

Agriculture

Notes: In this section we remove the small tier and current-use qualifiers and include the outdoor portion of mixed-use licensees. There is no demonstrable reason why any outdoor cultivator should be treated differently than any other given the small allowable scale of outdoor cultivation in Vermont, the environmental and economic access of outdoor cannabis production vs. indoor production, and the need to support beginning farmers as opposed to providing them more barriers to entry. Here is [Act 158 with the original text](#).

Sec. 2. 7 V.S.A. § 869 is amended to read:

§ 869. CULTIVATION OF CANNABIS; ENVIRONMENTAL AND LAND

USE STANDARDS; REGULATION OF SMALL OUTDOOR CULTIVATION CULTIVATORS

(f) Notwithstanding subsection (a) of this section, ~~a small~~ an outdoor cultivator, or the outdoor portion of a mixed-used cultivator licensed under this chapter who initiates cultivation of cannabis outdoors on a parcel of land that was subject to the Required Agricultural Practices prior to licensed cultivation of cannabis shall:

Propagation License

Notes: In this section we restore the CCB's original canopy size, which we see as a scale appropriate for Vermont, and expand access to the sale of immature plants from cultivators and propagators to the public, who also need places to obtain immature plants legally and locally. Here is [bill H.270 with the original text](#).

Sec. 6. 7 V.S.A. § 904b is added to read:

§ 904b. PROPAGATION LICENSE

(a) A propagation cultivator licensed under this section may:

(1) cultivate not more than ~~3,500~~ 2,500 square feet of cannabis clones, immature cannabis plants, or mature cannabis plants; and

(2) test, transport, and sell cannabis clones and immature cannabis plants ~~to licensed cultivators;~~ and

(3) test, transport, and sell cannabis seeds and immature plants that meet the federal definition of hemp.

(b) A licensed propagation cultivator shall not cultivate mature cannabis plants for the purpose of producing, harvesting, transferring, or selling cannabis flower for or to any person.

(c) Tiers 1-3 Outdoor, and Mixed, and Tier 1-2 Indoor Cultivation License Types may directly sell seeds and immature plants which the cultivator produced themselves to the public without a propagation license.

Address Potential Conflicts with the Federal Hemp Program

We have heard from a hemp producer that there may be a conflict with the USDA related to producing both recreational cannabis and hemp as the hemp program is now federally run. We

are seeking greater clarity on this for our community members and cannabis cultivators, and if this is a conflict we would like to explore a statutory solution.