



2017 Ag Day Legislative Priorities

The Massachusetts food system employs 1 in 10 workers in the state and accounts for 4.5% of the state's gross product. How the food system is regulated and supported by the state impacts the economy and environment, as well as the health and productivity of its citizens and communities.

Two bills introduced this session are the direct result of initiatives undertaken by the Collaborative and allied groups to address key priorities from the *Massachusetts Local Food Action Plan*. We urge legislators to support these important legislative initiatives.



HB2465: An Act relative to Agricultural Commission input on board of health regulations, Rep. Stephen Kulik

Many municipal boards of health have no expertise around farming, but are tasked with making decisions that can impact the viability of local farms. This bill will require that municipal boards of health give local agricultural commissions an opportunity to weigh in on new or changing regulations related to agriculture, so that farmers' perspectives and needs can be taken into account.



HB2131: An Act relative to an agricultural healthy incentives program, Rep. Paul Mark

The Healthy Incentives Program doubles SNAP recipients' purchases of fresh fruits and vegetables directly from farmers, improving health outcomes for vulnerable communities and increasing sales for local farms. This bill will establish the framework for the program's long-term sustainability.

The Collaborative also supports the following **budget priorities** for FY2018, as supportive of the goals of the *Plan*.

A budget for the **Massachusetts Department of Agricultural Resources (MDAR)** that maintains its current level of services. (2511-0100)

Targeted funding for:

- The **Healthy Incentives Program**, which doubles SNAP recipients' purchases of fresh fruits and vegetables directly from farmers: \$1,711,026, needed to leverage more than \$5,000,000 dollars of additional federal and private investment in the program. (4400-1001)
- The state's **buy local organizations**, and their work to increase consumer awareness and sales of local agricultural products: \$500,000, divided among the state's nine buy local organizations. (2511-0100)
- **Mass Farm to School**, which assists public schools, universities and state agencies in sourcing and expanding offerings of healthy, Massachusetts-grown and -caught foods: \$120,000. (2511-0100)
- The **Massachusetts Emergency Food Assistance Program (MEFAP)**, which provides needed food for vulnerable communities via Food Banks: \$20,000,000, with 10% allocated to the MassGrown program which purchases eggs, dairy, fruits, and vegetables from Massachusetts farms. (2511-0105)
- The **Massachusetts Food Trust**, which received a \$6 million bond authorization last year to distribute as grants and loans to projects to improve access to healthy food in underserved communities: \$100,000 for program implementation. (2000-0100)

The following bills further address many recommendations made in the *Massachusetts Local Food Action Plan*. We encourage committees to consider these bills and priorities, and look forward to working with legislators to further shape these and other bills that move the Commonwealth toward a more sustainable and equitable food system.

Production

HB181: An Act relative to updating the plumbing code in order to accommodate agricultural uses, *Rep. Leonard Mirra*

Farms must currently adhere to the commercial plumbing code, which is often unnecessarily restrictive and costly for their purposes. This bill will establish an advisory committee to develop an agricultural plumbing code and recommend it to the board of state examiners of plumbers and gas fitters.

HB441: An Act to promote the care and well-being of livestock, *Rep. Stephen Kulik*

Would establish a Livestock Care and Standards Board to consider and promulgate regulations or voluntary standards governing the care and well-being of cattle, swine, poultry, and other livestock.

HB2616: An Act relative to the Dairy Farm Tax Credit, *Rep. Stephen Kulik*

Would double the amount available to the dairy tax credit program, from \$4 million to \$8 million. Massachusetts continues to lose dairy farms at an alarming rate -- the Commonwealth has only 140 remaining dairies -- and such support is critical to sustaining those that remain.

SB1532/HB3338: An Act to promote urban agriculture and horticulture, *Sen. Linda Forry/Rep. Elizabeth Malia*

Will allow cities with populations over 50,000 to adopt an optional property tax break for land used for urban agriculture, to help overcome the high price of urban land and promote the health, economic, and environmental benefits of growing food in cities.

SB442/HB2938: An Act promoting agriculture in the Commonwealth, *Sen. Anne Gobi/ Rep. Paul Schmid*

Many important elements of this 'omnibus bill' have been taken up via independent legislation, but a number of important items remain solely in this bill, notably: establishing a Farmland Preservation Task Force; opening Department of Conservation and Recreation land to community gardens; and allowing for delivery of raw milk by licensed farmers.

Pollinators

Action is necessary to protect the pollinators that farmers rely upon for their crops. These actions should include both measures to ensure that management practices are not threatening the pollinators, and that investments are being made in planting crops and other vegetation that pollinators rely on as habitat. We support a science-based approach that balances the needs of production and protection of the environment. A number of bills are currently under consideration, and should be considered together, with the above principles in mind:

HB2113: An Act to protect Massachusetts pollinators, *Rep. Carolyn Dykema*

SB451/HB2926: An Act to protect pollinator habitat, *Sen. Jason Lewis/Rep. Mary Keefe*

HB457: An Act to promote pollinator forage, *Rep. Keiko Orrall*

Farmland

Estate Tax

Because of the Commonwealth's high farmland values, the state estate tax, with a \$1 million individual threshold, impacts larger family farms and can result in part or all of a farm being sold for development to pay the tax. Action is needed to address this issue. We believe that tax relief should be granted family farms in exchange for a commitment by the heirs (and those who purchase the farm or land from

heirs) to keep the farm in active agricultural use. A number of bills are currently under consideration, and should be considered together, with the above principles in mind:

HB2618: **An Act maintaining land in agriculture**, *Rep. Stephen Kulik*

HB3323: **An Act to establish estate tax valuation for farms**, *Rep. Kate Hogan*

SB1584: **An Act to establish estate tax valuation for farms**, *Sen. Kathleen O'Connor Ives*

HB1465: **An Act relative to non-contiguous farm land**, *Rep. Arciero, James*

Will allow farms to qualify for Chapter 61A with non-contiguous land totaling at least 5 acres, provided that the parcels are within 10 miles of each other or in the same municipality. This will help the growing number of smaller farms with multiple parcels of land take advantage of the benefits of Chapter 61A.

Energy

HB3398: **An Act relative to small farm energy production**, *Rep. Peter Kocot*

Will direct 25% of revenue from the Local Capital Projects Fund/Gaming Revenue Fund to a small farm grant program to develop farm-based renewable energy capabilities.

SB1829: **An Act promoting agricultural energy production and reducing greenhouse gases**, *Sen. Harriette Chandler*

Will incentivize the use of on-farm anaerobic digesters.

Food Waste

Numerous bills have been filed related to food waste, addressing issues of date labeling, liability protections, and tax deductions and credits. Many of them overlap, and each has potentially positive elements; however, they have been filed in several different committees. These bills should be considered together, and packaged in a way that incentivizes food donations and reduces consumer and donor confusion. The Collaborative supports elements that offer the greatest tax incentives for donations (credits, rather than deductions), clear exemption from liability concerns for all donors, and a standardized labeling system supported by a consumer education campaign.

HB879: **An Act protecting businesses that donate to food banks**, *Rep. Kevin Kuros*

HB1199: **An Act relative to food donations**, *Rep. Paul McMurtry*

HB2626: **An Act relative to the charitable donation of apparently wholesome food**, *Rep. Aaron Michlewitz*

SB838/HB3327: **An Act encouraging the donation of food to persons in need**, *Sen. Eileen Donoghue/ Rep. Hannah Kane*

SB848: **An Act relative to direct food donations**, *Sen. Ryan Fattman*

SB1495: **An Act relative to the charitable donation of wholesome food**, *Sen. Joseph Boncore*

HB3238: **An Act relative to the charitable donation of not readily marketable food**, *Rep. Susan Gifford*

SB292: **An Act authorizing school districts to donate excess food to local voluntary assistance programs**, *Sen. Barbara L'Italien*

HB3348: **An Act to provide a tax deduction for charitable donations of food by farmers**, *Rep. Paul Schmid*

School food

HD1488: **An Act relative to healthy eating in school cafeterias**, *Rep. Jennifer Benson*

Will establish pilot programs to support schools in upgrading their kitchens to do more scratch cooking, provide mini-grants for farm-to-school programming, and set parameters for a Farm to School Interagency Task Force.

SB 242/HB327: **An Act regarding breakfast in the classroom**, Rep. Aaron Vega/Sen. Sal DiDomenico

Will require that all schools where 60% or more of the students qualify for free and reduced meals serve breakfast after the bell, in the classroom. This would help ensure an additional 48,000 students have access to a nutritious breakfast during the school year, reducing nurse visits, and increasing academic performance.

Food Access

HB101/SB612: **An Act improving public health through a common application for core food, health and safety-net programs**, Rep. Jay Livingstone/ Sen. Sal DiDomenico

Will create a common application for Mass Health and SNAP benefits (as well as other DTA administered benefits), improving efficiency and increasing food security for over 570,000 people who are on MassHealth and qualify for SNAP.

Fisheries

HB1712: **An Act relative to the Massachusetts Food Policy Council**, Rep. Paul Schmid

Will add the Commissioner of Fish and Game to the MA Food Policy Council, adding a much needed voice for fisheries to this body addressing system-wide food issues in Massachusetts.

The following organizations have endorsed this document:

American Farmland Trust	Lovin' Spoonfuls
Berkshire Grown	Mass Farmers Markets
Boston Area Gleaners	Massachusetts Farm to School
Central Mass Grown	Massachusetts Law Reform Institute
CommonWealth Kitchen	Merrimack Valley Food Bank
Community Involved in Sustaining Agriculture	New Entry Sustainable Farming Project
Conservation Law Foundation	New England Small Farm Institute
The Food Project	Northeast Organic Farming Assoc.- MA Chapter
Franklin Cty. Community Development Corporation	Project Bread
Franklin Land Trust	Southeastern MA Agricultural Partnership
The Greater Boston Food Bank	Sustainable Nantucket
Island Grown Initiative	The Trustees
Just Roots	Western MA Food Processing Center
Land for Good	Worcester County Food Bank

The Massachusetts Food System Collaborative works to promote, monitor, and facilitate implementation of the Massachusetts Local Food Action Plan. The Collaborative's work focuses on the four main goals of the Plan:

- Increase production, sales and consumption of Massachusetts-grown foods.
- Create jobs and economic opportunity in food, farming and fishing, and improve the wages and skills of food system workers.
- Protect the land and water needed to produce food, maximize environmental benefits from agriculture and fishing, and ensure food safety.
- Reduce hunger and food insecurity, increase the availability of healthy food to all residents, and reduce food waste.

Projects led by the Collaborative bring together nonprofit trade and advocacy groups, businesses, academics, policymakers, and regulators, to further recommendations toward these goals. The Collaborative also works closely with the Massachusetts Food Policy Council, the Massachusetts legislature, and other public and private bodies that will also be working toward the goals of the Plan.

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