



## 2022 Legislative Session

2/18/2022

**22-0543** An act relating to providing premium assistance for farmer participation in risk management program. This bill proposes that the State pay the costs of farmers to participate in U.S. Department of Agriculture risk management programs that mitigate risks to farmers from price volatility in the milk market.

<https://legislature.vermont.gov/Documents/2022/WorkGroups/Senate%20Agriculture/Bills/DR%2022-0543/W~Michael%20O'Grady~DR%2022-0543,%20Draft%201.1,%201-6>

*This language is expected to go into the budget adjustment bill*

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**H.709** This bill proposes to make miscellaneous changes to agricultural issues or programs administered by the Secretary of Agriculture, Food and Markets.

<https://legislature.vermont.gov/bill/status/2022/H.709>

*Up for action in the House*

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**H.705** An act relating to prohibiting the running of livestock at large. This bill would prohibit owners of livestock from allowing livestock that they own or control from running at large. The bill would require livestock owners to enclose livestock within a sufficiently maintained fence composed of posts and rails, posts and palings, posts and planks or palisades, posts and wire, or rails alone. If livestock were to escape from a fence or run at large, the owner of the livestock would be subject to a civil penalty in the Judicial Bureau of up to \$500.00 for a first offense and up to \$1,500.00 for a second or subsequent offense. The bill also would authorize a municipality through municipal law enforcement or a municipal public health official to enforce the requirements to enclose livestock and prevent the running at large of livestock. In addition, the bill would provide that the owner of livestock shall be liable for all damages caused by livestock running at large.

<https://legislature.vermont.gov/bill/status/2022/H.705>

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**H.704** An act relating to the regulation of accessory on-farm businesses. This bill proposes to clarify the definition of “accessory on-farm business.” It would prohibit regional and municipal plans from banning accessory on-farm businesses. It would remove the requirement for the business to be subordinate to the farm, provided gross sales from the business do not exceed \$200,000.00 annually. It would exempt water from the calculation used to determine if products are principally produced on the farm. To be exempt from Act 250, it would limit the amount of land used by an accessory on-farm business to one acre and set the maximum size of new buildings to 4,000 square feet.

<https://legislature.vermont.gov/bill/status/2022/H.704>

**H.696** This bill proposes to amend the definition of accessory on-farm business to add a new type of activity. It would add “on-farm restaurants” as an option for farms looking to add an accessory on-farm business to the property if, daily, the restaurant featured products produced on the farm. This would prohibit municipal bylaws from banning on-farm restaurants

<https://legislature.vermont.gov/bill/status/2022/H.696>

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**H.679** An act relating to fiscal year 2022 budget adjustments.

<https://legislature.vermont.gov/bill/status/2022/H.679>

***Committee of Conference: Reps. Hooper of Montpelier, Fagan of Rutland City and Jessup of Middlesex Senators Kitchel, Sears, Westman***

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**H.657** An act relating to the designation of a lake in crisis. This bill proposes to strike as a requirement for the designation of a lake in crisis that the lake is located in a municipality in which the lake or a portion of the lake is located has reduced the valuation of real property due to the condition of the lake.

<https://legislature.vermont.gov/bill/status/2022/H.657>

***Introduction and walk-through on 2/16/22***

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**H.653** An act relating to the creation of an ecological management qualification for the Use Value Appraisal program. This bill proposes to create a new category of management plans that would allow forested lands managed to increase carbon sequestration, carbon storage, or enhance wildlife biodiversity to qualify for the Use Value Appraisal program.

<https://legislature.vermont.gov/bill/status/2022/H.653>

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**H.650** An act relating to prohibiting perfluoroalkyl and polyfluoroalkyl substances in products to be sold in Vermont and the use and import of wastes containing microplastics. This bill proposes to prohibit the intentional use of perfluoroalkyl and polyfluoroalkyl substances in products to be sold in Vermont. This bill also proposes to prohibit the use and import of wastes that contain microplastics.

<https://legislature.vermont.gov/bill/status/2022/H.650>

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**H.627** An act relating to the Vermont Economic Development Authority.

<https://legislature.vermont.gov/bill/status/2022/H.627>

***Expands eligibility for loans***

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**H.626** An act relating to the sale, use, or application of neonicotinoid pesticides. This bill proposes to prohibit the use of the neonicotinoid pesticides until the Secretary of Agriculture, Food and Markets adopts rules for the sale, use, or application of neonicotinoid pesticides. If the Secretary fails to adopt the rules by July 1, 2024, the prohibition on the sale, use, or application of neonicotinoid pesticides would become permanent.

<https://legislature.vermont.gov/bill/status/2022/H.626>

**H.605** An act relating to clean water funding. This bill proposes to require the Clean Water Board to recommend for annual appropriation at least \$200,000.00 annually to fund ECO AmeriCorps members who are assigned to clean water programs in the State.

<https://legislature.vermont.gov/bill/status/2022/H.605>

**H.581** An act relating to rural economic development.

<https://legislature.vermont.gov/bill/status/2022/H.581>

**H.543** An act relating to regulation of wetlands in the State. This bill proposes to establish as State policy that wetlands shall be regulated and managed by the State to produce a net gain of wetlands acreage. The bill would require the Secretary of Natural Resources to amend the Vermont Wetlands Rules to incorporate the net gain policy. In addition, the bill would require the Vermont Significant Wetlands Inventory maps to be updated and revised annually.

**H.542** An act relating to establishing riparian protection areas in the State. This bill proposes to require establishment of a riparian protection area adjacent to each stream in the State. A riparian protection area would be required to be at least 50 feet from the top of bank or top of slope of a stream with 0.25 or less square miles in drainage area and at least 100 feet from the top of bank or top of slope for a stream with greater than 0.25 square miles in drainage area. A person would be prohibited from creating cleared area or constructing impervious surface within a riparian protection area unless permitted by the Secretary of Natural Resources or allowed as a use under the act.

<https://legislature.vermont.gov/bill/status/2022/H.542>

**H.501** An act relating to physical contaminant standards for residual waste, digestate, and soil amendments.

<https://legislature.vermont.gov/bill/status/2022/H.501>

***Testimony to continue week of February 22nd***

**H.492** An act relating to the structure of the Natural Resources Board.

<https://legislature.vermont.gov/bill/status/2022/H.492>

***Mark-up and discussion continued 2/18/22***

**H.466** An act relating to surface water withdrawals and interbasin transfers. This bill proposes to regulate surface water withdrawals and interbasin transfers of surface water occurring in the State.

<https://legislature.vermont.gov/bill/status/2022/H.466>

***\*\*In Senate Natural Resources & Energy - Passed House 1/28/22\*\****

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**S.281** An act relating to hunting coyotes with dogs. This bill proposes to prohibit the pursuit of coyote with the aid of dogs, either for the training of dogs or for the taking of coyote.

<https://legislature.vermont.gov/bill/status/2022/S.281>

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**S.268** An act relating to the right to farm. This bill proposes to amend the right-to-farm law to provide that a farm or farm operation shall not be found to be a public or private nuisance under one or more of the following: the farm or farm operation existed before a change in the land use or occupancy in proximity to the farm, and if before that change in land use or occupancy of the farm, the farm or farm operation would not have been a nuisance; the farm or farm operation alleged to be a nuisance conforms to State and federal law; or the farm or farm operation has been conducting the agricultural activity at issue for two or more years prior to the date a nuisance action is commenced. The bill also would provide that if a farm or farm operation prevails in a nuisance suit brought against it, the court shall require the plaintiff to pay the actual amount of costs and expenses incurred by the farm or farm operation in defense, including attorney's fees.

<https://legislature.vermont.gov/bill/status/2022/S.268>

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**S.263** An act relating to supporting economic development. This bill proposes to encourage new workers to relocate to Vermont, to provide flexibility for Economic Recovery grants, to increase the capacity for the Capital Investment Program, to enable project-based tax increment financing districts, and to promote sustainable development and affordable housing.

<https://legislature.vermont.gov/bill/status/2022/S.263>

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**S.259** An act relating to the reorganization, enhancement, and enforcement of animal welfare requirements in the State. This bill proposes to require the Secretary of Agriculture, Food and Markets to submit to the General Assembly a report regarding the reorganization, enhancement, and enforcement of animal welfare requirements in the State, including the establishment of an animal welfare division at the Agency of Agriculture, Food and Markets.

<https://legislature.vermont.gov/bill/status/2022/S.259>

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**S.258** An act relating to amending the Required Agricultural Practices in order to address climate resiliency. This bill proposes to require the Secretary of Agriculture, Food and Markets to evaluate the sufficiency of the Required Agricultural Practices (RAPs) to determine if the requirements and practices under the RAPs are adequate to address increased and foreseeable climate change-induced precipitation in a manner that protects soil resources and prevents harmful or inefficient runoff of nutrient pollution to State waters.

<https://legislature.vermont.gov/bill/status/2022/S.258>

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**S.237** An act relating to surface water withdrawals and interbasin transfers. This bill proposes to regulate surface water withdrawals and interbasin transfers of surface water occurring in the State.

<https://legislature.vermont.gov/bill/status/2022/S.237>

**S.235** An act relating to Act 250 jurisdiction over agricultural businesses. This bill proposes to study the issue of how Act 250 jurisdiction should apply to agricultural businesses.

<https://legislature.vermont.gov/bill/status/2022/S.235>

**S.234** An act relating to changes to Act 250. This bill proposes to make multiple amendments to the State land use and development law, Act 250, including: creating designated smart growth areas that will be exempt from Act 250 and providing grants to municipalities to assist them in achieving this new designation, requiring municipalities to respond to Act 250 requests within 90 days, adding new criteria for forest blocks and connecting habitat, adding a jurisdictional trigger for roads, clarifying permit conditions for wood product manufacturers, clarifying Act 250 jurisdiction in one-acre towns, and creating a committee to study the governance and administration of the Act 250 program.

<https://legislature.vermont.gov/bill/status/2022/S.234>

**S.113** An act relating to establishing a cause of action for medical monitoring expenses. This bill proposes to establish a cause of action for the remedy of medical monitoring for a person who is exposed to a proven toxic substance. In addition, the bill would provide that a person is liable for abating a release or threatened release of hazardous material and the costs of investigation, removal, and remedial actions incurred by the State if the person manufactured a hazardous material for commercial sale and knew or should have known that the material presented a threat of harm to human health or the natural environment.

<https://legislature.vermont.gov/bill/status/2022/S.113>

***Passed Senate February 3, 2022, In House Judiciary***

**S.079** **\*\*Vetoed by Governor July 2nd\*\*** This bill proposes to improve rental housing health and safety. **\*\*Amendment adds \$35 annual registration fee per rental unit**

<https://legislature.vermont.gov/bill/status/2022/S.79>

***CONSIDERATION POSTPONED UNTIL MARCH 22, 2022***

**H.003** This bill proposes to prohibit the land application of sludge or septage except for the land application of exceptional quality biosolids. The bill would require municipally owned wastewater treatment facilities to accept septage for treatment. The bill would establish a Biosolids Conversion Special Fund to provide grants to municipal wastewater facilities for the purpose of converting septage and sludge to exceptional quality biosolids.

<https://legislature.vermont.gov/bill/status/2022/H.3>