

1 H.329

2 Introduced by Representatives Clarkson of Woodstock, Johnson of Canaan,  
3 Malcolm of Pawlet, Stevens of Shoreham, Webb of Shelburne,  
4 and Winters of Williamstown

5 Referred to Committee on

6 Date:

7 Subject: Taxation; use value appraisal

8 Statement of purpose of bill as introduced: This bill proposes to change the  
9 rate of the land use change tax. The bill would change the way certain types of  
10 land are categorized and would provide an easy opt-out for landowners who  
11 are currently enrolled in the Use Value Program but who choose not to stay in  
12 the Program. The bill also would require the Vermont Agricultural and Forest  
13 Products Development Board to work on ways to improve the Use Value  
14 Program in the future.

~~An act relating to the Use Value Program~~ *An act relating to use value  
appraisals*

15 It is hereby enacted by the General Assembly of the State of Vermont:

16 ~~Sec. 1. 32 V.S.A. § 3757 is amended to read:~~

17 § 3757. LAND USE CHANGE TAX

18 (a) Land which has been classified as agricultural land or managed forest  
19 ~~land~~ forestland pursuant to this chapter shall be subject to a land use change  
20 ~~tax upon the development of that land, as defined in section 3752 of this~~

1 ~~chapter. Said tax shall be at the rate of 20 percent of the full fair market value~~  
2 ~~of the changed land determined without regard to the use value appraisal; or~~  
3 ~~the tax shall be at the rate of 10 percent if the owner demonstrates to the~~  
4 ~~satisfaction of the director that the parcel has been enrolled continuously more~~  
5 ~~than 10 years. If changed land is a portion of a parcel, the fair market value of~~  
6 ~~the changed land shall be the fair market value of the changed land prorated on~~  
7 ~~the basis of acreage, divided by the common level of appraisal. Such The tax~~  
8 ~~shall be expressed as a percentage of the full fair market value of the~~  
9 ~~developed or withdrawn land determined without regard to the use value~~  
10 ~~appraisal. If the property has been continuously enrolled by the same owner~~  
11 ~~for fewer than 12 years, the tax rate shall be ten percent. If the property has~~  
12 ~~been continuously enrolled by the same owner for 12 to 20 years, the tax rate~~  
13 ~~shall be five percent. If the property has been continuously enrolled by the~~  
14 ~~same owner for over 20 years, the tax rate shall be three percent. A change in~~  
15 ~~ownership that adds or subtracts a family member or that transfers the property~~  
16 ~~to a family member who is an heir does not interrupt the counting of~~  
17 ~~continuously enrolled years; however, a transfer in whole or in part to people~~  
18 ~~who are not family members or to a legal entity whose members are not all~~  
19 ~~family members does interrupt the counting of continuously enrolled years.~~  
20 ~~For purposes of this subsection, “family member” means a spouse, former~~  
21 ~~spouse, child, parent, grandparent, grandchild, sibling, aunt, uncle, or nephew~~

1 ~~or niece, by blood, marriage, or adoption. For purposes of the land use change~~  
2 ~~tax, fair market value shall be determined as of the date the land is no longer~~  
3 ~~eligible for use value appraisal developed or at an earlier date, if the owner~~  
4 ~~petitions for the determination pursuant to subsection (c) of this section and~~  
5 ~~pays the tax within 30 days of notification from the local assessing official.~~

6 This tax shall be in addition to the annual property tax imposed upon such  
7 property. Nothing in this section shall be construed to require payment of an  
8 additional land use change tax upon the subsequent development of the same  
9 land, nor shall it be construed to require payment of a land use change tax  
10 merely because previously eligible land becomes ineligible, provided no  
11 development of the land has occurred.

12 (b) Any owner of eligible land who wishes to withdraw land from use  
13 value appraisal shall ~~petition for a determination of the fair market value of the~~  
14 ~~land at the time of the withdrawal~~ notify the Director, who shall in turn notify  
15 the local assessing official. In the alternative, if the Director determines that  
16 development has occurred, the Director shall notify the local assessing official  
17 of his or her determination. Thereafter, land which has been withdrawn or  
18 developed shall be appraised and listed at its full fair market value in  
19 accordance with the provisions of chapter 121 of this title and subsection  
20 3756(d) of this title, according to the appraisal model and land schedule of the  
21 municipality. Said determination of the fair market value shall be used in

1 ~~calculating the amount of the land use change tax that shall be due when and if~~  
2 ~~the development of the land occurs.~~

3 (c) ~~The~~ For the purposes of the land use change tax, the determination of  
4 the fair market value of the land as of the date the land is no longer eligible for  
5 a use value appraisal, or as of the time of the withdrawal of the land from use  
6 value appraisal, shall be made by the director local assessing officials in  
7 accordance with the provisions of subsection (b) of this section and divided by  
8 the municipality's most recent common level of appraisal as determined by the  
9 Director. The determination shall be made within 30 days after the date that  
10 the Director notifies the local assessing officials that the owner or assessing  
11 officials petition for the determination and shall be effective on the date of  
12 dispatch to the owner has petitioned for withdrawal from the Program or that  
13 the Director or local assessing official has determined that development has  
14 occurred. The local assessing officials shall notify the owner and the Director  
15 of their determination, and the provisions for appeal relating to property tax  
16 assessments in chapter 131 of this title shall apply.

17 (d) The land use change tax shall be due and payable by the owner 30 days  
18 after the tax notice is mailed to the taxpayer unless, in the case of land use  
19 change tax due with respect to development occurring as a result of the  
20 issuance of a wastewater system permit, the landowner enters into a payment  
21 agreement with the commissioner of taxes. The tax shall be paid to the

1 ~~commissioner for deposit into the general fund Commissioner, who shall~~  
2 ~~deposit one-half of the tax paid into the General Fund and remit one-half of the~~  
3 ~~tax paid to the municipality in which the land is located. The ~~commissioner~~~~  
4 ~~Commissioner shall issue a form to the assessing officials which shall provide~~  
5 ~~for a description of the land developed, the amount of tax payable, and the fair~~  
6 ~~market value of the land at the time of development or withdrawal from use~~  
7 ~~value appraisal. The owner shall fill out the form and shall sign it under the~~  
8 ~~penalty of perjury. After receipt of payment, the ~~commissioner~~ Commissioner~~  
9 ~~shall furnish the owner with one copy, shall retain one copy, and shall forward~~  
10 ~~one copy to the local assessing officials and, one copy to the register of deeds~~  
11 ~~of the municipality in which the land is located, and one copy to the Secretary~~  
12 ~~of Agriculture, Food and Markets if the land is agricultural land and in all other~~  
13 ~~cases to the Commissioner of Forests, Parks and Recreation. Thereafter, the~~  
14 ~~land which has been developed shall be appraised and listed at its full fair~~  
15 ~~market value in accordance with the provisions of chapter 121 of this title.~~

16 (e) The owner of any classified land receiving use value appraisal under  
17 this subchapter shall immediately notify the ~~director~~ Director, local assessing  
18 officials, the Secretary of Agriculture, Food and Markets if the land is  
19 agricultural land and in all other cases the Commissioner of Forests, Parks and  
20 Recreation of:

21 \* \* \*

1 ~~Sec. 2. 32 V.S.A. § 3756(d) is amended to read:~~

2 (d) The assessing officials shall appraise qualifying agricultural land and  
3 managed ~~forest land~~ forestland and farm buildings at use value appraisal as  
4 defined in subdivision 3752(12) of this title. If the land to be appraised is a  
5 portion of a parcel, the assessing officials shall:

6 (1) determine the contributory value of each portion such that the fair  
7 market value of the total parcel is comparable with other similar parcels in the  
8 municipality; and

9 (2) notify the landowner according to the procedures for notification of  
10 change of appraisal. The portion of the parcel that is not to be appraised at use  
11 value shall be appraised at its fair market value determined in this subsection.

12 Sec. 3. 32 V.S.A. § 3752(12) is amended to read:

13 (12) "Use value appraisal" means, with respect to land, the price per  
14 acre which the land would command if it were required to remain henceforth in  
15 agriculture or forest use, as determined in accordance with the terms and  
16 provisions of this subchapter. With respect to farm buildings, "use value  
17 appraisal" means zero percent of fair market value. ~~The director shall annually~~  
18 ~~provide the assessing officials with a list of farm sales, including the town in~~  
19 ~~which the farm is located, the acreage, sales price, and date of sale.~~

1 ~~Sec. 4. 32 V.S.A. § 3756(i) is amended to read:~~

2 (i) ~~The director~~ After providing 30 days notice to the owner, the Director  
3 shall remove from use value appraisal an entire parcel of managed forest land  
4 and notify the owner in accordance with the procedure in subsection (b) of this  
5 section when the ~~department of forests, parks and recreation~~ Department of  
6 Forests, Parks and Recreation has not received a required management activity  
7 report or has received an adverse inspection report, unless the lack of  
8 conformance consists solely of the failure to make prescribed planned cutting.  
9 In that case, the ~~director~~ Director may delay removal from use value appraisal  
10 for a period of one year at a time to allow time to bring the parcel into  
11 conformance with the plan.

12 Sec. 5. USE VALUE APPRAISAL "EASY-OUT"

13 Notwithstanding any other provision of law, an owner of property enrolled  
14 in use value appraisal under 32 V.S.A. chapter 124 as of the passage of this act  
15 who elects to discontinue enrollment of the entire parcel may be relieved of the  
16 first \$100,000.00 of land use change tax imposed pursuant to 32 V.S.A.  
17 § 3757; provided that if the property owner does elect to discontinue  
18 enrollment and be relieved of the first \$100,000.00 of land use change tax, the  
19 owner shall pay the full property tax, based upon the property's full fair market  
20 value, for the 2013 assessment, and no state reimbursement shall be paid for  
21 that land. No property owner shall be relieved of more than \$100,000.00 in

1 ~~land use change tax under this provision. An election to discontinue~~  
2 enrollment under this provision is effective only if made in writing to the  
3 Director of Property Valuation and Review on or before October 1, 2013; and  
4 an owner who elects to discontinue enrollment under this section or any  
5 successor owner shall not reenroll less than the entire withdrawn parcel in the  
6 succeeding five years. If the property owner withdraws less than the entire  
7 parcel, the provisions of this section do not apply.

8 Sec. 6. LIMITATION ON EASY-OUT

9 The “easy-out” provided for in Sec. 5 of this act shall not be available for  
10 any parcel that has been developed, as that term is defined in 32 V.S.A.  
11 § 3752(5), prior to passage of this act.

12 Sec. 7. MUNICIPAL REIMBURSEMENT PAYMENTS

13 (a) There is created a Use Value Program Municipal Reimbursement Study  
14 Committee to examine the existing formula for municipal reimbursement  
15 payments (“hold harmless payments”) to determine if the payments are  
16 equitable and appropriate in light of the reallocation of land use change tax  
17 payments under this act and, if not, to propose an alternative formula. The  
18 Committee shall issue a report on or before January 15, 2014, and the report  
19 shall be submitted to the House Committees on Agriculture, on Natural  
20 Resources and Energy, on Fish, Wildlife and Water Resources, and on Ways



1 ~~and Means and to the Senate Committees on Agriculture, on Natural Resources~~

2 ~~and Energy, and on Finance. The members of the Study Committee shall be:~~

3 ~~(1) The Director of Property Valuation and Review, who shall serve as~~  
4 ~~the Chair of the Committee and shall call the first meeting of the Committee on~~  
5 ~~or before September 1, 2013;~~

6 ~~(2) The Secretary of the Agency of Agriculture, Food and Markets or~~  
7 ~~designee;~~

8 ~~(3) The Commissioner of the Department of Forests, Parks and~~  
9 ~~Recreation or designee;~~

10 ~~(4) The Executive Director of the Vermont Assessors and Listers~~  
11 ~~Association or designee;~~

12 ~~(5) Two representatives of the Vermont League of Cities and Towns,~~  
13 ~~one from a rural community and one from an urban community, appointed by~~  
14 ~~its Board of Directors;~~

15 ~~(6) A member of the House appointed by the Speaker of the House;~~

16 ~~(7) A member of the Senate appointed by the Committee on~~  
17 ~~Committees;~~

18 ~~(8) A member of the public appointed by the Governor who shall be a~~  
19 ~~land owner enrolled in the Use Value Program.~~

1 ~~(b) Members of the Committee who are not state employees shall be~~  
2 ~~entitled to compensation as provided under 32 V.S.A. § 1010, unless otherwise~~  
3 ~~compensated.~~

4 Sec. 8. ASSESSMENT OF CONSERVED PROPERTY

5 On or before January 1, 2014, the Director of Property Valuation and  
6 Review shall publish guidance for the local assessing officials concerning how  
7 to assess land permanently encumbered by a conservation easement and how to  
8 apply the methodology in a consistent manner across the State.

9 Sec. 9. REPORT ON ADDITIONAL ISSUES

10 (a) The Vermont Agricultural and Forest Products Development Board,  
11 created by 6 V.S.A. § 2966, shall examine issues related to the Use Value  
12 Program, in consultation with the Current Use Tax Coalition and other  
13 stakeholders, including:

14 (1) the eligibility of agricultural parcels of fewer than 25 acres and the  
15 feasibility of developing productivity standards for such parcels;

16 (2) the application of the land use change tax to timber harvesting  
17 operations after the approved forest management plan has expired and the land  
18 is no longer enrolled in the Use Value Program;

19 (3) the effect of allowing an owner to relocate an undeveloped  
20 withdrawn site of two acres or less once within an enrolled parcel without

1 ~~incurring the land use change tax, provided there is no net reduction in the area~~  
2 ~~of enrolled land;~~

3 ~~(4) creation of a system of oversight for agricultural land that is~~  
4 ~~comparable and consistent with the oversight of forestland;~~

5 ~~(5) deferral of the land use change tax payment for development of~~  
6 ~~on-farm housing;~~

7 ~~(6) expansion of the "hardship" provisions pertaining to the sale of~~  
8 ~~enrolled agricultural land to include enrolled forestland;~~

9 ~~(7) development of a program for public education about the Use Value~~  
10 ~~Program and its importance in retaining Vermont's working landscape; and~~

11 ~~(8) methods by which the State can enhance the long-term financial~~  
12 ~~sustainability of the Program without damaging its long-term effectiveness in~~  
13 ~~maintaining working farms, forests, and open space; and~~

14 ~~(9) the need to create incentives for landowners to permit public~~  
15 ~~recreation on enrolled land.~~

16 ~~(b) The Vermont Agricultural and Forest Products Development Board~~  
17 ~~shall report on its findings and any recommendations for legislative action on~~  
18 ~~or before January 15, 2015. The Vermont Agricultural and Forest Products~~  
19 ~~Development Board shall submit its report to the House Committee on~~  
20 ~~Agriculture, on Natural Resources and Energy, on Fish, Wildlife and Water~~

1 ~~Resources, and on Ways and Means and to the Senate Committees on~~  
2 ~~Agriculture, on Natural Resources and Energy, and on Finance.~~

3 ~~(c) The Vermont Agricultural and Forest Products Development Board~~  
4 ~~shall report to the General Assembly at the beginning of each biennium on any~~  
5 ~~issue described in this section and any other current issues related to the Use~~  
6 ~~Value Program, and the Board shall make findings and recommendations for~~  
7 ~~any legislative action. The Vermont Agricultural and Forest Products~~  
8 ~~Development Board shall submit its report by January 15th of the first year of~~  
9 ~~each biennium to the House Committees on Agriculture, on Natural Resources~~  
10 ~~and Energy, on Fish, Wildlife and Water Resources, and on Ways and Means~~  
11 ~~and to the Senate Committees on Agriculture, on Natural Resources and~~  
12 ~~Energy, and on Finance.~~

13 Sec. 10. REPEAL OF WASTEWATER PROVISIONS

14 The following provisions are repealed:

15 (1) 2011 Acts and Resolves No. 45, Sec. 13a (wastewater permits);

16 (2) 2012 Acts and Resolves No. 143, Secs. 41 through 43 (wastewater  
17 permits).

18 Sec. 11. EFFECTIVE DATE AND TRANSITION RULES

19 (a) Subject to Sec. 6 of this act, property withdrawn from the Use Value  
20 Appraisal Program on or before October 1, 2013 but not developed before that  
21 date shall be subject to the land use change tax under the provisions of

- 1 ~~32 V.S.A. § 3757 in effect at the time of withdrawal; and revenues from the~~  
2 ~~land use change tax paid on any such property shall be paid to the~~  
3 ~~Commissioner for deposit into the General Fund.~~  
4 (b) Sec. 1 (land use change tax) of this act shall take effect on  
5 October 2, 2013.  
6 (c) Sec. 9(c) (biennial report) of this act shall take effect on July 1, 2015.  
7 ~~(d) All other sections of this act shall take effect on July 1, 2013~~

*Sec. 1. 32 V.S.A. § 3757 is amended to read:*

*§ 3757. LAND USE CHANGE TAX*

*(a) Land which has been classified as agricultural land or managed forest land forestland pursuant to this chapter shall be subject to a land use change tax upon the development of that land, as defined in section 3752 of this chapter. Said tax shall be at the rate of 20 percent of the full fair market value of the changed land determined without regard to the use value appraisal; or the tax shall be at the rate of 10 percent if the owner demonstrates to the satisfaction of the director that the parcel has been enrolled continuously more than 10 years. If changed land is a portion of a parcel, the fair market value of the changed land shall be the fair market value of the changed land prorated on the basis of acreage, divided by the common level of appraisal. Such The tax shall be expressed as a percentage of the full fair market value of the developed or withdrawn land determined without regard to the use value*

appraisal. If the property has been continuously enrolled by the same owner for fewer than 12 years, the tax rate shall be ten percent. If the property has been continuously enrolled by the same owner for 12 to 20 years, the tax rate shall be eight percent. If the property has been continuously enrolled by the same owner for over 20 years, the tax rate shall be five percent. A change in ownership that adds or subtracts a family member or that transfers the property to a family member who is an heir does not interrupt the counting of continuously enrolled years; however, a transfer in whole or in part to people who are not family members or to a legal entity whose members are not all family members does interrupt the counting of continuously enrolled years. For purposes of this subsection, "family member" means a spouse, former spouse, child, parent, grandparent, grandchild, sibling, aunt, uncle, or nephew or niece, by blood, marriage, or adoption. For purposes of the land use change tax, fair market value shall be determined as of the date the land is no longer eligible for use value appraisal developed or at an earlier date, if the owner petitions for the determination pursuant to subsection (c) of this section and pays the tax within 30 days of notification from the local assessing official. This tax shall be in addition to the annual property tax imposed upon such property. Nothing in this section shall be construed to require payment of an additional land use change tax upon the subsequent development of the same land, nor shall it be construed to require payment of a land use change tax

*merely because previously eligible land becomes ineligible, provided no development of the land has occurred.*

*(b) Any owner of eligible land who wishes to withdraw land from use value appraisal shall ~~petition for a determination of the fair market value of the land at the time of the withdrawal~~ notify the Director, who shall in turn notify the local assessing official. In the alternative, if the Director determines that development has occurred, the Director shall notify the local assessing official of his or her determination. Thereafter, land which has been withdrawn or developed shall be appraised and listed at its full fair market value in accordance with the provisions of chapter 121 of this title and subsection 3756(d) of this title, according to the appraisal model and land schedule of the municipality. ~~Said determination of the fair market value shall be used in calculating the amount of the land use change tax that shall be due when and if the development of the land occurs.~~*

*(c) ~~The~~ For the purposes of the land use change tax, the determination of the fair market value of the land as of the date the land is no longer eligible for a use value appraisal, or as of the time of the withdrawal of the land from use value appraisal, shall be made by the ~~director~~ local assessing officials in accordance with the provisions of subsection (b) of this section and divided by the municipality's most recent common level of appraisal as determined by the Director. The determination shall be made within 30 days after the date that*

~~the Director notifies the local assessing officials that the owner or assessing officials petition for the determination and shall be effective on the date of dispatch to the owner~~ has petitioned for withdrawal from use value appraisal or that the Director or local assessing official has determined that development has occurred. The local assessing officials shall notify the Director of their determination, and the provisions for appeal relating to property tax assessments in chapter 131 of this title shall apply.

(d) ~~The land use change tax shall be due and payable by the owner 30 days after the tax notice is mailed to the taxpayer unless, in the case of land use change tax due with respect to development occurring as a result of the issuance of a wastewater system permit, the landowner enters into a payment agreement with the commissioner of taxes. The tax shall be paid to the commissioner for deposit into the general fund~~ Commissioner, who shall deposit one-half of the tax paid into the General Fund and remit one-half of the tax paid to the municipality in which the land is located. The ~~commissioner~~ Commissioner shall issue a form to the assessing officials which shall provide for a description of the land developed, the amount of tax payable, and the fair market value of the land at the time of development or withdrawal from use value appraisal. The owner shall fill out the form and shall sign it under the penalty of perjury. After receipt of payment, the ~~commissioner~~ Commissioner shall furnish the owner with one copy, shall



*retain one copy, and shall forward one copy to the local assessing officials ~~and~~ one copy to the register of deeds of the municipality in which the land is located, and one copy to the Secretary of Agriculture, Food and Markets if the land is agricultural land and in all other cases to the Commissioner of Forests, Parks and Recreation. ~~Thereafter, the land which has been developed shall be appraised and listed at its full fair market value in accordance with the provisions of chapter 121 of this title.~~*

*(e) The owner of any classified land receiving use value appraisal under this subchapter shall immediately notify the ~~director~~ Director, who in turn shall notify the local assessing officials, the Secretary of Agriculture, Food and Markets if the land is agricultural land and in all other cases the Commissioner of Forests, Parks and Recreation of:*

\* \* \*

*Sec. 2. 32 V.S.A. § 3756(d) is amended to read:*

*(d) The assessing officials shall appraise qualifying agricultural land and ~~managed forest land~~ forestland and farm buildings at use value appraisal as defined in subdivision 3752(12) of this title. If the land to be appraised is a portion of a parcel, the assessing officials shall:*

*(1) determine the contributory value of each portion such that the fair market value of the total parcel is comparable with other similar parcels in the municipality; and*

*(2) notify the landowner according to the procedures for notification of change of appraisal. The portion of the parcel that is not to be appraised at use value shall be appraised at its fair market value determined in this subsection.*

*Sec. 3. 32 V.S.A. § 3752(12) is amended to read:*

*(12) “Use value appraisal” means, with respect to land, the price per acre which the land would command if it were required to remain henceforth in agriculture or forest use, as determined in accordance with the terms and provisions of this subchapter. With respect to farm buildings, “use value appraisal” means zero percent of fair market value. ~~The director shall annually provide the assessing officials with a list of farm sales, including the town in which the farm is located, the acreage, sales price, and date of sale.~~*

*Sec. 4. 32 V.S.A. § 3756(i) is amended to read:*

*(i) ~~The director~~ After providing 30 days notice to the owner, the Director shall remove from use value appraisal an entire parcel of managed forest land and notify the owner in accordance with the procedure in subsection (b) of this section when the ~~department of forests, parks and recreation~~ Department of Forests, Parks and Recreation has not received a required management activity report or has received an adverse inspection report, unless the lack of conformance consists solely of the failure to make prescribed planned cutting. In that case, the ~~director~~ Director may delay removal from use value appraisal*

*for a period of one year at a time to allow time to bring the parcel into conformance with the plan.*

*Sec. 5. USE VALUE APPRAISAL "EASY-OUT"*

*Notwithstanding any other provision of law, an owner of property enrolled in use value appraisal under 32 V.S.A. chapter 124 as of the passage of this act who elects to discontinue enrollment of the entire parcel may be relieved of the first \$100,000.00 of land use change tax imposed pursuant to 32 V.S.A. § 3757; provided that if the property owner does elect to discontinue enrollment and be relieved of the first \$100,000.00 of land use change tax, the owner shall pay the full property tax, based upon the property's full fair market value, for the 2013 assessment, and no state reimbursement shall be paid for that land. No property owner shall be relieved of more than \$100,000.00 in land use change tax under this provision. An election to discontinue enrollment under this provision is effective only if made in writing to the Director of Property Valuation and Review on or before October 1, 2013; and an owner who elects to discontinue enrollment under this section or any successor owner shall not reenroll less than the entire withdrawn parcel in the succeeding five years. If the property owner withdraws less than the entire parcel, the provisions of this section do not apply.*

*Sec. 6. LIMITATION ON EASY-OUT*

The “easy-out” provided for in Sec. 5 of this act shall not be available for any land that has been developed, as that term is defined in 32 V.S.A. § 3752(5), prior to passage of this act.

*Sec. 7. MUNICIPAL REIMBURSEMENT PAYMENTS*

(a) There is created a Use Value Appraisal Municipal Reimbursement Study Committee to examine the existing formula for municipal reimbursement payments (“hold harmless payments”) to determine if the payments are equitable and appropriate in light of the reallocation of land use change tax payments under this act and, if not, to propose an alternative formula. The Committee shall issue a report on or before January 15, 2014, and the report shall be submitted to the House Committees on Agriculture and Forest Products and on Ways and Means and to the Senate Committees on Agriculture and on Finance. The members of the Study Committee shall be:

(1) The Director of Property Valuation and Review, who shall serve as the Chair of the Committee and shall call the first meeting of the Committee on or before September 1, 2013;

(2) The Secretary of the Agency of Agriculture, Food and Markets or designee;

(3) The Commissioner of the Department of Forests, Parks and Recreation or designee;

(4) The Executive Director of the Vermont Assessors and Listers

Association or designee;

(5) Two representatives of the Vermont League of Cities and Towns, one from a rural community and one from an urban community, appointed by its Board of Directors;

(6) A member of the House appointed by the Speaker of the House;

(7) A member of the Senate appointed by the Committee on Committees;

(8) A member of the public appointed by the Governor who shall be a land owner with land subject to use value appraisal.

(b) Reimbursement. Members of the Committee who are not employees of the State of Vermont shall be entitled to compensation as provided in 32 V.S.A. § 1010. Legislative members of the Committee shall be entitled to the same per diem compensation and reimbursement for necessary expenses for attendance at a meeting when the General Assembly is not in session as provided to members of standing committees under 2 V.S.A. § 406.

~~Sec. 8. ASSESSMENT OF CONSERVED PROPERTY~~

~~On or before January 1, 2014, the Director of Property Valuation and Review shall publish guidance for the local assessing officials concerning how to assess land permanently encumbered by a conservation easement and how to apply the methodology in a consistent manner across the State.~~

*Sec. 8. ASSESSMENT OF PROPERTY*

*On or before April 15, 2014, the Director of Property Valuation and Review shall publish guidance for the local assessing officials concerning:*

*(1) how to assess land permanently encumbered by a conservation easement;*

*(2) how to assess land subject to a use value appraisal; and*

*(3) how to apply the methodologies in subdivisions (1) and (2) of this section in a consistent manner across the State.*

*Sec. 9. REPEAL OF WASTEWATER PROVISIONS*

*The following provisions are repealed:*

*(1) 2011 Acts and Resolves No. 45, Sec. 13a (wastewater permits);*

*(2) 2012 Acts and Resolves No. 143, Secs. 41 through 43 (wastewater permits).*

*Sec. 10. EFFECTIVE DATE AND TRANSITION RULES*

*(a) Subject to Sec. 6 of this act, property withdrawn from use value appraisal on or before October 1, 2013 but not developed before that date shall be subject to the land use change tax under the provisions of 32 V.S.A. § 3757 in effect at the time of withdrawal; and revenues from the land use change tax paid on any such property shall be paid to the Commissioner for deposit into the General Fund.*

(b) Sec. 1 (land use change tax) of this act shall take effect on  
October 2, 2013.

(c) All other sections of this act shall take effect on July 1, 2013.