

**SENATE . . . . . No. 438**

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**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 to promote healthy soils and agricultural innovation within the Commonwealth.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	
<i>Joanne M. Comerford</i>	<i>Hampshire, Franklin and Worcester</i>	
<i>Brian M. Ashe</i>	<i>2nd Hampden</i>	<i>1/23/2019</i>
<i>John Barrett, III</i>	<i>1st Berkshire</i>	<i>1/25/2019</i>
<i>Natalie M. Blais</i>	<i>1st Franklin</i>	<i>1/22/2019</i>
<i>Mike Connolly</i>	<i>26th Middlesex</i>	<i>1/24/2019</i>
<i>Julian Cyr</i>	<i>Cape and Islands</i>	<i>2/1/2019</i>
<i>Sal N. DiDomenico</i>	<i>Middlesex and Suffolk</i>	<i>2/21/2019</i>
<i>Diana DiZoglio</i>	<i>First Essex</i>	<i>1/23/2019</i>
<i>Mindy Domb</i>	<i>3rd Hampshire</i>	<i>1/28/2019</i>
<i>Nika C. Elugardo</i>	<i>15th Suffolk</i>	<i>1/31/2019</i>
<i>Anne M. Gobi</i>	<i>Worcester, Hampden, Hampshire and Middlesex</i>	<i>1/24/2019</i>
<i>Adam G. Hinds</i>	<i>Berkshire, Hampshire, Franklin and Hampden</i>	<i>1/30/2019</i>
<i>Patricia D. Jehlen</i>	<i>Second Middlesex</i>	<i>1/31/2019</i>
<i>Hannah Kane</i>	<i>11th Worcester</i>	<i>1/30/2019</i>
<i>Mary S. Keefe</i>	<i>15th Worcester</i>	<i>1/28/2019</i>
<i>David Henry Argosky LeBoeuf</i>	<i>17th Worcester</i>	<i>1/31/2019</i>

<i>Jason M. Lewis</i>	<i>Fifth Middlesex</i>	<i>1/23/2019</i>
<i>Mathew J. Muratore</i>	<i>1st Plymouth</i>	<i>1/30/2019</i>
<i>Patrick M. O'Connor</i>	<i>Plymouth and Norfolk</i>	<i>1/30/2019</i>
<i>Rebecca L. Rausch</i>	<i>Norfolk, Bristol and Middlesex</i>	<i>1/31/2019</i>
<i>Paul A. Schmid, III</i>	<i>8th Bristol</i>	<i>1/23/2019</i>
<i>Thomas M. Stanley</i>	<i>9th Middlesex</i>	<i>1/30/2019</i>
<i>Bruce E. Tarr</i>	<i>First Essex and Middlesex</i>	<i>1/31/2019</i>
<i>José F. Tosado</i>	<i>9th Hampden</i>	<i>1/28/2019</i>
<i>Dean A. Tran</i>	<i>Worcester and Middlesex</i>	<i>1/30/2019</i>
<i>Steven Ultrino</i>	<i>33rd Middlesex</i>	<i>1/25/2019</i>

**SENATE . . . . . No. 438**

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By Ms. Comerford, a petition (accompanied by bill, Senate, No. 438) of Joanne M. Comerford, Brian M. Ashe, John Barrett, III, Natalie M. Blais and other members of the General Court for legislation to promote healthy soils and agricultural innovation within the Commonwealth. Environment, Natural Resources and Agriculture.

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**The Commonwealth of Massachusetts**

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

An Act to promote healthy soils and agricultural innovation within 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. Section 6C of chapter 20 of the General Laws, as appearing in the 2016  
2 Official Edition, is hereby amended by striking out, in line 3, the figure “17” and inserting in its  
3 place thereof the following figure:- 18.

4 SECTION 2. Said section 6C of said chapter 20, as so appearing, is further amended by  
5 inserting in line 16, after the word “designee”, the following words:- ; 1 of whom shall be an  
6 expert in healthy soils practices as defined in section 7A of chapter 128, appointed by the  
7 secretary of energy and environmental affairs.

8 SECTION 3. Said section 6C of said chapter 20, as so appearing, is hereby further  
9 amended by inserting after the word “foods”, in line 35, the following words:- ; especially those  
10 produced using healthy soils practices as defined in section 7A of chapter 128.

11 SECTION 4. Said section 6C of said chapter 20, as so appearing, is hereby further  
12 amended by inserting after the word “resources”, in line 42, the following words:- particularly  
13 through practices which promote healthy soils as defined in section 7A of chapter 128.

14 SECTION 5. Section 20 of chapter 21 of the General Laws, as appearing in the 2016  
15 Official Edition, is hereby amended by inserting after subsection 14 the following subsection:-

16 (15) Subject to the availability of funds, to oversee the advancement of policies and  
17 practices related to a healthy soils program, which shall seek to optimize climate benefits while  
18 supporting the economic viability of agriculture in the commonwealth by providing incentives,  
19 including, but not limited to, loans, grants, research, technical assistance, educational material  
20 and outreach to farmers whose management practices will contribute to healthy soils and  
21 agricultural innovation and result in net long-term on-farm greenhouse gas benefits.

22 The commission shall manage the program in consultation with the Massachusetts  
23 Association of Conservation Districts, Massachusetts Farm Bureau Federation, USDA’s National  
24 Resources Conservation Services, Northeast Organic Farming Association/Massachusetts  
25 Chapter, UMass Extension, and any other party which may be designated by the Governor,  
26 established pursuant to section 2CCCCC of chapter 29. The program shall develop an outreach  
27 program to identify and foster new, innovative ideas and approaches adding value to the  
28 commonwealth’s agricultural economy.

29 SECTION 6. Chapter 29 of the General Laws, as appearing in the 2016 Official Edition,  
30 is hereby amended by inserting after section 2BBBBB the following section:-

31 Section 2CCCCC. (a) There shall be established and set upon the books of the  
32 commonwealth a separate fund to be known as the Massachusetts Healthy Soils Program Fund.

33 The fund shall be administered by the executive office of energy and the environment.  
34 Notwithstanding any general or special law to the contrary, there shall be credited to the fund (1)  
35 any revenue subject to appropriation from the Gaming Economic Development Fund, established  
36 pursuant to section 2DDDD of chapter 29, (2) any revenue subject to appropriations or other  
37 money authorized by the general court and specifically designated to be credited to the fund and  
38 (3) any gifts, grants, private contributions, investment income earned by the fund's assets, and  
39 any other sources of funds so designated. No expenditure from the fund shall cause the fund to  
40 be in deficiency at the close of the fiscal year. Money in the fund at the end of the fiscal year  
41 shall not revert to the General Fund and shall be available for expenditure in the subsequent year  
42 and shall not be subject to section 5C of chapter 29.

43 (b) Funds shall be expended to enhance the education, training, employment, income,  
44 productivity and retention of those working or aspiring to implement healthy soils practices, and  
45 in providing incentives for healthy soils practices in the commonwealth. The Commission for  
46 Conservation of Soil, Water and Related Resources shall establish, develop and implement the  
47 Massachusetts Healthy Soils Program in furtherance of this purpose. Amounts credited to the  
48 fund shall be used to further the purposes of the Massachusetts Healthy Soils Program, without  
49 further appropriation, for the costs associated with administering and implementing the program  
50 and may also be used to provide grants or loans on a competitive basis to public, private and  
51 charitable entities to finance projects in furtherance of the Massachusetts Healthy Soils Program.  
52 Expenditures from the fund for this purpose shall complement and not replace existing local,  
53 state, private or federal funding for related training and educational programs, and shall be  
54 subject to the approval of the State Commission for Conservation of Soil, Water & Related  
55 Resources, and the Massachusetts Association of Conservation Districts, Massachusetts Farm

56 Bureau Federation, USDA's National Resources Conservation Services, Northeast Organic  
57 Farming Association/Massachusetts Chapter and UMass Extension.

58 SECTION 7. Section 7A of chapter 128, as so appearing, is hereby amended by inserting  
59 after the definition of "garden" the following:-

60 "Greenhouse gas benefits," greenhouse gas emissions source reduction or carbon  
61 sequestration.

62 "Healthy soils," soils that enhance their continuing capacity to function as a biological  
63 system, increase soil organic matter, improve soil structure and water- and nutrient-holding  
64 capacity, and result in net long-term greenhouse gas benefits.

65 "Healthy soils practices," agricultural practices developed in consultation with the  
66 commission for conservation of soil, water and related resources established by section 19 of  
67 chapter 21 which improve the health of soils, including, but not limited to, those that increase the  
68 depth of topsoil horizons; increase water infiltration rates; increase organic carbon content;  
69 increase bulk density; increase biological activity; increase biological and microbiological  
70 diversity; and reduce bare ground, and as achieved through practices such as conservation tillage  
71 or no-till, cover-cropping, planned grazing, integrated crop-livestock systems, efficient  
72 chemicals use, and other methodologies.