



VERMONT LEGISLATIVE  
**Joint Fiscal Office**

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## Fiscal Note

May 10, 2024

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### **H.877 – An act relating to miscellaneous agricultural subjects**

As recommended by the Senate Committee on Natural Resources<sup>1</sup>

#### **Bill Summary**

**T**his bill would make various changes to provisions relating to agriculture, including:

- Expanding eligibility requirements for the Farm Agronomic Practices Program
- Adopting additional national weights and measures standards
- Creating a fee for electronic and alternative testing services for pesticide certification or licensing examinations
- Changing regulation of fertilizer, limes, plant and soil amendments, and plant biostimulants
- Modifying and increasing fines for livestock running at large
- Clarifying which hemp products would be regulated by the Agency of Agriculture, Food, and Markets
- Specifies that farm buildings used for the outdoor production of the cannabis are not “public buildings” subject to code and occupancy standards maintained by the Division of Fire Safety if the licensed cannabis cultivator has fewer than 10 part-time employees

#### **Fiscal Impact**

The bill would generate negligible positive revenue for the Agency of Agriculture, Food and Markets (AAFM) Pesticide Monitoring Special Fund. Increases to fines for livestock running at large would have a negligible General Fund impact.

#### **Section 4**

This section would allow the Agency of Agriculture to charge a fee of up to \$75 for electronic or alternative pesticide licensing testing. The fee would be designed to cover any convenience fee a contractor charges the Agency to use the service, however the Agency has not yet released an RFP for this service, so the corresponding fee amount is not currently unknown. The bill would also require AAFM to report by December 15, 2024 on a proposed fee for electronic administration of pesticide certification examinations.

<sup>1</sup> The full text of H.877 can be found at the following links

<https://legislature.vermont.gov/Documents/2024/WorkGroups/Senate%20Agriculture/Bills/H.877/Drafts,%20Amendments%20and%20Legal%20Documents/H.877~Michael%20O'Grady~As%20recommended%20out%20of%20committee~5-01-2024%20-%20Copy.pdf>; <https://legislature.vermont.gov/Documents/2024/Docs/BILLS/H-0877/H-0877%20As%20passed%20by%20the%20House%20Official.pdf>

**Section 12**

Section 12 would exempt farm buildings used for outdoor cannabis cultivation from the definition of “public buildings” regulated by the Division of Fire Safety. The Division collects fee revenue for building permits and work notices associated with these buildings and it is possible that some of these revenues are collected from outdoor cannabis cultivators. However, DFS indicates that these types of businesses represent a very small portion of permitting activity.