

**HOUSE . . . . . No. 842**

By Mr. Quinn of Dartmouth, petition of John F. Quinn for legislation to protect the viability of farms and farming in the Commonwealth. Environment, Natural Resources and Agriculture.

**The Commonwealth of Massachusetts**

In the Year Two Thousand and Seven.

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 Chapter 30A of the General Laws, as appearing in the 2006 Offi-  
2 cial Edition, is hereby amended by adding at the end thereof the  
3 following:—

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

21 All city and town agencies, boards, and commissions shall, before  
22 enacting any rule, regulation, law, bylaw, ordinance, or other regula-  
23 tory requirement that will potentially have an adverse impact on  
24 commercial agricultural operations based in the Commonwealth,  
25 complete a form prescribed by the department of food and

26 agriculture at least ninety days prior to final enactment of the regula-  
27 tory requirement. In the case of by-laws, ordinances, and other  
28 requirements subject to review by the Attorney General, such form  
29 shall be submitted to the department of food and agriculture on the  
30 same date a by-law, ordinance, or other requirement is submitted to  
31 the Attorney General. No regulatory action described in this section,  
32 except those of an emergency nature expiring in six months or less  
33 for the purposes of protecting health and safety of persons, shall take  
34 effect until the provisions of this section have been complied with.