

SENATE No. 55

The Commonwealth of Massachusetts

PRESENTED BY:

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 fostering agricultural resilience in Massachusetts.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Joanne M. Comerford</i>	<i>Hampshire, Franklin and Worcester</i>	
<i>Hannah Kane</i>	<i>11th Worcester</i>	<i>1/31/2025</i>
<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>	<i>2/4/2025</i>
<i>James B. Eldridge</i>	<i>Middlesex and Worcester</i>	<i>3/3/2025</i>
<i>Michael O. Moore</i>	<i>Second Worcester</i>	<i>3/6/2025</i>

SENATE No. 55

By Ms. Comerford, a petition (accompanied by bill, Senate, No. 55) of Joanne M. Comerford, Hannah Kane, Jason M. Lewis, James B. Eldridge and others for legislation to strengthen local food systems. Agriculture.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE SENATE, NO. 2570 OF 2023-2024.]

The Commonwealth of Massachusetts

In the One Hundred and Ninety-Fourth General Court
(2025-2026)

An Act fostering agricultural resilience in Massachusetts.

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, as appearing in the 2022 Official Edition,
2 is hereby amended by inserting after section 18AA the following section:-

3 Section 18BB. The Massachusetts emergency management agency shall develop and
4 maintain a plan for supporting agricultural, seafood and processed food production in the
5 commonwealth in all emergency preparedness planning efforts in order to mitigate the impacts
6 of food supply chain disruptions. The plan shall be developed in coordination with the
7 department of agricultural resources, the department of public health and the department of
8 transitional assistance, and shall include consideration for food production, transportation,
9 storage and distribution. The plan shall be reviewed and updated every 5 years. The director of
10 the Massachusetts emergency management agency shall submit the plan, and subsequent

required plan revisions, to the house and senate clerks' offices, the joint committee on agriculture and the joint committee on emergency preparedness and management.

SECTION 2. Section 6C of chapter 20 of the General Laws, as appearing in the 2022 Official Edition, is amended by inserting after subsection (g) the following subsection:-

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

SECTION 3. Said chapter 20, as so appearing, is hereby amended by inserting after said section 6C the following section:-

Section 6D. (a) As used in this section, the following words shall have the following meanings:

"Local food", food for human consumption that was grown, raised, caught or processed in Massachusetts.

(b) It is hereby declared the policy of the commonwealth, the department of agricultural resources and the department of transitional assistance to maximize the amount of local food that is distributed to Massachusetts residents through state food assistance programs, while maintaining affordability for food banks and individuals and fairly valuing local food, in order to advance health equity for all residents of the commonwealth and promote a strong local food system. This section shall be implemented to achieve this goal.

(c) Notwithstanding any general or special law to the contrary, the department of agricultural resources, in collaboration with the commonwealth's 4 regional food banks, the executive office of elder affairs, the department of transitional assistance, the department of higher education and the department of elementary and secondary education, shall, annually on or before October 31, report on the distribution of local food through state food assistance programs. The report shall include, but not be limited to, the following:

(i) the quantity of local food distributed, by dollar value and as a percentage of total food distributed and, where possible, by weight;

(ii) a breakdown of the types of local food distributed, including, but not limited to, produce, meat, dairy, seafood and processed food, including whether or not the processed food includes ingredients grown, raised or caught in Massachusetts, by dollar amounts and as a percentage of total food distributed and, where possible, by weight;

(iii) the quantity of local food distributed by state food assistance plans including, but not limited to, the Massachusetts emergency food assistance program, the Massachusetts healthy incentives program, universal free school meals, the hunger-free campus initiative, the farm to school FRESH grant program, the senior nutrition program, the Meals on Wheels Program and

the senior farm share program, by dollar amounts and as a percentage of total food distributed;
and

(iv) agency and departmental recommendations on how Massachusetts can increase the amount of local food distributed through state food assistance programs in future fiscal years while maintaining affordability for food banks and individuals and fairly valuing local food, as well as budgetary or policy recommendations for implementing those recommendations.

The report shall be made available on the department of agricultural resources' website and a copy shall be filed with the clerks of the house and senate, the joint committee on agriculture and the joint committee on children, families and persons with disabilities.

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

SECTION 5. Section 24 of said chapter 20, as so appearing, is hereby amended by inserting after subsection (d) the following subsection:-

(e)(1) As used in this subsection, the following words shall have the following meanings:

"Agricultural preservation restriction", agricultural preservation restriction as defined in section 31 of chapter 184.

“Farm viability”, the financial and environmental ability of a farm to remain in operation and produce crops over the short- and long-term.

(2) The committee shall create annual and long-term goals for enrolling land as an agricultural preservation restriction. Said goals shall consider the value of a parcel to the commonwealth by considering the following factors: acreage, farm viability, soil health, carbon sequestration and other ecosystem services, infrastructure, access to markets, access to land ownership for historically marginalized communities, environmental justice principles as defined by section 62 of chapter 30, vulnerability to being transformed into a non-agricultural use and any other factors as determined by the committee.

(3) The committee shall post a public notice of availability of the draft goals in the environmental monitor and provide a 60-day public comment period. The committee shall duly consider and respond to comments received and finalize the goals. The goals shall be updated every 5 years, or more frequently, with public review. The committee shall post the final goals, and any subsequent updates to the goals, on the department of agricultural resources’ website.

(4) The committee shall publish an annual report evaluating their progress to meet the goals established pursuant to paragraph (2) of this subsection. Said report shall include, but shall not be limited to, the following:

(i) The number of acres enrolled in an agricultural preservation restriction during the past year and the total number of acres enrolled in an agricultural preservation restriction in the commonwealth;

(ii) The total number of farms enrolled in an agricultural preservation restriction during the past year and the total number of farms enrolled in an agricultural preservation restriction in the commonwealth;

(iii) The geographic distribution of farms enrolled in an agricultural preservation restriction;

(iv) Challenges to enrolling new land in an agricultural preservation restriction;

(v) Plans for the following year to meet the goals established pursuant to paragraph (2) of this subsection; and

(vi) Budgetary requests and statutory changes, if needed, in order to achieve the goals established pursuant to paragraph (2) of this subsection.

The committee shall annually, not later than March 1, submit a copy of the report to the clerks of the house of representatives and the senate, the house and senate committees on ways and means, the joint committee on agriculture and the joint committee on environment and natural resources. The annual reports shall be posted on the department of agricultural resources' website.

SECTION 6. Said chapter 20 of the General Laws, as so appearing, is hereby further amended by adding the following section:-

Section 33. There shall be established a food security infrastructure grant program to support equitable access to healthy, local food and to strengthen food supply and distribution systems in all geographic regions of the commonwealth, which shall be administered by the commissioner. The program shall consist of financial assistance to food producers, processors

and distributors; emergency food distributors; community and food organizations; school meal programs and summer meal sponsors; urban farms and community gardens; and nonprofit food security organizations to fund capital improvements including: (i) the purchase of new or used equipment; (ii) contracted labor costs in order to implement projects; and (iii) costs associated with planning and design directly related to capital projects that will allow applicants to strengthen and improve the resiliency of the commonwealth's food system while allowing greater access to fresh, local food in a way that addresses systemic inequities.

SECTION 7. Chapter 29 of the General Laws, as appearing in the 2022 Official Edition, is hereby amended by inserting after section 2DDDDDD the following section:-

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

(b) The fund shall be credited with \$3,000,000 annually from the Workforce and Competitiveness Trust Fund, established by section 2WWW of chapter 28, for an agricultural workforce development grant program. Said program shall award grants to the commonwealth's higher education institutions, vocational technical schools or community-based organizations that have existing programs for providing workforce development training to first time farmers or the capacity to create such programs. Priority consideration shall be given to programs that serve a high percentage of historically underserved or low-income students or people with disabilities, as well as programs that include hands-on training and training in agricultural practices that mitigate climate change and protect the environment. Not less than \$3,000,000

annually from this fund shall go to programs that provide training in agriculture as defined by section 1A of chapter 128; provided that not more than \$1,000,000 shall be granted annually to programs providing training in the growing and harvesting of forest products upon forest land.

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

SECTION 8. Section 20 of chapter 30B of the General Laws, as appearing in the 2022 Official Edition, is hereby amended by striking, in line 19, the figure “10” and inserting in place thereof the following figure:- 20.

SECTION 9. Section 3 of chapter 40A of the General Laws, as appearing in the 2022 Official Edition, is hereby amended by inserting after the word “floriculture”, in lines 6, 10, 24, 29, 31 to 32, 40 and 47, in each instance, the following word:- , agritourism.

SECTION 10. Said section 3 of said chapter 40A, as so appearing, is hereby further amended by inserting, after the words “chapter 128”, in line 37, the following words:- , the word “agritourism” shall be as defined in section 1B of said chapter 128.

SECTION 11. Said section 3 of said chapter 40A, as so appearing, is hereby further amended by inserting after the first paragraph the following paragraph:-

Nothing in this section shall be construed to prevent any of the zoning ordinance or by-law exemptions under this section applying to land on which agritourism activities take place; provided, that the uses of this land and the structures thereon conform with the requirements of

the first paragraph of this section. In considering whether land is used for the primary purpose of commercial agriculture, aquaculture, silviculture, horticulture, floriculture or viticulture, the presence or lack of agritourism activities located thereon shall not be the sole basis for granting or refusing to grant this consideration.

SECTION 12. Section 2A of chapter 61A of the General Laws, as appearing in the 2022 Official Edition, is hereby amended by inserting after subsection (d) the following subsection:-

(e) (1) As used in this subsection, the following words shall have the following meanings:

“Commissioner”, the commissioner of the department of agricultural resources.

“Department”, the department of agricultural resources.

“Farmland”, land primarily and directly used for agricultural purposes pursuant to section 1 of this chapter or land primarily and directly used for horticultural purposes pursuant to section 2 of this chapter.

“Farm viability”, the financial and environmental ability of a farm to remain in operation and produce crops over the short- and long-term.

(2) Notwithstanding any general or special law to the contrary, the department, in consultation with the department of energy resources, once every 10 years or at other such frequency as determined by the commissioner, whichever is more frequent, shall review and consider whether any amendments to statutory, regulatory and deed-based restrictions on the amount of renewable energy allowed to be generated on farmland, including but not limited to, land under chapter 61A and land in the agricultural preservation restriction program established pursuant to section 23 of chapter 20, would help preserve or improve farm viability. The

department shall consider whether alternative measures such as updated or modernized farm management or business practices could achieve the same or similar improvements in farm viability, as well as the commonwealth's current ability to support farmers in updating said practices, in their consideration of whether and which amendments to recommend. The department shall additionally factor into their review and considerations the promotion of healthy soils and biodiversity, environmental sustainability and the commonwealth's renewable energy goals pursuant to the roadmap plans required under section 5 of said chapter 21N. If the department concludes that amendments to the restrictions on the amount of renewable energy allowed to be generated on farmland are warranted, the commissioner shall include a list of the department's specific recommended amendments in the department's report.

(3) The department shall report the findings of their review to the clerks of the house of representatives and the senate, the house and senate committees on ways and means, the joint committee on agriculture and the joint committee on environment and natural resources.

SECTION 13. Said chapter 61A of the General Laws is hereby amended by striking out section 14, as appearing in the 2022 Official Edition, and inserting in place thereof the following section:-

Section 14. Land taxed under this chapter shall not be sold for, or converted to, residential, industrial or commercial use while so taxed or within 1 year after that time unless the city or town in which the land is located and the department of agricultural resources has been notified of the intent to sell for, or to convert to, that other use.

The discontinuance of agricultural or horticultural use shall not, in itself, for the purposes of this section, be considered a conversion. Specific use of land for a residence for the owner, the

owner's spouse or a parent, grandparent, child, grandchild, or brother or sister of the owner, or surviving husband or wife of any deceased such relative, or for living quarters for any persons actively employed full-time in the agricultural or horticultural use of such land, shall not be a conversion for the purposes of this section, and a certificate of the board of assessors, recorded with the registry of deeds, shall conclusively establish that particular use.

Any notice of intent to sell for other use shall be accompanied by a statement of intent to sell, a statement of proposed use of the land, the location and acreage of land as shown on a map drawn at the scale of the assessors map in the city or town in which the land is situated, and the name, address and telephone number of the landowner.

Any notice of intent to sell for other use shall be accompanied by a certified copy of an executed purchase and sale agreement specifying the purchase price and all terms and conditions of the proposed sale, which is limited to only the property classified under this chapter, and which shall be a bona fide offer as described below.

Any notice of intent to sell for other use shall also be accompanied by any additional agreements or a statement of any additional consideration for any contiguous land under the same ownership, and not classified under this chapter, but sold or to be sold contemporaneously with the proposed sale.

For the purposes of this chapter, a bona fide offer to purchase shall mean a good faith offer, not dependent upon potential changes to current zoning or conditions or contingencies relating to the potential for, or the potential extent of, subdivision of the property for residential use or the potential for, or the potential extent of development of the property for industrial or

223 commercial use, made by a party unaffiliated with the landowner for a fixed consideration
224 payable upon delivery of the deed.

225 Any notice of intent to convert to other use shall be accompanied by a statement of intent
226 to convert, a statement of proposed use of the land, the location and acreage of land as shown on
227 a map drawn at the scale of the assessors map in the city or town in which the land is situated,
228 the name, address and telephone number of the landowner and the landowner's attorney, if any.

229 The notice of intent to sell or convert shall be sent by the landowner by certified mail or
230 hand delivered to the mayor and city council of a city, or select board of a town, and in the case
231 of either a city or a town, to its board of assessors, to its planning board and conservation
232 commission, if any, to the commissioner of the department of agricultural resources and to the
233 state forester.

234 A notarized affidavit that the landowner has mailed or delivered a notice of intent to sell
235 or convert shall be conclusive evidence that the landowner has mailed the notice in the manner
236 and at the time specified. Each affidavit shall have attached to it a copy of the notice of intent to
237 which it relates.

238 The notice of intent to sell or convert shall be considered to have been duly mailed if
239 addressed to the mayor and city council or select board in care of the city or town clerk; to the
240 planning board and conservation commission if addressed to them directly; to the department of
241 agricultural resources if addressed to the secretary of the executive office of energy and
242 environmental affairs or to the commissioner of the department of agricultural resources; to the
243 state forester if addressed to the commissioner of the department of conservation and recreation;
244 and to the assessors if addressed to them directly.

245 If the notice of intent to sell or convert does not contain all of the material described
246 above, then the town or city, within 30 days after receipt, shall notify the landowner in writing
247 that notice is insufficient and does not comply.

248 For a period of 120 days after the day following the latest date of deposit in the United
249 States mail of any notice which complies with this section, the city or town shall have, in the
250 case of intended sale, a first refusal option to meet a bona fide offer to purchase the land. If the
251 city or town does not exercise its option, the department of agricultural resources shall then have
252 a refusal option to meet a bona fide offer to purchase the land or assign such right.

253 In the case of intended or determined conversion not involving sale, the municipality, or
254 the department of agricultural resources if the municipality does not exercise its option, shall
255 have an option to purchase the land at full and fair market value to be determined by an impartial
256 appraisal performed by a certified appraiser hired at the expense of the municipality or its
257 assignee, or the department of agricultural resources or its assignee, the original appraisal to be
258 completed and delivered to the landowner within 30 days after the notice of conversion to the
259 municipality and the department of agricultural resources. In the event that the landowner is
260 dissatisfied with the original appraisal, the landowner may, at the landowner's expense, contract
261 for a second appraisal, to be completed within 60 days after the delivery of the notice to convert.
262 If, after completion of the second appraisal, the parties cannot agree on a consideration, the
263 parties will contract with a mutually acceptable appraiser for a third appraisal whose cost will be
264 borne equally by both parties. The third appraisal shall be delivered to both parties within 90
265 days after the notice of conversion to the municipality and shall be the final determination of
266 consideration. Upon agreement of a consideration, the city or town shall then have 120 days to
267 exercise its option. During the appraisal process, the landowner may revoke the intent to convert

268 at any time and with no recourse to either party. The department of agricultural resources shall
269 only have the ability to exercise its option after the municipality provides written notice of its
270 intent to not exercise its option as set forth in this section. The department of agricultural
271 resources shall have the remaining time or an additional 60 days, whichever is longer, to exercise
272 its option in the same manner and subject as the city or town.

273 The option may be exercised only after a public hearing followed by written notice
274 signed by the mayor or select board if the option is exercised by the municipality, or signed by
275 the commissioner of the department of agricultural resources if the option is exercised by the
276 department of agricultural resources, mailed to the landowner by certified mail at the address that
277 is specified in the notice of intent. Notice of public hearing shall be given in accordance with
278 section 23B of chapter 39.

279 The notice of exercise shall also be recorded at the registry of deeds and shall contain the
280 name of the record owner of the land and description of the premises adequate for identification
281 of them.

282 The notice to the landowner of the city or town's or the department of agricultural
283 resources' election to exercise its option shall be accompanied by a proposed purchase and sale
284 contract or other agreement between the city or town or the department of agricultural resources
285 and the landowner which, if executed, shall be fulfilled within a period of not more than 90 days
286 after the date the contract or agreement, endorsed by the landowner, is returned by certified mail
287 to the mayor or select board or the commissioner of the department of agricultural resources, or
288 upon expiration of any extended period that the landowner has agreed to in writing, whichever is
289 later.

At the public hearing or a further public hearing, the city or town or the department of agricultural resources may assign its option to a nonprofit conservation organization, or to the commonwealth or any of its political subdivisions, or in the case of the department of agricultural resources, to any individual or entity it determines is fit to ensure the continued agricultural use of such land, under the terms and conditions that the mayor or select board or the commissioner of the department of agricultural resources may consider appropriate. Notice of public hearing shall be given in accordance with section 23B of chapter 39.

The assignment shall be for the purpose of maintaining not less than 70 per cent of the land in use as forest land as defined in section 1 of chapter 61, as land in agricultural or horticultural use as defined in sections 1 and 2 or as recreational land as defined in section 1 of chapter 61B, and in no case shall the assignee develop a greater proportion of the land than was proposed by the developer whose offer gave rise to the assignment. All land other than land that is to be developed shall then be bound by a permanent deed restriction that meets the requirements of chapter 184.

If the first refusal option has been assigned as provided in this section, the mayor or select board or the commissioner of the department of agricultural resources shall provide written notice of assignment to the landowner.

The notice of assignment shall state the name and address of the individual, entity, organization or agency of the commonwealth which will exercise the option in addition to the terms and conditions of the assignment. The notice of assignment shall be recorded with the registry of deeds.

311 Failure to record either the notice of exercise or the notice of assignment within the 120
312 day period or the additional 60 day period if exercised by the department of agricultural
313 resources shall be conclusive evidence that the city or town or the department of agricultural
314 resources has not exercised its option.

315 If the option has been assigned to an individual, entity, nonprofit conservation
316 organization or to the commonwealth or any of its political subdivisions, the option may be
317 exercised by the assignee only by written notice to the landowner signed by the assignee, mailed
318 to the landowner by certified mail at the address that is specified in the notice of intent. The
319 notice of exercise shall also be recorded with the registry of deeds and shall contain the name of
320 the record owner of the land and description of the premises adequate for identification of them.

321 The notice of exercise to the landowner shall be accompanied by a proposed purchase
322 and sale contract or other agreement between the assignee and landowner which, if executed,
323 shall be fulfilled within a period of not more than 90 days, or upon expiration of any extended
324 period the landowner has agreed to in writing, from the date the contract or agreement, endorsed
325 by the landowner, is returned by certified mail to the assignee.

326 During the 120 day period or the additional 60 day period, the city or town or the
327 department of agricultural resources or its assignees, shall have the right, at reasonable times and
328 upon reasonable notice, to enter upon the land for the purpose of surveying and inspecting the
329 land, including, but not limited to, soil testing for purposes of Title V and the taking of water
330 samples.

331 The city or town or the department of agricultural resources or its assignee shall have all
332 rights assigned to the buyer in the purchase and sale agreement contained in the notice of intent.

333 If the city or town or the department of agricultural resources elects not to exercise the
334 option, and not to assign its right to exercise the option, the city or town or the department of
335 agricultural resources shall send written notice of nonexercise, signed by the mayor or select
336 board or the commissioner of the department of agricultural resources, to the landowner by
337 certified mail at the address that is specified in the notice of intent. The notice of nonexercise
338 shall contain the name of the owner of record of the land and description of the premises
339 adequate for identification of them and shall be recorded with the registry of deeds.

340 No sale or conversion of the land shall be consummated until the option period has
341 expired or the notice of nonexercise has been recorded with the registry of deeds, and no sale of
342 the land shall be consummated if the terms of the sale differ in any material way from the terms
343 of the purchase and sale agreement which accompanied the bona fide offer to purchase as
344 described in the notice of intent to sell except as provided in this section.

345 This section shall not apply to a mortgage foreclosure sale, but the holder of a mortgage
346 shall, at least 90 days before a foreclosure sale, send written notice of the time and place of the
347 sale to the parties in the manner described in this section for notice of intent to sell or convert,
348 and the giving of notice may be established by an affidavit as described in this section.

349 SECTION 14. Said chapter 61A of the General Laws, as so appearing, is hereby further
350 amended by inserting after section 24 the following section:-

351 Section 25. (a) As used in this section, the following words shall have the following
352 meanings:

353 “Agricultural land”, agricultural land as defined in section 1 of this chapter.

“Horticultural land”, horticultural land as defined in section 2 of this chapter.

(b) The department of revenue, in consultation with the department of agricultural resources, shall establish and maintain a central registry of all agricultural and horticultural land in the commonwealth. The department of revenue shall update the registry on an annual basis or at other such frequency as determined by the commissioner of revenue, whichever is more frequent. The commissioner of revenue shall facilitate information sharing among federal, state and local entities. Said registry shall include, but not be limited to, the following:

(i) in total and in each municipality, the number of parcels and the number of acres of agricultural land and horticultural land;

(ii) in total and in each municipality, the number of parcels and the number of acres of agricultural land and horticultural land enrolled in this chapter;

(iii) in total and in each municipality, the number of parcels of agricultural land and horticultural land that are disenrolled from this chapter during that year;

(iv) in total and in each municipality, the number of parcels of agricultural land and horticultural land that have been newly enrolled this chapter during that year;

(v) in total and in each municipality, the number of parcels and the number of acres of land receiving the rate of tax applicable to agricultural or horticultural land pursuant to section 4 of this chapter; and

(iv) the percentage of all cropland, as reported in the most recent United States Department of Agriculture Census of Agriculture, that is enrolled in this chapter.

374 The department of revenue, in consultation with the department of agricultural resources,
375 shall integrate the data from the central registry into a publicly accessible, interactive map with
376 data shown at both the individual parcel and municipal level. The map shall be created in a
377 format that allows for comparison and overlays with existing maps of soil conditions and types.

378 The department of revenue shall make its data collection methodologies, findings and all
379 of the data within the central registry and map accessible to the department of agricultural
380 resources. The department shall make the central registry and the map publicly available,
381 downloadable and searchable on its website.

382 SECTION 15. Chapter 75 of the General Laws is hereby amended by striking out section
383 14D, as appearing in the 2022 Official Edition, and inserting in place thereof the following
384 section:-

385 Section 14D. There shall be within the University of Massachusetts a University of
386 Massachusetts Extension Board of Public Overseers for the purpose of advising and assisting the
387 chancellor of the University of Massachusetts at Amherst in the mission, budget, operation and
388 management of University of Massachusetts Extension programs. Nothing in this section shall
389 directly affect the employment status of personnel.

390 The board shall consist of 1 member of the senate, who shall be appointed by the senate
391 president; 1 member who shall be appointed by the minority leader of the senate; 1 member of
392 the house of representatives, who shall be appointed by the speaker of the house; 1 member who
393 shall be appointed by the minority leader of the house of representatives; a designee of the
394 president of the university; a designee of the chancellor of the University of Massachusetts at
395 Amherst; the commissioner of food and agriculture; and the following persons to be appointed

396 by the governor: 3 members of the Massachusetts Farm Bureau Federation, Inc. chosen from a
397 list of 12 members submitted by said federation; 1 member of the Massachusetts 4–H
398 Foundation, Inc. chosen from a list of 3 members submitted by said organization; 1 member of
399 the Massachusetts Forestry Association chosen from a list of 3 members submitted by said
400 association; 1 member of the Massachusetts Audubon Society chosen from a list of 3 members
401 submitted by said society; 1 member of the Massachusetts Arborists Association chosen from a
402 list of 3 members submitted by said association; 1 member of a Buy Local organization chosen
403 from a list of 3 members submitted by said organization; 1 member of the Massachusetts Food
404 System Collaborative chosen from a list of 3 members submitted by said collaborative; 1
405 member from an organization engaged in urban farming education or practices; and 2 members
406 of organizations that support historically marginalized or new entry farmers and food producers.
407 The chancellor of the University of Massachusetts at Amherst shall appoint the chairperson from
408 among the membership of the board. Members of the board shall serve without compensation but
409 shall be reimbursed, subject to appropriation, out of any funds available for the purpose, for
410 necessary expenses incurred in the performance of their official duties.

411 The appointed members of the board shall serve for terms of 5 years, except for persons
412 appointed to fill vacancies, who shall serve for the unexpired term. The board shall hold an
413 annual meeting in January and at least 3 other times during the year. The University of
414 Massachusetts Extension director shall attend all meetings of the board and shall serve as
415 secretary but shall have no vote in its deliberation. 10 members of the board shall constitute a
416 quorum. The board may, by vote of its members then in office, adopt a policy for the conduct of
417 business, including constitution of board membership. Policies may be amended or repealed by a
418 two-thirds vote of its members.

419 The director shall prepare an annual budget for board consideration. Such budget shall be
420 adopted by the board and approved by the chancellor of the University of Massachusetts at
421 Amherst. The director shall annually render a complete and detailed report of the activities,
422 outcomes, revenue and expenditures to the board.

423 The university on behalf of the board may receive, manage and disburse grants and
424 donations from governmental agencies, other colleges and universities, corporations,
425 foundations, associations and individuals for the purpose of funding the University of
426 Massachusetts Extension and agricultural research programs. Further, the university on behalf of
427 the board may establish and administer trust funds to support such programs.

428 SECTION 16. Chapter 128 of the General Laws, as appearing in the 2022 Official
429 Edition, is hereby amended by inserting after section 1A the following section:-

430 Section 1B. (a) For the purposes of this section, the following terms shall, unless the
431 context clearly requires otherwise, have the following meanings:

432 "Agritourism", an agriculturally related educational, entertainment, historical, cultural,
433 commercial or recreational activity that allows or invites members of the general public to
434 observe, participate in, experience and enjoy that activity, and that primarily serves to encourage
435 the purchase of agricultural products grown on the land where the activity takes place.

436 "Land", an entire parcel of land or multiple contiguous whole parcels of land owned by
437 the same person.

438 (b) Agritourism may be conducted on land primarily used for commercial agriculture,
439 aquaculture, silviculture, horticulture, floriculture or viticulture. Agritourism may be conducted

on land not primarily used for commercial agriculture, aquaculture, silviculture, horticulture, floriculture or viticulture if: (i) at least 75 per cent of the acreage of said land is dedicated to agriculture; (ii) at least 50 per cent of the agricultural product produced on said land, by either gross annual sales or annual volume, is utilized in agritourism activities; (iii) at least 25 per cent of the gross annual income from all activities on the land on which the agritourism activity is located results from the sale of products that have been produced on said land; and (iv) at least an additional 50 per cent of the gross annual income from all activities on said land results from the sale of products that have been produced on said land or on land in Massachusetts used for the primary purpose of commercial agriculture, aquaculture, silviculture, horticulture, floriculture or viticulture.

SECTION 17. Notwithstanding any general or special law to the contrary, the executive office of health and human services, in consultation with the division of insurance and the department of agricultural resources, shall conduct a comprehensive study to ascertain the state safety net and other benefit programs available to farmers, identify the challenges and obstacles for farmers in applying for, qualifying for and maintaining coverage under existing safety net programs and make recommendations for how the state can amend current programs or create new programs to better support farmers. The secretary shall facilitate information sharing and policy synchronization among federal, state and local entities. Recommendations shall include, but not be limited to, strategies and solutions for: (i) increasing access to coverage under MassHealth for farmers; (ii) increasing access to premium assistance payments or point-of-service cost-sharing subsidies for farmers through the commonwealth health insurance connector authority; (iii) mitigating the MassHealth cliff effect for farmers; (iv) providing pension or state retirement coverage to farmers, including, but not limited to, through a state matching program

for farmers' retirement contributions; and (v) meeting the differing needs of farmer populations, including, but not limited to, urban farmers, rural farmers and farmers from historically underserved communities in recommendations provided for clauses i to iii of this section, inclusive.

The executive office of health and human services shall submit a report of its findings and recommendations, including any budgetary or statutory needs, to the clerks of the house and senate, the house and senate committees on ways and means, the joint committee on health care financing and the joint committee on agriculture not later than 12 months after the effective date of this act.

SECTION 18. The initial plan required under subsection (a) of section 1 shall be completed no later than 1 year after the effective date of this act.

SECTION 19. The department shall promulgate regulations to implement the provisions of section 6 no later than 120 days after the effective date of this act.

SECTION 20. The first report required by section 12 of this act shall be completed and submitted no later than 6 months after the effective date of this act.

SECTION 21. The registry and map referenced in section 14 of this act shall be established and hosted on the department of revenue's website no later than 9 months after the effective date of this act.