



3-26-18 LEGISLATIVE UPDATE

Right to Forestry Bill – S.101 – sponsored by Sen. John Rodgers

This bill proposes to provide essential protection for forestry operations from nuisance lawsuits. Rural Vermont members Kate and Mark Bowen provided important testimony on this bill because they experienced an adverse decision by their municipal government in response to a complaint from a neighbor about their small-scale, seasonal firewood operation. This bill does not change existing law or regulations governing forestry operations but instead creates protection and provides support for forestry as a crucial part of Vermont's working lands economy.

UPDATE: The House Ag Cmte took testimony on this bill on Wed 3/21 including from RV member Kate Bowen. Kate presented some very compelling testimony not just on the bill but on the many challenges faced by small farms like hers. [Click here to read Kate's testimony.](#)

Click here to read the bill as passed by the Senate:

<https://legislature.vermont.gov/assets/Documents/2018/Docs/BILLS/S-0101/S-0101%20As%20Passed%20by%20the%20Senate%20Unofficial.pdf>

Ag Enterprise Bill – H.663 - Sponsored by Rep. Harvey Smith

This bill proposes to direct that no municipal land use bylaw may have the effect of prohibiting an accessory on-farm business at the same location as a farm regulated under the rules for required agricultural practices adopted by the Secretary of Agriculture, Food and Markets. The bill also proposes to define and set forth requirements for what constitutes an accessory on-farm business. The bill does not affect existing exemptions for agriculture under 10 V.S.A. chapter 151 or 24 V.S.A. chapter 117.

UPDATE: The Senate Ag. Cmte took testimony on H. 663 March 14, 15, & 16 from many of the stakeholders who helped write the bill including Graham Unangst-Rufenacht and Doug Flack for Rural Vermont. Additional testimony has been scheduled for the week of March 27-

30. There seems to be strong support on the Senate Ag Cmte and we are hopeful the bill will make it to the floor of the Senate soon. Stay tuned for an Action Alert on this bill.

Click here to read H.663 as it was passed by the House:

<https://legislature.vermont.gov/assets/Documents/2018/WorkGroups/House%20Agriculture/Bills/H.663/Drafts,%20Amendments%20and%20Summaries/H.663~Aaron%20Adler~Draft%20No.%20As%20Recommended%20Out,%202-6-2018~2-6-2018.pdf>

Hemp Pilot Program – now contained only in S.276

At the beginning of the legislative session there were two stand-alone Hemp bills, one in the Senate and one in the House, proposing to create a new federally compliant Hemp Pilot Program in the VT Agency of Agriculture that would be open to all farmers to participate in state-sponsored research on the growing, processing and marketing of Hemp.

The Senate Ag Cmte decided to put the Hemp pilot program provisions into its large Rural Economic Development bill, S.276 and also include it in its Misc. Ag Bill S.255. S.276 has had a torturous path and gone through many changes but the Hemp provisions have survived intact. However, S.255 got stuck in Senate Finance and is now dead so only S.276 carries the Hemp Pilot Program. S.276 was finally passed by the Senate on Fri. 3/23. It should now go to the Hse Ag Cmte and Chair Partridge has pledged strong support for keeping the Hemp provision. The Hse Ag Cmte has already scheduled testimony on the Hemp provision for this Thurs. 3/29. If you are a famer interested in growing Hemp, please contact Graham as we may need additional farmers to testify for the House Ag Cmte.

You can read the Hemp Pilot Program section of S.276 here beginning on page 584:

<https://legislature.vermont.gov/assets/Documents/2018/Docs/JOURNAL/sj180321.pdf#page=107>

Regenerative Ag Bill – H.903 – Sponsored by the House Committee on Agriculture & Forestry

This bill has been on a long strange trip that began over two years ago. Essentially what this new bill does is to put into law the Agency of Agriculture's already existing "Vermont Environmental Stewardship Program" (VESP). It proposes to set standards for farming practices that exceed the RAPs and offer recognition for farms that meet these standards. It is possible it will offer a more direct path to WQ funding for small farms that meet the standards. The bill has passed the House and will be taken up in the Senate Ag Cmte on Wed. & Thurs 3/28 &29. Rural Vermont will be working to strengthen the provisions of this bill.

H.903 as it passed the House:

<https://legislature.vermont.gov/assets/Documents/2018/Docs/BILLS/H-0903/H-0903%20As%20Passed%20by%20the%20House%20Unofficial.pdf>

H.904 – Misc. Ag Bill

This is a pretty simple bill when it passed the House (see link below) addressing some administrative fixes requested by the VAAF. However, it is currently being amended by the Senate Ag Cmte to include provisions that were deleted from another bill (S.276). Rural Vermont will be monitoring this bill closely for any provisions of concern.

H.904 as it passed the House:

<https://legislature.vermont.gov/assets/Documents/2018/Docs/BILLS/H-0904/H-0904%20As%20Passed%20by%20the%20House%20Unofficial.pdf>

Pollinator Protection Bills – H.915 – sponsored by House Ag & Forestry Committee and H.726 sponsored by the House Energy & Technology Committee

This issue has been worked on for several years in the legislature. The House Ag & Forestry Cmte has taken extensive testimony on the threats facing domestic bees and wild pollinators. Following Committee discussion, they decided to replace H.688, the original bill, with a Committee bill which is was introduced as H.915 just in time to meet the crossover deadline.

This bill proposes to require a person who sells treated article corn or soybean seed in the State to offer for sale untreated corn or soybean seed. The bill also requires the Secretary of Agriculture, Food and Markets to assess the effect of neonicotinoid treated seeds on pollinator losses in the State. The bill also requires the Secretary of Agriculture, Food and Markets to develop and implement an educational program to inform users of pesticides in the State of the effects of pesticides on pollinators. Hse Ag Cmte Chair, Carolyn Partridge has expressed a strong commitment to “do something” this year to advance pollinator protection. H.915 has now passed the House and will be taken up in Senate Ag Cmte on Fri. 3/30. There may be opportunity in Senate Ag to strengthen this bill.

Here is the link to the H.915 as passed by the House:

<https://legislature.vermont.gov/assets/Documents/2018/Docs/BILLS/H-0915/H-0915%20As%20Passed%20by%20the%20House%20Unofficial.pdf>

H.726, is a bill that would create a voluntary standard for pollinator friendly practices at solar array sites. This bill also passed the House and has been referred the Senate Natural Resources Cmte. There is no indication yet when they may take up the bill. This is kind of a “feel good” bill that might help create more pollinator habitat at solar arrays but given the turmoil the solar industry is in, it’s hard to say how much attention it will get.

H.726 as passed by the House:

<https://legislature.vermont.gov/assets/Documents/2018/Docs/BILLS/H-0726/H-0726%20As%20Passed%20by%20the%20House%20Unofficial.pdf>

Clean Water Funding Bill - S.260 - Sponsored by Sens. Bray, Lyons & Clarkson

Speaking of long strange trips! This bill, which originally proposed to create a long-term funding plan for addressing Vermont's water quality problems has gone through competing re-writes by both the Senate Natural and Senate Ag Cmtes. The Governor just announced that he would not support this bill because it proposes a per parcel fee as a possible source of long-term funding for water quality. This bill will now be taken up by the House Natural Resources Cmte – they have already started taking testimony from all the conservation and agency stakeholders but have not yet scheduled any testimony from farmers.

Changes to the Universal Recycling Law - S.285 sponsored by Sen. Rodgers and H.837 sponsored by Rep. Gannon

These are two bills that seek to amend Act 148, the Universal Recycling Law. We are monitoring them because they have the potential to impact farms/farmers who are involved in making compost and esp. those who are gathering food waste to use as part of their feeding program for chickens in an integrated compost operation.