

The Commonwealth of Massachusetts

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EXECUTIVE OFFICE OF ENVIRONMENTAL AFFAIRS  
DEPARTMENT OF FOOD AND AGRICULTURE  
100 CAMBRIDGE STREET  
BOSTON, MASSACHUSETTS 02202, NOVEMBER 6, 1996.

The Honorable Robert E. MacQueen  
*Clerk of the House of Representatives*  
State House, Room 145  
Boston, Massachusetts 02133

Dear Mr. MacQueen,

In accordance with the provisions of Section 33 of Chapter 30 of the General Laws, the Department of Food and Agriculture herewith transmits legislative recommendations for consideration by the Great and General Court in the 1997-1998 session.

The drafts of legislation embodying these recommendations are briefly outlined as follows:

1. AN ACT CLARIFYING CERTAIN POWERS AND DUTIES OF THE DEPARTMENT OF FOOD AND AGRICULTURE will rescind some archaic portions of interstate milk inspection laws, simplify the operations of the Milk Producers Security Fund so as to reflect changed market conditions, extend the sanitary oversight of milk products to address new consumer trends, grant more flexibility in the site of mandated laboratory analyses of agricultural products, and clarify the Commonwealth's exemption from the provisions of Chapter 21E via the acquisition of title interests in properties under the Agricultural Preservation Restriction program.

2. AN ACT MAKING CORRECTIVE CHANGES IN CERTAIN LAWS PERTAINING TO ANIMAL HEALTH AND PLANT PEST CONTROL will streamline, modernize and update various statutes governing animal health and plant pest control issues, bringing our laws into conformity with present federal mandates and guidelines

and simplifying the licensing and oversight of inter- and intrastate dealing and transportation of livestock.

3. AN ACT MAKING CORRECTIVE CHANGES IN THE MASSACHUSETTS PESTICIDE CONTROL ACT will update Chapter 132B to reflect the many advances in science and technology since its adoption nearly twenty years ago. The operations of the subcommittee of the pesticide board and the related registration process for pesticide products will be simplified; new and emerging technologies will be specifically listed as being within the purview of the Act; the Department's mission to assist in the safe utilization of pesticide products will be clarified, and the authority to assess civil administrative penalties against non-licensed pesticide applicators will be granted to the Department.

4. AN ACT RELATIVE TO CERTAIN LICENSES ISSUED BY THE DEPARTMENT OF FOOD AND AGRICULTURE will extend the validity of various licenses issued by the Department from the current one year to three years.

5. AN ACT RELATIVE TO AGRICULTURAL PRESERVATION RESTRICTIONS will make several changes in the Commonwealth's Agricultural Preservation Restriction (APR) program, expanding the range of potential co-holders to include non-profit organizations, creating a new, special permit process allowing owners of farms under APR to engage in limited non-agricultural activities which do not alter its continued viability for agricultural uses, and establishing tax incentives for persons within the program.

Thank you for your kind attention.

Respectfully submitted,

JONATHAN L. HEALY,  
*Commissioner.*