

1 S.99

2 Introduced by Committee on Agriculture

3 Date:

4 Subject: Agriculture; economic development

5 Statement of purpose: This bill proposes to promote agricultural economic  
6 development by implementing recommendations of the Vermont sustainable  
7 jobs fund's farm-to-plate strategic plan and supporting policies.

8 An act relating to agricultural economic development

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

10 Sec. 1. 10 V.S.A. § 328 is amended to read:

11 § 328. CREATION OF THE SUSTAINABLE JOBS FUND PROGRAM

12 \* \* \*

13 (c)(1) Notwithstanding the provisions of subdivision 216(14) of this title,  
14 the authority may contribute not more than \$1,000,000.00 to the capital of the  
15 corporation formed under this section, and the board of directors of the  
16 corporation formed under this section shall consist of ~~three members of the~~  
17 ~~authority designated by the authority, the secretary of commerce and~~  
18 ~~community development, and seven members who are not officials or~~  
19 ~~employees of a governmental agency appointed by the governor, with the~~  
20 ~~advice and consent of the senate, for terms of five years, except that the~~

1 ~~governor shall stagger initial appointments so that the terms of no more than~~  
2 ~~two members expire during a calendar year:~~

3 (A) the secretary of commerce and community development or his or  
4 her designee;

5 (B) the secretary of agriculture, food and markets or his or her  
6 designee;

7 (C) the chief executive officer of the Vermont economic  
8 development authority or his or her designee; and

9 (D) eight independent directors, no more than one of whom shall be a  
10 state government employee or official, and who shall be selected as vacancies  
11 occur by vote of the existing directors from a list of names offered by a  
12 nominating committee of the board created for that purpose.

13 (2)(A) Each independent director shall serve a term of three years or  
14 until his or her earlier resignation.

15 (B) A director may be reappointed, but no independent director shall  
16 serve for more than three terms.

17 (3) A director of the board who is, or is appointed by, a state  
18 government official or employee shall not be eligible to hold the positions of  
19 chair, vice chair, secretary, or treasurer of the board.

20 \* \* \*

1       Sec. 2. VSJF BOARD OF DIRECTORS; TRANSITION

2           Notwithstanding any other provision of law to the contrary, and  
3       notwithstanding any provision of the articles of incorporation or the bylaws of  
4       the corporation:

5           (1) The chair, vice chair, and secretary of the Vermont sustainable jobs  
6       fund board of directors as of January 1, 2011 shall constitute an initial  
7       nominating committee charged with appointing eight independent directors  
8       who shall take office on July 1, 2011.

9           (2) The initial nominating committee shall appoint each independent  
10       director to serve a term of one, two, or three years. Independent director terms  
11       shall be staggered so that the terms of no more than three members expire  
12       during a calendar year.

13           (3) The terms of the directors in office on the date of passage of this act  
14       shall expire on July 1, 2011.

15       Sec. 3. REPEAL

16           Secs. G18 and G19 of No. 146 of the Acts of the 2009 Adj. Sess. (2010) are  
17       repealed.

18       Sec. 4. Sec. G28 of No. 146 of the Acts of the 2009 Adj. Sess. (2010) is  
19       amended to read:

20           Sec. G28. EFFECTIVE DATES

21           Secs. G1 through G28 of this act (economic development) shall take effect  
22       upon passage, ~~except that Secs. G18 and G19 (Vermont sustainable jobs~~



1     § 4602. GOOD AGRICULTURAL PRACTICES GRANT PROGRAM

2         (a) A good agricultural practices grant program (GAP) is established in the  
3     agency of agriculture, food and markets for the purpose of providing grant  
4     funds to agricultural producers required to obtain GAP certification in order to  
5     sell their products in larger retail markets.

6         (b) The secretary may award grants for capital upgrades that will support  
7     Vermont agricultural producers in obtaining GAP certification. The amount of  
8     funds required by an applicant for a GAP certification grant shall be  
9     determined by the secretary.

10    Sec. 7. 6 V.S.A. § 3319 is added to read:

11    § 3319. SKILLED MEAT CUTTER APPRENTICESHIP PROGRAM

12         (a) A skilled meat cutter apprenticeship program is established in the  
13     agency of agriculture, food and markets for the purpose of issuing a  
14     competitively awarded grant to develop and administer either an  
15     apprenticeship or certificate program, or both, for the occupation of skilled  
16     meat cutter.

17         (b) The secretary shall make a single grant to the successful applicant for  
18     the creation and operation of an employment-based learning program with  
19     classroom and on-the-job training components.

1 Sec. 8. 6 V.S.A. § 4724 is added to chapter 211 to read:

2 § 4724. LOCAL FOODS COORDINATOR

3 (a) The position of local food coordinator is established in the agency of  
4 agriculture, food and markets for the purpose of assisting Vermont producers  
5 in increasing their access to commercial markets and institutions, including  
6 schools, state and municipal governments, and hospitals.

7 (b) The local foods coordinator shall administer a local foods grant  
8 program, the purpose of which shall be to provide grants to allow Vermont  
9 producers to increase their access to commercial and institutional markets.

10 Sec. 9. FOOD PROCESSING AND PRODUCTION INVENTORY

11 (a) The agency of agriculture, food and markets shall prepare, or oversee  
12 the preparation by a third party contractor of, an inventory of existing  
13 processing facilities and shall recommend where additional processing  
14 facilities and related infrastructure may be best located within the state,  
15 specifically accounting for anticipated trends in food production and supply.

16 (b) The agency of agriculture, food and markets shall submit the inventory  
17 and recommendations pursuant to this section to the house and senate  
18 committees on agriculture on or before March 1, 2012.

19 Sec. 10. FARM-TO-PLATE INVESTMENT PROGRAM

20 IMPLEMENTATION

21 (a)(1) The agency of agriculture, food and markets shall coordinate with  
22 the Vermont sustainable jobs fund program established under 10 V.S.A. § 328,

1 stakeholders, and other interested parties, including the agriculture  
2 development board, to implement actions necessary to fulfill the goals of the  
3 farm-to-plate investment program as established under 10 V.S.A. § 330.

4 (2) The actions shall be guided by, but not limited to, the strategies  
5 outlined in the farm-to-plate strategic plan.

6 (3) The agency shall develop and maintain a report of the actions  
7 undertaken to achieve the goals of the farm-to-plate investment program and  
8 the farm-to-plate strategic plan.

9 (b) The secretary of agriculture, food and markets may contract with a third  
10 party to assist the agency with implementation of the program, to track those  
11 activities over time, and to develop a report on the progress of the program.

12 Sec. 11. 6 V.S.A. § 4601 is amended to read:

13 § 4601. VERMONT PRODUCTS

14 (a) ~~When purchasing agricultural products, Of the total agricultural~~  
15 products purchased each year by the secretary of administration, the secretary  
16 of buildings and general services, and any state-funded institutions ~~shall, other~~  
17 considerations being equal, purchase products grown, not less than five percent  
18 shall be locally grown products or products produced in Vermont ~~when~~  
19 available and ~~when they meet quality standards established by the secretary of~~  
20 agriculture, food and markets that contain at least 50 percent local ingredients.

1        (b) The requirements of subsection (a) of this section may be waived when  
2        compliance would not be feasible given the quality standards established by  
3        the secretary of agriculture, food and markets.

4        Sec. 12. 10 V.S.A. § 544 is added to read:

5        § 544. VERMONT INTERNSHIP PROGRAM

6        (a)(1) The department of labor shall develop and implement a statewide  
7        Vermont internship program for Vermonters who are in high school or in  
8        college and for those who are recent graduates of 18 months or less.

9        (2) The program shall serve as a single portal for coordinating and  
10       providing funding to public and private entities for internship programs that  
11       match Vermont employers with students from public and private secondary  
12       schools, regional technical centers, the Community High School of Vermont,  
13       and colleges.

14       (3) Funding awarded through the Vermont internship program may be  
15       used to administer an internship program and to provide students with a  
16       stipend during the internship, based on need. Funds may be made only to  
17       programs or projects that do all the following:

18                (A) do not replace or supplant existing positions;

19                (B) create real workplace expectations and consequences;

20                (C) provide a process that measures progress toward mastery of  
21       skills, attitude, behavior, and sense of responsibility required for success in that  
22       workplace;



1           (D) are designed to motivate and educate secondary and  
2 postsecondary students through work-based learning opportunities with  
3 Vermont employers that are likely to lead to real employment;

4           (E) include mechanisms that promote employer involvement with  
5 secondary and postsecondary students and curriculum and the delivery of  
6 education at the participating schools;

7           (F) involve Vermont employers or interns who are Vermont  
8 residents; and

9           (G) offer students a continuum of learning, experience, and  
10 relationships with employers that will make it financially possible and  
11 attractive for graduates to continue to work and live in Vermont.

12           (4) For the purposes of this section, “internship” means a learning  
13 experience working with an employer where the intern may, but does not  
14 necessarily, receive academic credit, financial remuneration, a stipend, or any  
15 combination of these.

16           (b) The department of labor, in collaboration with the agency of  
17 agriculture, food and markets, the department of education and state-funded  
18 postsecondary educational institutions, the workforce development council,  
19 and other state agencies and departments that have workforce development and  
20 training monies, shall:

21           (1) identify new and existing funding sources that may be allocated to  
22 the Vermont internship program;

1           (2) collect data and establish program goals and quantifiable  
2 performance measures for internship programs funded through the Vermont  
3 internship program;

4           (3) develop or enhance a website that will connect students and  
5 graduates with internship opportunities with Vermont employers;

6           (4) engage appropriate agencies and departments of the state in the  
7 internship program to expand internship opportunities with state government  
8 and with entities awarded state contracts; and

9           (5) work with other public and private entities to develop and enhance  
10 internship programs, opportunities, and activities throughout the state.

11       Sec. 13. IMPLEMENTATION OF THE VERMONT INTERNSHIP  
12                               PROGRAM; WORKERS' COMPENSATION

13           (a) The state shall make available workers' compensation coverage to an  
14 intern participating in the Vermont internship program if coverage is required  
15 by federal or state law and the participant would not otherwise be covered by  
16 an employer's workers' compensation policy.

17           (b) The state shall be considered a single entity solely for purposes of  
18 purchasing a single workers' compensation insurance policy providing  
19 coverage to intern participants.

20           (c) This subsection is intended strictly to permit the state to provide  
21 workers' compensation coverage, and the state shall not be considered the  
22 employer of an intern participant for any other purpose.





1           (3) “Commissioner” means the commissioner of the department of  
2 labor.

3           (4) “First-in-time priority” means a preference given to businesses in  
4 Vermont’s agriculture, agritourism, tourism, or culinary sectors that request a  
5 web-to-farm intern before other similarly situated businesses.

6           (5) “Intern” means an individual who is enrolled or has recently  
7 completed a commissioner-approved certificate or degree program related to  
8 computer science or information technology from a Vermont postsecondary  
9 institution and has accepted an offer from the administrator to participate in the  
10 web-to-farm program in exchange for payment. An intern’s official title shall  
11 be “web-to-farm consultant.”

12           (6) “Partner business” means a Vermont agriculture, agritourism,  
13 tourism, or culinary business or a nonprofit agritourism service provider that is  
14 paired with an information technology intern through the web-to-farm  
15 program.

16           (7) “Postsecondary institution” means an academic, vocational,  
17 technical, business, professional, or other school, college, or university  
18 offering education primarily to persons who have completed or terminated  
19 their secondary education or who are beyond the age of compulsory high  
20 school attendance and who seek to attain educational, professional, or  
21 vocational objectives.

1           (8) “Stipend” means a fixed payment or payments allocated to offset  
2 living expenses.

3 § 4752. WEB-TO-FARM INTERNSHIP PROGRAM

4           (a) There is hereby created the web-to-farm internship program for the dual  
5 purposes of improving the information technology capabilities of Vermont’s  
6 agriculture-related businesses and of fostering professional opportunities for  
7 recipients of a computer science or information technology-related degree or  
8 certificate from a Vermont postsecondary institution.

9           (b) Students in their final year of computer science or information  
10 technology-related study at a Vermont postsecondary institution and  
11 individuals who received a degree or certificate related to computer science or  
12 information technology from a Vermont postsecondary institution within the  
13 last year are eligible to apply for a web-to-farm internship.

14           (c) Interns shall complete one year of information technology-related  
15 service with one or several Vermont businesses engaged in agriculture,  
16 agritourism, tourism, or culinary arts or organizations providing services to  
17 agritourism businesses for the purpose of using their computer and information  
18 technology expertise to enhance the economic opportunities of partner  
19 businesses and create sustainable electronic resources for partner businesses.

1     § 4753. ADMINISTRATION OF THE WEB-TO-FARM INTERNSHIP  
2             PROGRAM; FUNDING

3             (a) The commissioner shall issue a request for proposals for a program  
4             administrator and shall negotiate and award a performance contract to a  
5             qualified person to administer the web-to-farm program.

6             (b) The administrator shall:

7                 (1) create all necessary internship application forms and a list of  
8                 required supporting documentation;

9                 (2) create a web page that provides information about the web-to-farm  
10                program, including eligibility requirements for interns and businesses, contact  
11                information, and application processes;

12                (3) review all intern applications and require submission of additional  
13                documents deemed necessary;

14                (4) select applicants that best conform to the criteria set forth in section  
15                4754 of this title;

16                (5) establish procedures by which interns shall receive a stipend;

17                (6) maintain web-to-farm participant records;

18                (7) provide information about the program to Vermont postsecondary  
19                institutions; and

20                (8) report annually on or before January 15 to the house and senate  
21                committees on agriculture and on education regarding:

22                     (A) current levels in the information technology education fund;

- 1           (B) the number of applications received in the prior fiscal year;  
2           (C) the number of participating businesses in the prior fiscal year;  
3           (D) the amount of funds awarded in the prior fiscal year;  
4           (E) the total funds that could potentially be distributed in the current  
5 and next fiscal years; and  
6           (F) a summary of intern and business satisfaction with the  
7 web-to-farm program.

8           (c) The web-to-farm program shall be funded through one or more of the  
9 following:

- 10           (1) sums appropriated or transferred to it by the general assembly;  
11           (2) sums transferred from the Vermont internship program established in  
12 10 V.S.A. § 544;  
13           (3) sums from any other public or private source accepted for the benefit  
14 of the program;  
15           (4) enrollment fees not to exceed \$100.00 to be paid by agriculture,  
16 agritourism, tourism, or culinary businesses and nonprofit service provider  
17 organizations participating in the web-to-farm program; and  
18           (5) any payment made by the administrator pursuant to the performance  
19 contract awarded by the commissioner.

20           § 4754. INTERN SELECTION; INCENTIVES

21           (a)(1) Up to 20 interns may be selected by the administrator to participate  
22 in the web-to-farm program each year, as funding allows.



1           (2) Not more than four interns per year shall be matched with nonprofit  
2 agritourism service providers.

3           (b) Intern selection shall be based on the following criteria:

4           (1) the applicant is a student in the final year of study or a recent  
5 graduate of a commissioner-approved certificate or degree program related to  
6 computer science or information technology from a Vermont postsecondary  
7 institution at the time the application is submitted or prior to commencing the  
8 internship;

9           (2) academic performance and competence;

10          (3) interest in maintaining Vermont residency;

11          (4) interpersonal communication skills; and

12          (5) any other criteria established by the administrator.

13          (c)(1) Interns shall receive an annual stipend from the administrator not to  
14 exceed \$15,000.00, which may be supplemented by independently acquired  
15 grants. Stipend payments shall be distributed quarterly.

16          (2) An intern who fails to complete the one-year service requirement  
17 shall return all stipend payments and benefits received under the web-to-farm  
18 program to the administrator within 60 days of terminating participation in the  
19 program.

20          § 4755. AGRITOURISM ASSISTANCE; PARTICIPATING BUSINESSES

21          (a) A business engaged in agriculture, agritourism, tourism, or culinary arts  
22 or a nonprofit agritourism service provider shall be eligible to participate in the

1 web-to-farm program provided that it is located in Vermont, has a principal  
2 place of business in Vermont, or is incorporated under Vermont law pursuant  
3 to Title 11A.

4 (b)(1) A business which is eligible and interested in participating in the  
5 web-to-farm program shall submit its name to the administrator along with a  
6 brief statement describing the objectives it seeks to achieve through  
7 participation in the program.

8 (2) The administrator shall maintain a list of eligible and interested  
9 businesses in consultation with the Vermont agriculture and culinary tourism  
10 council and shall partner businesses with web-to-farm interns. Pairings shall  
11 be based on intern availability and expertise. Preference shall be given to:

12 (A) businesses in rural locations;

13 (B) businesses with ten or fewer employees; and

14 (C) businesses with first-in-time priority.

15 (c) Businesses selected pursuant to this section shall submit an enrollment  
16 fee not to exceed \$100.00 prior to the commencement of intern services.

17 Sec. 16. UNIFIED REPORTING

18 On or before January 15, 2012, the agency of agriculture, food and markets  
19 shall submit to the house and senate committees on agriculture in a single  
20 written performance report:

21 (1) the specific outcomes intended for each program or policy change of  
22 this act;

1           (2) the performance of each program or policy change following  
2 passage of this act; and

3           (3) recommendations for future actions in light of performance relative  
4 to the intended outcomes.

5       Sec. 17. APPROPRIATIONS

6           (a) The general assembly shall appropriate the following amounts to the  
7 agency of agriculture, food and markets to implement the provisions of this act  
8 as follows:

9           (1) For the Vermont large animal veterinarian educational loan  
10 repayment fund in Sec. 5 of this act, \$50,000.00 transferred from the  
11 department of labor to the agency of agriculture, food and markets.

12           (2) For the good agricultural practices (GAP) program in Sec. 6 of this  
13 act, \$200,000.00 in capital funds in each year of the two-year capital bill to  
14 make competitive matching grants for capital upgrades necessary to achieve or  
15 maintain GAP certification.

16           (3) For the skilled meat cutter apprenticeship program in Sec. 7 of this  
17 act, \$25,000.00 from the general fund.

18           (4) For the local foods coordinator and the local foods grant program in  
19 Sec. 8 of this act, \$125,000.00 from the general fund, not more than  
20 \$75,000.00 of which shall be used for the total annual compensation of the  
21 coordinator, and not less than \$50,000.00 of which shall be used for the

1 performance of the local foods coordinator's duties under this act and for  
2 competitive matching grants from the agency to Vermont producers.

3 (5) For the food processing and production inventory in Sec. 9 of this  
4 act, \$30,000.00 from the general fund.

5 (6) For the farm-to-plate investment program implementation in Sec. 10  
6 of this act, \$100,000.00 from the general fund.

7 (7) For the Vermont internship program in Sec. 12 of this act:

8 (A) Program costs in fiscal year 2012 shall be funded through a  
9 transfer of \$350,000.00 from the Next Generation initiative fund established in  
10 16 V.S.A. § 2887.

11 (B) Funding in subsequent years shall be recommended by the  
12 department of labor, in collaboration with the agency of agriculture, food and  
13 markets, the department of education and state-funded postsecondary  
14 educational institutions, the workforce development council, and other state  
15 agencies and departments that have workforce development and training  
16 monies.

17 (b) The general assembly shall appropriate from the general fund the  
18 following amounts for the purposes indicated:

19 (1) \$75,000.00 to the agency of agriculture, food and markets for  
20 competitive matching grants for the farm-to-school program established in  
21 6 V.S.A. § 4721.

1           (2) \$100,000.00 to the agency of agriculture, food and markets for  
2           competitive matching grants to increase slaughterhouse and meat processing  
3           facility capacity.

4           (3) \$25,000.00 to the agency of agriculture, food and markets for travel  
5           funds for agency personnel to participate in the legislative process for the  
6           federal farm bill.

7           (4) \$18,900.00 to the department for children and families to sustain and  
8           expand wireless electronic bank transfer (EBT) access at Vermont farmers'  
9           markets.

10       Sec. 18. EFFECTIVE DATE

11       This act shall take effect on passage.