

HOUSE No. 4387

The Commonwealth of Massachusetts

**In the One Hundred and Ninety-Third General Court
(2023-2024)**

An Act strengthening the Commonwealth’s farms and food systems.

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 is hereby amended by inserting after
2 section 18AA the following section:-

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

10 SECTION 2. Subsection (a) of section 6C of chapter 20 of the General Laws is hereby
11 amended by striking out the figure “18” and inserting in place thereof the following figure: - 19.

12 SECTION 3. Subsection (a) of section 6C of chapter 20 of the General Laws, is hereby
13 further amended by inserting after the word “affairs”, the following words:- ; 1 of whom shall be
14 the commissioner of fish and game, or the commissioner’s designee.

15 SECTION 4. Section 6C of chapter 20 of the General Laws is amended by inserting after
16 subsection (g) the following subsection:-

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

29 SECTION 5. Chapter 20 of the General Laws is hereby amended by inserting after
30 section 6C the following section:-

31 Section 6D. Subject to appropriation, there shall be established within the department a
32 circuit rider program to provide on-site guidance to businesses in the commonwealth that are
33 regulated by the department of agricultural resources about state programs, regulations, and

34 funding opportunities. Subject to appropriation, the commissioner shall designate a program
35 director. The director shall establish places at which and the methods whereby farmers may
36 make requests for a farm visit by program staff at no cost. Program staff shall coordinate with
37 state agencies as necessary to assist farmers with compliance. Farm visits under the circuit rider
38 program shall be made in a non-enforcement capacity.

39 SECTION 6. Subsection (a) of section 23 of chapter 20 of the General Laws is hereby
40 amended by inserting after the words “agricultural purposes,” the following words:- ; provided,
41 that the committee or any independent appraisal to determine the fair market value of the land
42 restricted for agricultural purposes shall include in its valuation the appraised value of any
43 easements and infrastructure including dwellings, structures, plumbing and irrigation systems on
44 the entire parcel in its fair market value consideration or any payment.

45 SECTION 7. Subsection (b) of section 23 of chapter 20 of the General Laws is hereby
46 amended by striking out the words “a maximum of 5 years duration” and inserting in place
47 thereof the following words:- a period of at least 1 year.

48 SECTION 8. Subsection (b) of section 23 of chapter 20 of the General Laws is hereby
49 further amended by inserting at the end thereof the following 3 sentences:- Notwithstanding the
50 foregoing, the department may approve a special permit for a trial period of 1 year to evaluate a
51 proposal for nonagricultural activities. If a special permit is issued to a permit holder for a 1-year
52 trial period under this subsection, the department shall notify the permit holder of the
53 department’s decision to renew, revoke or amend the permit within 1 year of the date of
54 issuance. If the department fails to notify the permit holder within 1 year of the date of issuance

55 of a special permit of its decision to renew, revoke or amend the special permit, the special
56 permit shall automatically be renewed for a period of 5 years.

57 SECTION 9. Subsection (c) of section 23 of chapter 20 of the General Laws is hereby
58 amended by striking out the words “for a special permit authorized in subsection (b)” and
59 inserting in place thereof the following words:- any landowner of land subject to an agricultural
60 preservation restriction who is subject to and aggrieved by a decision of the department relative
61 to a special permit authorized under subsection (b), including a decision regarding the renewal,
62 revocation, amendment to or length of a special permit”.

63 SECTION 10. Chapter 20 of the General Laws is hereby amended by inserting after
64 section 32 the following section:-

65 Section 33. Notwithstanding any general or special law to the contrary, the secretary of
66 energy and environmental affairs shall establish a program to acquire by purchase, gift, lease,
67 eminent domain, or otherwise lands and waters and easements therein to protect and conserve
68 land for the purpose of furthering the department’s mission, including, but not limited to,
69 retaining land in agricultural or horticultural use as defined by section 1A of chapter 128 and
70 providing affordable and equitable access to agricultural and horticultural lands.

71 The commissioner may, from funds appropriated to carry out this section or from funds
72 received from other sources, compensate a landowner for the acquisition of real estate in such
73 amount as is determined by the commissioner to be equitable in consideration of anticipated
74 benefits from such acquisition in accordance with land acquisition regulations of the department.
75 The commissioner may use departmental funds to create, replace, and maintain appropriate

76 infrastructure and improvements that the department deems consistent with the goals of this
77 section and the department's mission.

78 The department may lease, license, or otherwise manage these lands as it sees fit in its
79 sole discretion to best carry out this section and the department's mission and goals.

80 Acquisition of land or water under this section shall not guarantee any public access
81 unless otherwise agreed to by the department.

82 The department may promulgate rules and regulations relative to the rights, privileges
83 and use of lands, waters, real estate interests and associated improvements acquired and
84 maintained hereunder.

85 The department may dispose of such real estate as permitted under section 5A of chapter
86 3 or through the sale to a qualified farmer or beginning farmer in conjunction with permanent
87 protection of the real estate interest such as through an agricultural preservation restriction to the
88 commonwealth or other qualified conservation entity.

89 SECTION 11. Chapter 29 of the General Laws is hereby amended by inserting after
90 section 2AAAAAA the following section:-

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

95 (b) The fund shall be credited with \$3,000,000 annually from the Massachusetts
96 Alternative and Clean Energy Investment Trust Fund, established by section 35FF of chapter 10

97 of the General Laws, for an agricultural workforce development grant program. Said program
98 shall award grants to the commonwealth's higher education institutions, vocational technical
99 schools, or community-based organizations that have existing programs for providing workforce
100 development training to first time farmers or the capacity to create such programs. Priority
101 consideration shall be given to programs that serve a high percentage of minority or low-income
102 students or people with disabilities, as well as programs that include hands-on training and
103 training in agricultural practices that mitigate climate change and protect the environment. Not
104 less than \$3,000,000 annually from this fund shall go to programs that provide training in
105 agriculture as defined by section 1A of chapter 128, provided that not more than \$1,000,000 shall
106 be granted annually to programs providing training in the growing and harvesting of forest
107 products upon forest land.

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

112 SECTION 12. Section 3 of chapter 40A of the General Laws is hereby amended by
113 inserting after the first paragraph the following two paragraphs:-

114 These protections afforded in this section shall apply to agritourism activities as defined
115 in section 1B of chapter 128, provided that the agritourism activity generates no more than 25%
116 of the gross farm income. Of the remaining income, at least 65% must come from the sale of
117 product grown on the farm or another qualifying Massachusetts farm, a minimum of 35% of
118 which must be produced at the farm at which the agritourism activity takes place.

119 A non-farming property owner may conduct agritourism on a property, provided that at
120 least 75% of the acreage of the property is dedicated to traditional agricultural activities and at
121 least 50% of the agricultural product produced on the property, by either gross sales or volume,
122 is utilized in agritourism activities.

123 SECTION 13. Chapter 61A of the General Laws is hereby amended by striking out
124 section 2 and inserting in place thereof the following section:-

125 Section 2. Land shall be considered to be in horticultural use when primarily and directly
126 used in raising fruits, vegetables, berries, nuts and other foods for human consumption, feed for
127 animals, tobacco, flower, sod, trees, nursery or greenhouse products, and ornamental plants and
128 shrubs for the purpose of selling these products or a product derived from such plants in the
129 regular course of business; or when primarily and directly used in raising forest products under a
130 certified forest management plan, approved by and subject to procedures established by the state
131 forester, designed to improve the quantity and quality of a continuous crop for the purpose of
132 selling these products in the regular course of business; or when primarily and directly used in a
133 related manner which is incidental to those uses and represents a customary and necessary use in
134 raising these products and preparing them for market or the products derived therefrom for
135 market.

136 SECTION 14. Chapter 63 of the General Laws is hereby amended by inserting after
137 section 38MM the following section:-

138 Section 38NN. (a) As used in this section, the following words shall, unless the context
139 clearly requires otherwise, have the following meanings:

140 “Food crops”, grains, fruits, nuts, vegetables, meat, dairy, or seafood.

141 “Nonprofit food distribution organization”, means an entity located in the commonwealth
142 that is exempt from taxation under section 501(c)(3) of the Internal Revenue Code, as amended
143 or renumbered, and organized with a principal purpose of providing food to the needy or selling
144 food at a charge sufficient only to cover the cost of handling such food.

145 (b) For taxable years beginning on or after January 1, 2024, but before January 1, 2034,
146 any business corporation engaged in the business of farming as defined under section 1A of
147 chapter 128, or any restaurant or similar retail food establishment as defined under subsection (h)
148 of section 6 of chapter 64H, that donates food crops grown by the business corporation in the
149 commonwealth or meals prepared for human consumption to a nonprofit food distribution
150 organization shall be allowed a non-refundable credit from its net taxable income for the taxable
151 year of the donation. The business corporation shall be allowed a credit in an amount equal to the
152 fair market value of such food crops donated by the business corporation to a nonprofit food
153 distribution organization during the taxable year but not to exceed an aggregate credit of \$5,000
154 for all such donations made by the business corporation during such year.

155 (c) A credit shall be allowed under this section only if (i) the use of the donated food
156 crops by the donee nonprofit food distribution organization is related to providing food to the
157 needy, (ii) the donated food crops are not transferred for use outside the commonwealth or used
158 by the donee nonprofit food distribution organization as consideration for services performed or
159 personal property purchased, and (iii) the donated food crops, if sold by the donee nonprofit food
160 distribution organization, are sold at a charge sufficient only to cover the cost of handling such
161 food.

162 (d) In order to claim any credit under this section, the business corporation making the
163 donation shall attach to the business's income tax return a written certification prepared by the
164 donee nonprofit food distribution organization. The written certification prepared by the donee
165 nonprofit food distribution organization shall identify the donee nonprofit food distribution
166 organization, the business corporation donating food crops to it, the date of the donation, the
167 number of pounds of food crops donated, and the fair market value of the food crops donated.
168 The certification shall also include a statement by the donee nonprofit food distribution
169 organization that its use and disposition of the food crops complies with the requirements under
170 subsection (c).

171 (e) Credits claimed by a partnership shall be allocated to the individual partners in
172 proportion to their ownership or interest in such business entity.

173 (f) The commissioner shall develop guidelines implementing the provisions of this
174 section.

175 SECTION 15. Section 328 of chapter 94 of the General Laws is hereby amended by
176 striking out the first paragraph and inserting in place thereof the following paragraph:-

177 No person who donates food, including open-dated food whose date has passed, to a
178 nonprofit corporation for distribution or serving by such nonprofit corporation without charge or
179 at a charge sufficient only to cover the cost of handling such food, or to any other person, shall
180 be liable for civil damages for any injury arising out of the condition of such food; provided,
181 however, that at the time of donation such food is not misbranded and is not adulterated and has
182 not been manufactured, processed, prepared, handled or stored in violation of applicable
183 regulations of the department of public health; and provided, further, that such injury is not the

184 result of gross negligence, recklessness or intentional misconduct of the donor or any person
185 employed by or under the control of the donor.

186 SECTION 16. Said section 328 of said chapter 94 is hereby further amended by inserting
187 after the third paragraph the following paragraph:-

188 No food establishment, as defined in 105 CMR 590 et seq., which distributes or serves
189 food without charge or at a charge sufficient only to cover the cost of handling such food,
190 including open-dated food whose date has passed, shall be liable for civil damages for any injury
191 arising out of the condition of such food; provided, however, that at the time of distribution or
192 serving such food is not misbranded or adulterated or has not been manufactured, processed,
193 prepared, handled or stored in violation of applicable regulations of the department of public
194 health, and provided, further, that such injury is not the result of gross negligence, recklessness
195 or intentional misconduct of the food establishment or any person employed by or under the
196 control of the food establishment.

197 SECTION 17. Section 1A of chapter 128 of the General Laws is hereby amending by
198 inserting, at the end of said section, the following:-

199 This section shall not apply to the raising of dogs or cats for breeding, the raising or
200 keeping of dogs or cats for other commercial use, or to the commercial grooming of dogs or cats.

201 SECTION 18. Chapter 128 of the General Laws is hereby amended by inserting after
202 section 1A the following section:-

203 Section 1B. "Agritourism" is defined as "an agriculturally related educational,
204 entertainment, historical, cultural, or recreational activity, including you-pick operations or farm

205 markets, conducted on a farm that allows or invites members of the general public to observe,
206 participate in, experience, or enjoy that activity."

207 SECTION 19. Section 2A of chapter 128 of the General Laws is hereby repealed.

208 SECTION 20. Chapter 128 of the General Laws is hereby amended by inserting after
209 section 2E the following section:-

210 Section 2F. (a) The department of transitional assistance, in partnership with the
211 department of agricultural resources and the department of public health, shall operate a healthy
212 incentives program. The program shall provide that Supplemental Nutrition Assistance Program
213 benefits, established pursuant to the Food and Nutrition Act of 2008, 7 U.S.C. section 2011
214 hereinafter referred to as SNAP, redeemed for fruit and vegetable purchases, either fresh,
215 canned, dried or frozen, by a SNAP recipient at a participating vendor, shall entitle the recipient
216 to receive a matching benefit reimbursed on the recipient's EBT card, within limits to be
217 established by the department.

218 (b) There shall be established and set up on the books of the commonwealth a separate
219 fund, to be administered by the commissioner of the department of transitional assistance, which
220 shall be known as the Massachusetts Healthy Incentives Fund. The Fund shall consist of all
221 revenues from public and private sources as appropriations, gifts, grants, donations,
222 reimbursements from the federal government and grants-in-aid or other receipts to further the
223 purposes of the Fund in accordance with this section.

224 (c) The Department of Transitional Assistance and its partners may apply for any
225 available federal programs such as Gus Schumacher Nutrition Incentive Program administered

226 by the United States Department of Agriculture to provide matching benefits to be deposited in
227 the Fund.

228 (d) The Department of Transitional Assistance shall promulgate rules and regulations to
229 carry out the purposes of this section.

230 SECTION 21. Chapter 132A of the General Laws is hereby amended by inserting after
231 section 2D, the following 2 sections: -

232 Section 2E. (a) The commissioner of the department of conservation and recreation shall
233 establish a program to provide for the use of designated lands in state-owned department parks
234 and reservations throughout the commonwealth for community gardens. Lands so designated
235 shall be restricted to noncommercial horticultural uses of growing and harvesting food crops by
236 inhabitants of local communities.

237 Community gardens shall be established as authorized by the commissioner, in open
238 spaces that are suitable for such recreational gardening activities which are accessible to the
239 public. Improvements to community garden lands shall to the extent as is practicable, preserve
240 the natural state of such park and reservation areas.

241 Under the program, specific planting areas that are available within designated
242 community garden sites shall be allotted for personal use on a seasonal basis by special permits
243 issued to qualifying individual gardeners.

244 The department shall evaluate, identify, and map community garden lands, and post
245 relevant information about the sites and potential sites on the department's public website.

246 (b) The commissioner shall be authorized to license cities or towns to establish, improve,
247 maintain, operate and access local community gardens on designated department land. Said
248 licenses shall be granted for no fee, upon such terms, restrictions and agreements, and for such
249 period of years, not exceeding 10, as the commissioner may deem appropriate; provided, that the
250 land licensed is utilized for the purposes of the department's community garden program
251 consistent with the applicable rules and regulations of the department, and provided further, that
252 under said licenses, cities and towns may be responsible for their costs and expenses, or portion
253 thereof, to establish, improve, maintain and operate community gardens.

254 Cities and towns applying for a license to use department lands under the community
255 garden program shall submit a plan related to said use, which shall be subject to approval by the
256 commissioner.

257 (c) The commissioner shall be authorized to license qualified non-profit organizations to
258 establish, improve, maintain, operate and access community gardens on designated department
259 land. Said licenses shall be granted, upon such terms, restrictions and agreements, and for such
260 period of years, not exceeding 5, as the commissioner may deem appropriate; provided, that the
261 land is used for the purposes of the department's community garden program consistent with the
262 applicable rules and regulations of the department; and provided further, said licenses are granted
263 based on a competitive application and proposal process. Notwithstanding, no license shall be
264 granted to a non-profit organization for designated land unless, the commissioner has first
265 provided the city or town where the available land is located, the option to be granted a license
266 for such community garden site.

267 (d) Cities and towns, and non-profit organizations as part of the terms of said licenses,
268 shall abide by the rules and regulations adopted by the department relating to the use and
269 operation of community garden lands.

270 Licenses granted for community garden lands under this section shall be revocable at any
271 time by the commissioner for the failure of recipient municipalities or non-profit organizations to
272 comply with such license terms, restrictions, and agreements.

273 In no event shall the granting of said licenses be construed to create in such
274 municipalities or non-profit organizations any title, right to acquire title, or ownership interest in
275 licensed lands. The provisions of this subsection shall not prohibit the commissioner from
276 leasing such lands to municipalities or qualified non-profit organizations under applicable law,
277 for the purposes of the community garden program.

278 (e) The department or its employees shall not be liable for injuries or death to persons, or
279 damage to property, resulting from any conduct related to the operation and use of community
280 gardens on department lands, in the absence of willful, wanton, or reckless conduct on the part of
281 said department or employees; provided, the community garden where such injury or death
282 occurred, is enclosed by suitable fencing of not less than 4 feet in height and conspicuous
283 signage warning of such limitation of liability is posted on, or near such fence at garden
284 entryways.

285 (f) The department shall adopt rules and regulations related to the establishment, use and
286 operation of community gardens under the department's community garden program.

287 Section 2F. The commissioner of the department of conservation and recreation shall
288 establish a program to provide for the seasonal use of areas in department parks and reservations

289 by farmers for public marketplaces. Such public markets shall be limited mainly to the vending
290 of food and other agricultural products that are grown, raised, or produced on Massachusetts
291 farms.

292 The temporary establishment of said public markets as approved by the commissioner
293 shall be at suitable land and parking areas accessible by the public and at appropriate times
294 during daylight hours. Under the program, the commissioner shall be authorized to issue special
295 seasonal permits to farmer vendors which shall be restricted to specific approved public market
296 sites and times upon such terms and conditions as the commissioner may deem appropriate. As a
297 condition of the issuance of a permit, a farmer vendor shall be required to comply with any laws
298 and regulations applicable to the vending of food and agricultural products at said public
299 markets.

300 Special permits issued by the commissioner shall be based on a competitive application
301 and proposal process and be subject to revocation by the commissioner at any time.

302 The commissioner shall adopt rules and regulations for said public markets in
303 consultation with the commissioner of the department of agricultural resources.

304 Farmers' markets allowed pursuant to this section shall not be subject to the commercial
305 limitations under section 2B of chapter 132A.

306 SECTION 22. Section 53 of chapter 146 of the General Laws is hereby amended by
307 inserting after subsection (g) the following subsection:-

308 (h) Any public high school that operates hoisting equipment as part of a vocational
309 technical education program in accordance with chapter 74 shall be exempt from this section if

310 the school has: (i) at least 1 supervisory employee who holds a license issued by the division of
311 occupational licensure pursuant to this section and who is designated as the responsible person in
312 charge of the hoisting equipment; (ii) the supervising instructor is on site at all times of
313 operation; and (iii) the school provides an in-service training program for its employees.

314 SECTION 23. (a) There shall be a special legislative commission on agricultural equity,
315 hereinafter referred to the equity commission, to develop recommendations for supporting
316 investments, policies and practices designed to promote equity in agriculture for socially
317 disadvantaged groups in the commonwealth. For the purposes of this section, “socially
318 disadvantaged groups” shall include people who have, or whose lineage has, been historically or
319 systematically excluded from, or have had less access to resources and opportunities based on
320 cultural, racial, or ethnic prejudice based on their identity as a member of a group rather than for
321 their individual qualities. These groups include, but are not limited to, African Americans, Cape
322 Verdeans, Hispanics, Asian Americans, Pacific Islanders, Caribbean Islanders, Native
323 Americans, Alaskan Natives, women, and people identifying as nonbinary.

324 (b) The equity commission shall consist of: the commissioner of agricultural resources or
325 a designee; the chairs of the committee on agriculture or their designees; 1 member appointed by
326 the Massachusetts Black and Latino legislative caucus; 1 member appointed by the
327 Massachusetts Asian legislative caucus; 1 member appointed by the Massachusetts caucus of
328 women legislators; 2 members appointed by the Massachusetts food system legislative caucus, to
329 be selected through an open nomination process under criteria developed by the caucus; 2
330 members appointed by the commissioner of agricultural resources who shall represent Buy Local
331 organizations funded by the department; 2 members appointed by the Massachusetts Food
332 System Collaborative; 1 member appointed by the commission on the status of African

333 Americans; 2 members appointed by a Massachusetts-based farming association; 2 members
334 appointed by non-profit organizations whose primary purpose is working with farmers from
335 socially disadvantaged groups; 1 member appointed by the commission on the status of Latinos
336 and Latinas; 1 member appointed by the commission on the status of Asian Americans and
337 Pacific Islanders; 1 member appointed by the commission on Indian affairs; 1 member appointed
338 by Massachusetts Farm Bureau Federation; 1 member appointed by the Massachusetts
339 Federation of Farmers Markets; and 1 member appointed by the Center for Agriculture, Food
340 and the Environment at the University of Massachusetts at Amherst. The appointing authorities
341 shall appoint members knowledgeable in agriculture and who represent a diversity of knowledge
342 of urban and rural agricultural practices and experiences. This commission shall be co-chaired by
343 the commissioner of agricultural resources and a member of the commission chosen by the
344 members.

345 (c) The equity commission shall investigate and study ways to increase equity in
346 agriculture in the commonwealth, and shall prepare a report that shall include, but not be limited
347 to, recommendations for: (i) data collection and dissemination; (ii) benchmark development and
348 targeting areas of need; (iii) transparency for grantmaking to promote equitable access to grant
349 programs and equitable distribution of funds; (iv) generating greater equity in the laws,
350 regulations and other policies that regulate and support agriculture in the commonwealth,
351 including, but not limited to, legislative, regulatory and sub-regulatory processes; (v) improving
352 equity in the programs and services offered by the department of agricultural resources
353 including, but not limited to, those programs regarding land access and protection, farmer
354 technical assistance and education, marketing and others; (iv) the ongoing role of this

355 commission or another representative body in supporting the implementation and monitoring of
356 these equity goals; and (v) a plan for implementation, including a timeline.

357 (d) The department of agricultural resources shall furnish reasonable staff and other
358 support for the work of the equity commission. Members of this commission may receive
359 reimbursement for the reasonable expenses incurred in carrying out their responsibilities as
360 members of this commission under procedures established by the department. Members of this
361 commission who are not employed by the Commonwealth may receive stipends for their time
362 spent carrying out their responsibilities as members of this commission and for their time spent
363 meeting with this commission under procedures established by the department.

364 (e) The equity commission shall hold 3 or more public hearings in various regions of the
365 commonwealth, including 1 in a rural area and 1 in an urban area with potential for increased
366 urban agriculture. Not more than 18 months after the effective date of this act, this commission
367 shall file a report on the results of its investigation and study together with its findings and
368 recommendations, including any drafts of legislation necessary to carry out those
369 recommendations, with the clerks of the senate and house of representatives, the senate and
370 house committees on ways and means and the joint committee on agriculture. The report shall be
371 posted on the website of the department of agricultural resources.

372 SECTION 24. Notwithstanding any general or special laws to the contrary, there shall be
373 established a commission called the deer overpopulation commission for the purpose of
374 identifying best practices and methods for preventing or reducing agricultural and horticultural
375 crop loss caused by deer in Massachusetts.

376 The deer overpopulation commission shall consist of 1 member who shall be appointed
377 by the senate president, who shall serve as co-chair; 1 member who shall be appointed by the
378 speaker of the house of representatives, who shall serve as co-chair; 1 member of the
379 Massachusetts legislative sportsmen’s caucus or a designee; the commissioner of the department
380 of fish and game or a designee; the commissioner of the department of environmental protection
381 or a designee; the commissioner of the department of agricultural resources or a designee; 1
382 member appointed by the commissioner of agricultural resources who shall represent Buy Local
383 organizations funded by the department; 2 members appointed by a Massachusetts-based
384 farming association, at least one of whom is an active farmer located in Massachusetts; and 1
385 member from the Massachusetts Audubon Society.

386 The deer overpopulation commission shall recommend best practices for controlling the
387 commonwealth’s deer population and methods for assisting farmers in preventing and combating
388 property damage caused by deer. This commission shall file its findings and recommendations,
389 together with drafts of legislation necessary to carry those recommendations into effect, with the
390 clerks of the senate and the house of representatives, and the chairs of the joint committee on
391 agriculture and the joint committee on environment and natural resources no later than March 1,
392 2026.