

SENATE No. 1268

The Commonwealth of Massachusetts

PRESENTED BY:

Adam G. Hinds

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 relative to agricultural commission input on board of health regulations.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Adam G. Hinds</i>	<i>Berkshire, Hampshire, Franklin and Hampden</i>	
<i>Angelo J. Puppolo, Jr.</i>	<i>12th Hampden</i>	<i>1/23/2019</i>
<i>Mary S. Keefe</i>	<i>15th Worcester</i>	<i>1/24/2019</i>
<i>Susannah M. Whipps</i>	<i>2nd Franklin</i>	<i>1/28/2019</i>
<i>Susan Williams Gifford</i>	<i>2nd Plymouth</i>	<i>1/28/2019</i>
<i>David F. DeCoste</i>	<i>5th Plymouth</i>	<i>1/29/2019</i>
<i>Anne M. Gobi</i>	<i>Worcester, Hampden, Hampshire and Middlesex</i>	<i>1/29/2019</i>
<i>Daniel M. Donahue</i>	<i>16th Worcester</i>	<i>1/29/2019</i>
<i>Norman J. Orrall</i>	<i>12th Bristol</i>	<i>1/30/2019</i>
<i>Steven S. Howitt</i>	<i>4th Bristol</i>	<i>1/30/2019</i>
<i>Bruce E. Tarr</i>	<i>First Essex and Middlesex</i>	<i>2/1/2019</i>
<i>Hannah Kane</i>	<i>11th Worcester</i>	<i>2/1/2019</i>

SENATE No. 1268

By Mr. Hinds, a petition (accompanied by bill, Senate, No. 1268) of Adam G. Hinds, Angelo J. Puppolo, Jr., Mary S. Keefe, Susannah M. Whipps and other members of the General Court relative to agricultural commission input on board of health regulations. Public Health.

[SIMILAR MATTER FILED IN PREVIOUS SESSION
SEE HOUSE, NO. 2465 OF 2017-2018.]

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-First General Court
(2019-2020)**

An Act relative to agricultural commission input on board of health regulations.

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. Section 17A Section 31 of chapter 111 of the General Laws, as appearing in
2 the 2016 Official Edition, is hereby amended by striking the second paragraph and inserting in
3 place thereof the following new paragraphs:-

4 In a municipality with a municipal agricultural commission, established pursuant to
5 section 8L of chapter 40, the board of health shall, prior to enacting any regulations that impact
6 farmers markets as defined in 105 CMR 590.001, farms as defined in section 1A of chapter 128,
7 and the non-commercial keeping of poultry, livestock, and bees as well as non-commercial
8 production of fruit, vegetables and horticultural plants, shall provide the municipal agricultural
9 commission with a copy of the proposed regulation. The municipal agricultural commission shall
10 have a 45-day review period, during which the commission may hold a public meeting, and may

11 provide written comments and recommendations to the board of health relative to the proposed
12 regulations. Upon a majority vote of the members, the agricultural commission may waive the
13 45-day review period.

14 If the board of health determines that an emergency exists, the board or its authorized
15 agent, acting in accordance with the provisions of section 30 of chapter 11, may, without notice
16 of a hearing, issue an order reciting the existence of the emergency and requiring that such action
17 be taken as the board of health deems necessary to address the emergency. The board of health
18 shall comply with the local enforcement emergency procedures outlined in 105 CMR
19 400.200(B).