

**HOUSE . . . . . No.**

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**The Commonwealth of Massachusetts**

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PRESENTED BY:

**William M. Straus**  
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*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 relative to the leasing of publicly owned land for agricultural purposes.

\_\_\_\_\_  
PETITION OF:

NAME: \_\_\_\_\_ | DISTRICT/ADDRESS: \_\_\_\_\_

[SIMILAR MATTER FILED IN PREVIOUS SESSION  
SEE HOUSE, NO. 61 OF 2007-2008.]

## The Commonwealth of Massachusetts

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In the Year Two Thousand and Nine

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### 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:*

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

2 (j) Notwithstanding the provisions of Section 12 of this chapter, and further notwithstanding any contrary  
3 provision of any law or the provisions of any charter, a state, regional or municipal government body may enter into  
4 leases for the rental of conservation land for agricultural purposes, or other municipally-owned or otherwise  
5 publicly-owned land for agricultural purposes, subject to the approval, in the case of municipally-owned land, of the  
6 city council or board of selectmen or town council in towns with a town council form of government and with the  
7 consent of the board or agency with jurisdiction over said lands, for a lease period not to exceed ten years if the  
8 lessor demonstrates to the satisfaction of said board or agency and the city council or board of selectmen or town  
9 council in towns with a town council form of government that a significant capital investment has been or will be  
10 made by the lessor for the purposes of increasing the productivity and agricultural value of said land. No document  
11 transferring care, custody, control, and management of any property leased under the provision of this section shall  
12 be valid unless such document provides that said property shall be used solely for agricultural purposes and the  
13 capital investment required under this section is made by the lessee. The document shall include a reversionary  
14 clause that stipulates that the property will revert to the lessor in the event that the leased property ceases to be used  
15 for agricultural purposes or if the capital investment required by the document of transfer is not timely made. In the  
16 case of conservation land, the proceeds of any such lease permitted under this section shall be used by the lessor  
17 town for conservation improvements to achieve no net loss in lands which were acquired for the purposes stated in  
18 article 97 of the Amendments of the Constitution.