

1 TO THE HONORABLE SENATE:

2 The Committee on Agriculture to which was referred House Bill No. 942
3 entitled “An act relating to miscellaneous agricultural subjects” respectfully
4 reports that it has considered the same and recommends that the Senate
5 propose to the House that the bill be amended by adding a reader assistance
6 heading and one new section to be Sec. 3a to read as follows:

7 * * * Equine Farming for Use Value Appraisal * * *

8 Sec. 3a. 32 V.S.A. § 3752 is amended to read:

9 § 3752. DEFINITIONS

10 As used in this subchapter:

11 (1) “Agricultural land” means any land, exclusive of any housesite, in
12 active use to grow hay or cultivated crops, pasture livestock, cultivate trees
13 bearing edible fruit, or produce an annual maple product, and that is 25 acres
14 or more in size, except as provided in this subdivision (~~1~~). Agricultural land
15 ~~shall include~~ includes buffer zones as defined and required in the Agency of
16 Agriculture, Food and Markets’ Required Agricultural Practices rule adopted
17 under 6 V.S.A. chapter 215. There shall be a presumption that the land is used
18 for agricultural purposes if:

19 (A) it is owned by a farmer and is part of the overall farm unit;

20 (B) it is used by a farmer as part of the farmer’s operation under
21 written lease for at least three years; or

1 (C) it has produced an annual gross income from the sale of farm
2 crops or from equine farming in one of two, or three of the five, calendar years
3 preceding of at least:

4 (i) \$2,000.00 for parcels of up to 25 acres; and

5 (ii) \$75.00 per acre for each acre over 25, with the total income
6 required not to exceed \$5,000.00.

7 (iii) Exceptions to these income requirements may be made in
8 cases of orchard lands planted to fruit-producing trees, bushes, or vines that are
9 not yet of bearing age. As used in this section, the term “farm crops” also
10 includes animal fiber, cider, wine, and cheese, produced on the enrolled land or
11 on a housesite adjoining the enrolled land, from agricultural products grown on
12 the enrolled land.

13 * * *

14 (7) “Farmer” means a person:

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

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

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

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

8 (C) The Agency of Agriculture, Food and Markets shall assist the
9 Director in making determinations of eligibility pursuant to subdivision (B) of
10 this subdivision (7).

11 * * *

12 (18) “Equine farming” means the raising, feeding, or management of
13 four or more equines owned or boarded by the farmer, including training,
14 showing, and providing instruction and lessons in riding, training, and the
15 management of equines.

16
17 (Committee vote: _____)

18 _____
19 Senator _____

20 FOR THE COMMITTEE