

1 H.765

2 Introduced by Committee on Agriculture

3 Date:

4 Subject: Agriculture; economic development; agricultural innovation authority

5 Statement of purpose: This bill would establish a Vermont agricultural

6 innovation authority to promote the production and marketing of value-added

7 agricultural products in the state.

8 An act relating to establishing the Vermont agricultural innovation authority

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

10 Sec. 1. 6 V.S.A. chapter 161A is added to read:

11 CHAPTER 161A. VERMONT AGRICULTURAL INNOVATION

12 AUTHORITY

13 § 2957. DEFINITIONS

14 As used in this chapter:

15 (1) “Authority” means the Vermont agricultural innovation authority.

16 (2) “Value-added agricultural product” means any agricultural

17 commodity or product that has been changed, produced, or segregated such

18 that the market for the product has expanded and where the greater portion of

19 the revenue derived from the value-added activity accrues to the producer of

20 the commodity or product.

~~§ 2958. ESTABLISHMENT OF VERMONT AGRICULTURAL~~

~~INNOVATION AUTHORITY~~

~~(a) The Vermont agricultural innovation authority is hereby created and established as a body corporate and politic and a public instrumentality of the state.~~

~~(b) The Vermont agricultural innovation authority shall have a board of directors of 11 members selected as follows:~~

~~(1) The secretary of agriculture, food and markets, who shall serve as chair of the board of directors; and~~

~~(2) The following 10 members appointed by the governor:~~

~~(A) One representative from each of the two largest membership-based agricultural organizations in Vermont;~~

~~(B) One member from a group representing the Vermont dairy industry;~~

~~(C) One member from a group representing the Vermont maple industry;~~

~~(D) One member from a group representing the Vermont livestock industry;~~

~~(E) One member from a group representing the Vermont produce industry;~~

1 ~~(F) Four individuals with knowledge of or experience in the~~
2 ~~production or marketing of value-added agricultural products.~~

3 ~~(c) The Vermont agricultural innovation authority's powers are vested in~~
4 ~~the board of directors, and a quorum shall consist of six members. The board~~
5 ~~of directors shall adopt bylaws for its operation. No action of the authority~~
6 ~~shall be considered valid unless the action is supported by a majority vote of~~
7 ~~the members present and voting and then only if at least six members vote in~~
8 ~~favor of the action.~~

9 ~~(d) Members of the board shall be appointed for staggered terms of three~~
10 ~~years. Any vacancy occurring among the members of the board shall be filled~~
11 ~~by the governor for the unexpired portion of the term. A member may be~~
12 ~~reappointed, but no member, except the secretary of agriculture, food and~~
13 ~~markets, may serve for more than six consecutive years.~~

14 ~~(e) Board members who are not state employees or whose membership is~~
15 ~~not supported by their employer or association may receive per diem and~~
16 ~~reimbursement for travel as provided in 32 V.S.A. § 1010 to the extent that~~
17 ~~funds are available.~~

18 ~~§ 2959. PURPOSE; POWERS AND DUTIES~~

19 ~~(a) To achieve the purposes of this chapter, the Vermont agricultural~~
20 ~~innovation authority shall:~~

1 ~~(1) Promote agriculture in Vermont, including the production or~~
2 ~~marketing of value-added agricultural products;~~

3 ~~(2) Coordinate with federal and state agencies and private sources to~~
4 ~~make financial resources available to the authority for distribution of financial~~
5 ~~assistance for the promotion of agriculture, including the production or~~
6 ~~marketing of value-added agricultural products.~~

7 ~~(3) Distribute federal grant monies for the production or marketing of~~
8 ~~value-added agricultural products. Grant monies distributed under this~~
9 ~~subdivision may be used for:~~

10 ~~(A) Technical assistance, including technical, engineering, and~~
11 ~~product research services;~~

12 ~~(B) Assistance in marketing, market development, and business~~
13 ~~planning, including advisory services with respect to leveraging capital assets;~~

14 ~~(C) Organizational, outreach, and development assistance to increase~~
15 ~~the viability, growth, and sustainability of businesses engaged in the~~
16 ~~production or marketing of value-added agricultural products;~~

17 ~~(D) Studies that analyze the feasibility of facilities, including~~
18 ~~processing facilities, for use by potential producers or marketers of~~
19 ~~value-added products in order to determine the size that optimizes construction~~
20 ~~and other cost efficiencies.~~

1 ~~(b) The agricultural innovation authority shall have all the power necessary~~
2 ~~and convenient to carry out the purposes of this chapter, including:~~

3 ~~(1) To consult, contract, or partner with the Vermont economic~~
4 ~~development authority to provide financial assistance for purposes authorized~~
5 ~~by this chapter;~~

6 ~~(2) To support the establishment of public-private partnerships for the~~
7 ~~promotion and development of agriculture in the state, including the~~
8 ~~production or marketing of value-added agricultural products.~~

9 ~~(3) To support local initiatives to produce or market value-added~~
10 ~~agricultural products.~~

11 ~~(4) To provide resources, financial assistance, and financial incentives to~~
12 ~~local, regional, public, and private entities in the form of loans or grants for the~~
13 ~~production or marketing of value-added agricultural products.~~

14 ~~(5) To pursue and coordinate access to regional and local revolving loan~~
15 ~~funding and all state, federal, and private funding that is available for the~~
16 ~~development of agriculture and value-added agricultural products.~~

17 ~~(6) To receive and accept grants, gifts, loans, or contributions from any~~
18 ~~source subject to the provisions of 32 V.S.A. § 5.~~

19 ~~(7) To use the services and staff of the agency of agriculture, food and~~
20 ~~markets to assist in the performance of its duties with the concurrence of the~~
21 ~~secretary of agriculture, food and markets.~~

1 ~~(8) To contract for support, technical, or other professional services.~~

2 ~~§ 2960. INTERAGENCY COOPERATION AND ASSISTANCE~~

3 ~~Other departments and agencies of state government shall assist and~~
4 ~~cooperate with the authority and shall make available to it information and data~~
5 ~~as needed to assist the authority in carrying out its duties. Nothing in this~~
6 ~~section shall be construed to waive any privilege or protection otherwise~~
7 ~~afforded to the data and information under exemptions to the public records act~~
8 ~~or under other laws due solely to the fact that the information or data are~~
9 ~~shared with the authority pursuant to this section.~~

10 Sec. 2. REPEAL

11 ~~6 V.S.A. §§ 2961 (creation of agricultural development commission) and~~
12 ~~2962 (agricultural development commission duties) are repealed.~~

13 Sec. 3. EFFECTIVE DATE

14 ~~This act shall take effect upon passage.~~

15
Sec. 1. 6 V.S.A. §§ 2961 and 2962 are amended and §§ 2962a and 2962b are added to read:

*§ 2961. ~~CREATION OF AGRICULTURAL DEVELOPMENT COMMISSION~~
~~DEFINITIONS~~*

(a) ~~There is established within the agency of agriculture, food and markets the agricultural development commission, which shall be composed of the secretary of agriculture, food and markets, commissioner of forests, parks and recreation or his designee, the director of extension service, and director of research at the University of Vermont or their designees and four members appointed by the governor from a list of ten names, five to be submitted to him by the committee on agriculture of the house and five to be submitted to him by the committee on agriculture of the senate. The public members shall be~~

~~appointed for terms of two years. The secretary of agriculture, food and markets shall be chairman.~~

~~(b) The commission shall be attached to the agency of agriculture, food and markets for administrative support. In addition, the commission may use the services and staff of any department to assist it in the performance of its duties. The secretary of agriculture, food and markets may appoint a person from within the agency of agriculture, food and markets to serve as executive director to the commission.~~

~~(c) Public members of the commission shall receive \$30.00 per diem and necessary expenses incurred while in the performance of their duties. As used in this subchapter:~~

~~(1) "Center" means the Vermont agricultural innovation center.~~

~~(2) "Value-added agricultural product" means any agricultural commodity or product that has been changed, produced, or segregated such that the market for the product has expanded and where the greater portion of the revenue derived from the value-added activity accrues to the producer of the commodity or product.~~

~~§ 2962. COMMISSION; POWERS AND DUTIES ESTABLISHMENT OF VERMONT AGRICULTURAL INNOVATION CENTER~~

~~The commission may develop policies and recommend procedures for the implementation of coordinated educational, regulatory, research and promotional programs in agriculture. In addition, the commission may:~~

~~(1) Develop a five year continuing agriculture development program for the state which shall be updated biennially;~~

~~(2) Encourage lending institutions to expand their agricultural lending activities;~~

~~(3) Identify those institutional forces which impede agricultural expansion and make recommendations for the removal of those impediments;~~

~~(4) Assist individuals and organizations in their agricultural efforts;~~

~~(5) Make recommendations to the agency of agriculture, food and markets and the agricultural experiment station on areas where research might prove most beneficial to agriculture in Vermont;~~

~~(6) [Repealed.] (a) The Vermont agricultural innovation center is hereby established.~~

~~(b) The Vermont agricultural innovation center shall be administered by a board consisting of 13 members with no more than four members representing~~

in a primary capacity any one agricultural sector. The board shall comprise the following:

(1) The secretary of agriculture, food and markets, who shall serve as chair; and

(2) The following four members appointed by the governor: One member from a group representing each of the four highest grossing commodities produced in Vermont as determined on the basis of annual gross cash sales. These four commodity groups presently include the dairy industry, the maple industry, the livestock industry, and the produce industry;

(3) The following eight members appointed by the speaker of the house and the ~~president pro tempore~~ committee on committees of the senate:

(A) One representative from each of the two largest membership-based agricultural organizations in Vermont;

(~~C~~B) Six members with knowledge of or experience in the production or marketing of value-added agricultural products.

(c) The Vermont agricultural innovation center's powers are vested in the board, and a quorum shall consist of seven members. No action of the board shall be considered valid unless the action is supported by a majority vote of the members present and voting and then only if at least seven members vote in favor of the action.

~~(d) Members of the board shall be appointed for staggered terms of three years. Any vacancy occurring among the members of the board shall be filled by the governor for the unexpired portion of the term. A board member may be reappointed, but no member, except the secretary of agriculture, food and markets, may serve for more than six consecutive years.~~

(d) Any vacancy occurring among the members of the board shall be filled by the respective appointing authority pursuant to this section. A board member may be reappointed, provided that no board member, except the secretary of agriculture, food and markets, may serve more than two consecutive three-year terms. Each member of the board shall serve a three-year term, except:

(1) the governor shall appoint initially one member to a one-year term, one member to a two-year term, and two members to a three-year term;

(2) the speaker of the house shall appoint initially two members to a one-year term, one member to a two-year term, and one member to a three-year term; and

(3) the committee on committees shall appoint initially one member to a one-year term, two members to a two-year term, and one member to a three-year term.

(e) Board members whose membership is not supported by their employer or association may receive per diem and reimbursement for travel as provided in 32 V.S.A. § 1010 to the extent that funds are available.

§ 2962a. PURPOSE; POWERS AND DUTIES

(a) To achieve the purposes of this subchapter, the Vermont agricultural innovation center shall:

(1) Promote agriculture and the business of agriculture in Vermont, including the production or marketing of value-added agricultural products.

(2) Coordinate with federal and state agencies and private sources to make financial resources available to the center for distribution of financial assistance for the promotion of agriculture, including the production or marketing of value-added agricultural products.

(3) Administer federal grant monies for the production or marketing of value-added agricultural products. Grant monies shall be administered in accordance with their terms which may include:

(A) Technical assistance, including technical, engineering, and product research services;

(B) Assistance in marketing, market development, and business planning, including advisory services with respect to leveraging capital assets;

(C) Organizational, outreach, and development assistance to increase the viability, growth, and sustainability of businesses engaged in the production or marketing of value-added agricultural products;

(D) Studies that analyze the feasibility of facilities, including processing facilities, for use by potential producers or marketers of value-added products in order to determine the size that optimizes construction and other cost efficiencies.

(b) The agricultural innovation center may:

(1) consult, contract, or coordinate with the Vermont economic development authority or other agricultural funders to provide financial assistance for purposes authorized by this subchapter;

(2) support the establishment of partnerships for the promotion and development of agriculture in the state, including the production or marketing of value-added agricultural products;

(3) support local initiatives to produce or market value-added agricultural products;

(4) pursue and coordinate access to regional and local revolving loan funding and all state, federal, and private funding that is available for the development of agriculture and value-added agricultural products;

(5) receive and accept grants, gifts, loans, or contributions from any source subject to the provisions of 32 V.S.A. § 5;

(6) use the services and staff of the agency of agriculture, food and markets to assist in the performance of the center's duties with the concurrence of the secretary of agriculture, food and markets;

(7) contract for support, technical, or other professional services necessary to complete the work of the center.

§ 2962b. INTERAGENCY COOPERATION AND ASSISTANCE

Other departments and agencies of state government shall assist and cooperate with the center and shall make available to it information and data as needed to assist the center in carrying out its duties. Nothing in this section shall be construed to waive any privilege or protection otherwise afforded to the data and information under exemptions to the public records act or under other laws due solely to the fact that the information or data are shared with the center pursuant to this section.

Sec. 2. RECODIFICATION

6 V.S.A. chapter 162 is recodified as follows:

(1) §§ 2961–2962b shall be subchapter 1 which is added to read:

Subchapter 1. Vermont Agricultural Innovation Center

(2) §§ 2963–2965 shall be subchapter 2 which is added to read:

Subchapter 2. Generally

Sec. 3. EFFECTIVE DATE

This act shall take effect January 15, 2011.