

1 Strike Sec. 5, subsection (b). Replace with the following. Talk to Ellen/Luke  
2 to discuss whether any other issue should be addressed and whether Sec. 5,  
3 subsection (c) should be struck.

4 (b) On or before January 15, 2021, the Executive Director of the Cannabis  
5 Control Board, after consultation with the Secretary of Natural Resources, the  
6 Chair of the Natural Resources Board, and the Secretary of Agriculture, Food  
7 and Markets, shall recommend to the General Assembly exemptions, specific  
8 criteria, or additional requirements under applicable State or local  
9 environmental or land use law for cannabis establishments in the State,  
10 including the outdoor cultivation or indoor cultivation of cannabis. The  
11 Executive Director may provide the recommendations based on a tier, type, or  
12 category of cannabis cultivation or cannabis establishment;

13 New definitions:

14 (X1) “Germination” means the development of a plant or seedling from  
15 a seed.

16 (X2) “Hardening” means the process of gradually exposing seedlings  
17 germinated within a structure to outdoor conditions.

18 (X3) “Indoor cultivation” means the preparation and growing of a plant  
19 to maturity exclusively within a structure.

20 (X4) “Outdoor cultivation” means the preparation and growing of a  
21 plant to maturity outside of a structure. “Outdoor cultivation” includes the

1 germination and hardening of a plant within a structure, provided that the  
2 majority of the time required to grow the plant to maturity occurs outside of a  
3 structure.

4 (X5) "Structure" means any assembly of materials that is intended for  
5 occupancy or use by a person and that has at least three walls and a roof.

6 § 869. CULTIVATION OF CANNABIS; FARMING: ENVIRONMENTAL  
7 STANDARDS

8 (a) The outdoor cultivation of cannabis shall be regulated as "farming"  
9 under the Required Agricultural Practices and other relevant requirements of 6  
10 V.S.A. chapter 215, and cannabis produced from outdoor cultivation shall be  
11 considered an agricultural product or agricultural crop for the purposes of 32  
12 V.S.A. chapter 124 and other relevant provisions of State law.

13 (b)(1) The indoor cultivation of cannabis shall not be regulated as  
14 "farming" under the Required Agricultural Practices and other relevant  
15 requirements of 6 V.S.A. chapter 215, and cannabis produced from indoor  
16 cultivation shall not be considered an agricultural product or agricultural crop  
17 for the purposes of 32 V.S.A. chapter 124 and other relevant provisions of  
18 State law.

19 (2) The indoor cultivation of cannabis regulated under this chapter shall  
20 comply with all applicable State, federal, and local environmental, energy, or  
21 public health law, unless otherwise provided under this chapter or rules

1 adopted under this chapter. The indoor cultivation of cannabis regulated under  
2 this chapter shall be subject to regulation under 24 V.S.A. chapter 117 as  
3 authorized by this chapter.

4 (3) This subsection and regulation under this subsection shall be  
5 construed to apply solely to indoor cultivation of cannabis and not to indoor  
6 cultivation of other plants or crops.

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8 Question: Do you want municipalities to have the authority under S.54 to  
9 regulate time, place, manner of outdoor cultivation?]

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