

1 S.102

2 Senators MacDonald, Bray, Campion, McCormack, and Westman move
3 that the bill be amended as follows:

4 First: In Sec. 3, 6 V.S.A. chapter 218, in section 5133, in subsection (b), by
5 adding subdivisions (3) and (4) to read:

6 (3) The rules shall prohibit a farm from initiating the production of
7 compost on or after July 1, 2021 within a downtown, village center, new town
8 center, neighborhood development area, or growth center designated under
9 24 V.S.A. chapter 76a, unless the municipality has expressly allowed
10 composting in the designated area under the municipal zoning or subdivision
11 bylaws or in an approved municipal plan.

12 (4) The rules adopted under this section shall be designed to reduce
13 odor, noise, vectors, and other nuisance conditions on farms and to protect the
14 public health and the environment in a manner that is equal to or better than the
15 rules for compost facilities in the Agency of Natural Resources' Vermont Solid
16 Waste Management Rules, as amended.

17 Second: By striking out Sec. 8, update on implementation of import on
18 food residuals onto farm for composting, in its entirety and inserting in lieu
19 thereof the following:

20 Sec. 8. REPORT ON IMPORTATION OF FOOD RESIDUALS FOR
21 FARMING

1 On or before January 15, 2022 and annually thereafter, the Secretary of
2 Agriculture, Food and Markets shall submit to the Senate Committees on
3 Agriculture and on Natural Resources and Energy and the House Committees
4 on Agriculture and Forestry and on Natural Resources, Fish, and Wildlife a
5 report regarding importation of food residuals for composting under 10 V.S.A.
6 § 6001(22)(H). The report shall include:

7 (1) an inventory of the operators of farms that are producing compost
8 under 10 V.S.A. § 6001(22)(H), including the estimated volume of food
9 residuals imported onto farms;

10 (2) a status report on the rulemaking required under 6 V.S.A. § 5133 and
11 any subsequent amendment to those rules;

12 (3) an accounting of any complaints regarding or enforcement actions
13 brought against a farm producing compost under 10 V.S.A. § 6001(22)(H); and

14 (4) any additional information that the Secretary determines is relevant
15 to the administration of compost production under 10 V.S.A. § 6001(22)(H).

16 Third: By adding Sec. 8a to read:

17 Sec. 8a. RULEMAKING; IMPLEMENTATION

18 The Secretary of Agriculture, Food and Markets shall initiate the
19 rulemaking required under 6 V.S.A. § 5133 on or before January 1, 2022. The
20 Secretary of Agriculture, Food and Markets shall file under 3 V.S.A. § 841 a

1 final proposal of the rules required under 6 V.S.A. § 5133 on or before
2 January 1, 2023.

3 Fourth: By striking out Sec. 11, effective dates, and its reader assistance in
4 their entireties and inserting in lieu thereof the following:

5 * * * Effective Dates * * *

6 Sec. 11. EFFECTIVE DATES

7 (a) This section and Secs. 1–8a (compost foraging; farming) shall take
8 effect on passage.

9 (b) All other sections shall take effect on July 1, 2021.

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13 (Committee vote: _____)

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Senator _____

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FOR THE COMMITTEE