

discharges of regulated stormwater to Lake Champlain or to a water that contributes to the impairment of Lake Champlain shall take effect on October 1, 2015.

(4) Sec. 37 (Clean Water Fund) shall take effect on passage.

(Committee Vote: 8-1-0)

Amendment to be offered by Rep. Higley of Lowell to H. 35

By adding Secs. 5a and 5b to read as follows:

Sec. 5a. 32 V.S.A. § 9741(25) is amended to read:

(25) Sales of agricultural machinery and equipment for use and consumption directly and exclusively, except for isolated or occasional uses, in the production for sale of tangible personal property on farms (including stock, dairy, poultry, fruit, and truck farms), orchards, nurseries, or in greenhouses or other similar structures used primarily for the raising of agricultural or horticultural commodities for sale. It shall be rebuttably presumed that machinery and equipment will be used in the production for sale of tangible personal property on farms and will not be an isolated or occasional use, if the purchaser of the machinery or equipment is the owner or operator of a farm required to be permitted or certified under 6 V.S.A. chapter 215. It shall be rebuttably presumed that uses are not isolated or occasional if they total more than four percent of the time the machinery or equipment is operated.

Sec. 5b. 32 V.S.A. § 3752(7) is amended to read:

(7) "Farmer" means a person:

(A) who earns at least one-half of the farmer's annual gross income from the business of farming as that term is defined in Regulation 1.175-3 issued under the Internal Revenue Code of 1986; or

(B)(i) who produces farm crops that are processed in a farm facility situated on land enrolled by the farmer in a use value appraisal program or on a housesite adjoining the enrolled land;

(ii) whose gross income from the sale of the processed farm products pursuant to subdivision (i) of this subdivision (B), when added to other gross income from the business of farming as used in subdivision (A) of this subdivision (7), equals at least one-half of the farmer's annual gross income; and

(iii) who produces on the farm a minimum of 75 percent of the farm crops processed in the farm facility;

(C) who owns or operates a farm required to be permitted or certified

under 6 V.S.A. chapter 215.

(D) The Agency of Agriculture, Food and Markets shall assist the director in making determinations of eligibility pursuant to subdivision (B) of this subdivision (7).

Amendment to be offered by Rep. Browning of Arlington to H. 35

* * * Economic Development Assistance; Water Quality Compliance * * *

Sec. 50c. 10 V.S.A. § 7 is amended to read:

§ 7. ECONOMIC DEVELOPMENT; ASSISTANCE AND INCENTIVES
BENCHMARK REPORTS

(a) ~~For purposes of~~ As used in this section, “economic development assistance recipient” means any business entity, including a for-profit corporation, a nonprofit corporation, a partnership, or a sole proprietorship that receives economic development assistance from ~~state~~ State funds administered by a governmental agency, from ~~state~~ State funds administered by a private entity, or from federal funds administered by the ~~state~~ State, whether such assistance is in the form of a grant, a loan, a ~~state~~ State tax abatement, a tax credit, a tax increment financing program, or such other form of economic development assistance or incentive as the ~~secretary of commerce and community development~~ Secretary of Commerce and Community Development may identify by rule.

(b) Each economic development recipient shall state, on a form approved by the agency granting assistance, or awarding a tax credit or abatement, or approving any other form of economic development assistance, the number of new jobs that will be created or existing jobs that will be retained as a result of such assistance, the wages and employee benefits associated with such jobs, and a description of any other public benefits associated with such economic development assistance. Such statement shall be made prior to any such grant, award, or approval. Such statements and the information contained therein shall not be available for public inspection until 90 days after the granting of assistance, or the awarding of a tax credit or abatement, or the approving any other form of economic development assistance or incentive. After the expiration of such ~~90-day~~ 90-day period such statements and information shall not be considered confidential, and may be inspected and copied pursuant to 1 V.S.A. chapter 5, subchapter 3, ~~chapter 5 of Title 1~~ (public records law), notwithstanding the provisions of any other law.

(c) Each economic development recipient shall report annually, in a manner and on a form prescribed by the ~~commissioner of economic development~~ Commissioner of Economic Development, the amount or monetary value of