACT PROTECTING THE VIABILITY OF FARMS IN 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. Chapter 30A of the General Laws, as appearing in the 2006 Official Edition, is hereby amended by
2 adding at the end thereof the following:-

3
4 Section 18. All state and regional agencies, boards and commissions shall, before any rule, regulation, or other
5 regulatory requirement is promulgated, make public and post in writing whether or not such rule, regulation, or other
6 regulatory requirement will potentially have an adverse impact on commercial agricultural operations based in the
7 Commonwealth. For the purposes of this section, "agricultural" shall mean pertaining to agriculture as defined in
8 section one A of chapter one hundred and twenty-eight. Further, if such rule, regulation, or other regulatory
9 requirement is determined to have such a potential impact on agriculture, the responsible agency, board, or
10 commission, in conjunction with the department of food and agriculture, shall conduct an impact assessment to
11 determine the extent of such impact, including, but not limited to, the effect on future land use and related
12 environmental impacts, including costs, and submit to the joint committee on natural resources and agriculture and
13 to the house and senate committees on ways and means a copy of their findings at least forty-five days prior to
14 promulgation.

15
16 All city and town agencies, boards, and commissions shall, before enacting any rule, regulation, law, bylaw,
17 ordinance, or other regulatory requirement that will potentially have an adverse impact on commercial agricultural
18 operations based in the Commonwealth, complete a form prescribed by the department of food and agriculture at
19 least ninety days prior to final enactment of the regulatory requirement. In the case of by-laws, ordinances, and other
20 requirements subject to review by the Attorney General, such form shall be submitted to the department of food and
21 agriculture on the same date a by-law, ordinance, or other requirement is submitted to the Attorney General. No
22 regulatory action described in this section, except those of an emergency nature expiring in six months or less for the
23 purposes of protecting health and safety of persons, shall take effect until the provisions of this section have been
24 complied with.