

1 Sec. X. RIGHT-TO-FARM STUDY COMMITTEE; REPORT

2 (a) Creation. There is created the Right-to-Farm Study Committee to
3 review current law in Vermont protecting farmers from nuisance lawsuits and
4 to determine whether changes to law are necessary both to ensure protection of
5 reasonable agricultural activities conducted on the farm from unwarranted
6 nuisance lawsuits and to ensure protection of health, welfare, and property.

7 (b) Membership. The Right-to-Farm Study Committee shall be composed
8 of the following members:

9 (1) two current members of the House of Representatives, one from the
10 House Committee on Agriculture, Food Resiliency, and Forestry and one from
11 the House Committee on Judiciary, appointed by the Speaker of the House;

12 (2) two current members of the Senate, one from the Senate Committee
13 on Agriculture and one from the Senate Committee on Judiciary, appointed by
14 the Committee on Committees;

15 (3) the Secretary of Agriculture, Food and Markets or designee;

16 (4) the Secretary of Natural resources or designee;

17 (5) one farmer or representative of a farming organization that
18 represents medium or large farms in the State, appointed by the Committee on
19 Committees;

1 (6) two farmers or representatives of a farming organization that
2 represents small farms in the State, one appointed by the Speaker of the House
3 and one appointed by the Committee on Committees;

4 (7) a representative of the Vermont Association for Justice, appointed by
5 the Committee on Committees;

6 (8) a representative of the Vermont Bar Association, appointed by the
7 Speaker of the House;

8 (9) a representative of an environmental advocacy group, appointed by
9 the Speaker of the House; and

10 (10) a representative of farm workers, appointed by the Committee on
11 Committees.

12 (c) Powers and duties. The Right-to-Farm Study Committee shall:

13 (1) compile the right-to-farm legal decisions issued by courts in the
14 State since January 1, 2013;

15 (2) summarize the differences between Vermont’s right-to-farm law in
16 12 V.S.A. chapter 195 and the right-to-farm laws in other states;

17 (3) summarize how right-to-farm laws in other states with substantial
18 agricultural sectors have affected farms, the farm sector, communities, public
19 health, public welfare, and property rights;

20 (4) review the purpose of the Vermont right-to-farm law in 12 V.S.A.
21 chapter 195 and recommend changes to the purpose to reflect the current need

1 to protect farms from unwarranted nuisance lawsuits and the need to protect
2 the health, welfare, and property of farm neighbors, farm community members,
3 and Vermonters;

4 (5) assess whether amending the Vermont right-to-farm law to further
5 limit nuisance actions would increase risk to the health, welfare, and property
6 of Vermonters in light of Vermont’s current laws and regulations and the
7 enforcement of such laws and regulations;

8 (6) assess whether changes to the current Vermont right-to-farm law are
9 necessary to ensure protection of farms from unwarranted nuisance lawsuits
10 and to ensure protection of the health, welfare, and property of farm neighbors,
11 farm community members, and Vermonters; and

12 (7) if necessary, recommend changes to the current Vermont right-to-
13 farm law to ensure protection of farms from unwarranted nuisance lawsuits and
14 to ensure protection of the health, welfare, and property of farm neighbors,
15 farm community members, and Vermonters.

16 (d) Assistance. The Study Committee shall have the administrative,
17 technical, and legal assistance of the Agency of Agriculture, Food and Markets
18 and the Office of Legislative Counsel.

19 (e) Report. On or before January 15, 2024, the Study Committee shall
20 submit a written report to the Senate Committees on Agriculture and on
21 Judiciary and the House Committees on Agriculture, Food Resiliency, and

1 Forestry and on Judiciary with its findings and any recommendations for
2 legislative action.

3 (f) Meetings.

4 (1) The Secretary of Agriculture, Food and Markets shall call the first
5 meeting of the Study Committee to occur on or before August 1, 2023.

6 (2) The Study Committee shall select a chair from among its members at
7 the first meeting.

8 (3) A majority of the membership of the Study Committee shall
9 constitute a quorum.

10 (4) The Study Committee shall cease to exist on February 1, 2024.

11 (g) Compensation and reimbursement.

12 (1) For attendance at meetings during adjournment of the General
13 Assembly, a legislative member of the Study Committee shall be entitled to per
14 diem compensation and reimbursement of expenses pursuant to 2 V.S.A. § 23
15 for not more than eight meetings. These payments shall be made from monies
16 appropriated to the General Assembly.

17 (2) Other members of the Study Committee shall be entitled to per diem
18 compensation and reimbursement of expenses as permitted under 32 V.S.A.
19 § 1010 for not more than eight meetings. These payments shall be made from
20 monies appropriated to the Agency of Agriculture, Food and Markets.