

1 S.220

2 Senator Mullin moves that the bill be amended by adding a Sec. 25a to read as
3 follows:

4 Sec. 25a. VERMONT PRODUCTS PROGRAM; STUDY; REPORT

5 (a) On or before September 1, 2015, the Agency of Commerce and
6 Community Development, after consulting with appropriate stakeholders, shall
7 report to the Senate Committee on Economic Development, Housing and
8 General Affairs and the House Committee on Commerce and Economic
9 Development on creating a Vermont Products Program for the purpose of
10 providing Vermont businesses with a means of promoting and marketing
11 products and services that are manufactured, designed, engineered, or
12 formulated in Vermont and avoiding confusion by consumers when the
13 Vermont brand is used in marketing products or services.

14 (b) The report required by this section shall describe the method,
15 feasibility, and cost of creating a Vermont Products Program that includes the
16 following elements:

17 (1) The program shall include a licensing system that enables qualifying
18 persons to make marketing claims concerning significant business activities
19 occurring in Vermont, and to self-certify products and services that are
20 manufactured, designed, engineered, or formulated in Vermont. Under this
21 system, the Secretary shall identify and craft branding and marketing

1 guidelines that concern whether and how qualifying products or services
2 manufactured, designed, engineered, or formulated in Vermont can be properly
3 claimed so as to be licensed. The licensing system shall permit an applicant to
4 self-certify compliance with designated criteria and attest to the accuracy of
5 claims authorized by the Secretary in order to obtain a license to advertise and
6 promote a product or service using the licensed materials.

7 (2) The program may charge an annual fee for the issuance of the
8 license.

9 (3) The program shall include an on-line application process that
10 permits an applicant to obtain the license if he or she certifies compliance with
11 criteria designated by the Secretary, attests to the accuracy of statements
12 designated by the Secretary, and pays the required fee.

13 (4) Licenses issued under the program shall include a provision
14 requiring that disputes regarding the license be resolved by alternative dispute
15 resolution. A person who objects to the issuance of a license may file a
16 complaint with the Secretary, who shall refer it for alternative dispute
17 resolution as provided in the license.

18 (5) A special fund, comprising license fees and any monies appropriated
19 by the General Assembly, may be created for the administration and
20 advertising of the program.

- 1 (c) The report required by this section shall include a recommendation as to
- 2 whether the Vermont Products Program should replace the rules regarding
- 3 Vermont Origin adopted by the Attorney General.