

Report of Committee of Conference

S.325

TO THE SENATE AND HOUSE OF REPRESENTATIVES:

The Committee of Conference, to which were referred the disagreeing votes of the two Houses upon Senate Bill, entitled:

S.325. An act relating to regional planning and Act 250 tier jurisdiction.

Respectfully reports that it has met and considered the same and recommends that the Senate accede to the House proposal of amendment with further proposal of amendment as follows:

First: In Sec. 9, public engagement plan, in subsection (a), by striking out subdivisions (1) and (2) in their entireties and inserting in lieu thereof new subdivisions (1) and (2) to read as follows:

(1) ensure the engagement planning process does not presuppose outcomes or take positions on policy and political issues;

(2) utilize nonpartisan facilitation for statewide, democratic public engagement;

Second: In Sec. 9, public engagement plan, in subsection (b), by striking out subdivisions (1) and (2) in their entireties and inserting in lieu thereof new subdivisions (1) and (2) to read as follows:

(1) the risks of losing working lands, both agricultural and forestland, and the cause of those risks, and critical natural resources not already well-

protected by current land use policy, permitting programs, or other regulatory tools, including agricultural soils, rare natural communities, forest blocks, habitat connectors of statewide significance, and headwaters; and

(2) equitable, efficient, and effective regulatory or nonregulatory tools to protect these working lands and critical natural resources and the barriers to land stewardship.

Third: In Sec. 10, 2 V.S.A. chapter 32, by striking out subsection (b) in its entirety and inserting in lieu thereof a new subsection (b) to read as follows:

(b) Composition. The Committee shall be composed of six members: three members of the House of Representatives, who shall not all be from the same party, appointed by the Speaker of the House; and three members of the Senate, who shall not all be from the same party, appointed by the Committee on Committees.

Fourth: In Sec. 10, 2 V.S.A. chapter 32, in subsection (c), by striking out the last sentence in its entirety and inserting in lieu thereof a new sentence to read as follows:

A quorum shall consist of four members.

Fifth: In Sec. 10, 2 V.S.A. chapter 32, by striking out subsection (g) in its entirety and inserting in lieu of thereof a new subsection (g) to read as follows:

(g) Duties. The Committee shall meet with the Land Use Review Board to ensure strong communication and coordination regarding the implementation

Watson Proposal

and interpretation of the statutes amended as part of 2024 Acts and Resolves No. 181, how the permitting process under 10 V.S.A. chapter 151 is working, and how the new Board structure is working. The Committee shall also meet with the Agency of Natural Resources to learn about Agency efforts to improve and better coordinate its permitting processes and to coordinate efforts for further improvements to the process for applicants and outcomes for Vermonters.

Sixth: In Sec. 14, 24 V.S.A. § 4303, in subdivision (43), by striking out subdivision (E) in its entirety and inserting in lieu thereof a new subdivision (E) to read as follows:

(E) serves to strengthen agricultural and forest industries, including homesteading, small-scale agriculture and forestry, and supporting on-farm and farmworker housing, while minimizing conflicts of development with these industries;

Seventh: In Sec. 20, 24 V.S.A. § 5808, by striking out subdivision (1) in its entirety and inserting in lieu thereof a new subdivision (1) to read as follows:

(1) a summary of the Community Investment Program’s activities during the preceding fiscal year, including which municipalities received a designation or new Step, or other actions taken by the Board that confer eligibility for or priority access to State funding, tax credits, and other Program benefits;

Eighth: In Sec. 21, municipal appeals and discretionary review of housing; report, in subsection (a), by striking out subdivision (5) in its entirety and inserting in lieu thereof a new subdivision (5) to read as follows:

(5) data on housing that has been built in the areas exempt from Act 250 jurisdiction under 10 V.S.A. § 6081(dd), including the number of units, the type of units, the price, and where the units were constructed; and

Ninth: In Sec. 6, 10 V.S.A. § 6081, by striking out subsection (t) in its entirety and inserting in lieu thereof a new subsection (t) to read as follows:

(t)(1) No permit or permit amendment is required for the construction of improvements for an accessory on-farm business for the storage or sale of qualifying products or the other eligible enumerated products as defined in 24 V.S.A. § 4412(11)(A)(i)(I).

(2) No permit or permit amendment is required for the construction of improvements for an accessory on-farm business for the preparation or processing of qualifying products as defined in 24 V.S.A. § 4412(11)(A)(i)(I), provided that more than 50 percent of the total annual sales of the prepared or processed qualifying products come from products produced on the farm where the business is located. ~~This subsection shall not apply to~~

(3) Until July 1, 2027, no permit or permit amendment is required for the construction of improvements related to hosting events or farm stays as part of for an accessory on-farm business of educational, recreational, or social

events that feature agricultural practices or qualifying products, or both, as defined in 24 V.S.A. § 4412(11)(A)(i)(II) if less than one acre of land is physically altered. Types of events may include concerts and farm stays with fewer than five dwelling units. To qualify for this exemption, the accessory on-farm business shall not:

(A) have noise exceed 70dB at the property boundaries; and

(B) continue past 10:00 p.m.

(4) For purposes of this subsection to “feature agricultural practices or qualifying products” means a host farm’s agricultural practices or its qualifying products are a substantial component of any educational, recreational, or social event the accessory on-farm business hosts.

COMMITTEE ON THE PART OF
THE SENATE

SEN. ANNE E. WATSON

SEN. SETH BONGARTZ

SEN. TERRY K. WILLIAMS

COMMITTEE ON THE PART OF
THE HOUSE

REP. AMY D. SHELDON

REP. ELA CHAPIN

REP. LARRY LABOR