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H.661

Introduced by Representatives Sheldon of Middlebury, Belaski of Windsor,  
Bock of Chester, Cina of Burlington, Conquest of Newbury,  
Dunn of Essex, Gonzalez of Winooski, Hooper of Randolph,  
Houghton of Essex, Joseph of North Hero, LaLonde of  
South Burlington, Lanpher of Vergennes, Lippert of Hinesburg,  
Lucke of Hartford, Masland of Thetford, McCullough of  
Williston, Mrowicki of Putney, Noyes of Wolcott, Ode of  
Burlington, Scheu of Middlebury, Squirrell of Underhill,  
Sullivan of Burlington, Till of Jericho, Townsend of  
South Burlington, Troiano of Stannard, Walz of Barre City,  
Wood of Waterbury, Yacovone of Morristown, and  
Yantachka of Charlotte

Referred to Committee on

Date:

Subject: Agriculture; water quality; economic development; regenerative  
organic certification

Statement of purpose of bill as introduced: This bill proposes to establish the  
Regenerative Organic Transition Assistance Program to provide technical and  
financial assistance to Vermont farmers seeking to transition from  
conventional farming to regenerative organic farming.

1           An act relating to regenerative organic farming

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

3           Sec. 1. FINDINGS

4           The General Assembly finds that:

5           (1) Farmers in Vermont face significant economic pressures as the costs  
6           of production often exceed prices paid for milk or other products.

7           (2) Many farmers have transitioned to organic farming to benefit from  
8           stable markets and increased prices paid for products.

9           (3) Simultaneously with market conditions, farmers are facing  
10          regulatory pressures to improve management of agricultural waste and satisfy  
11          standards for the sale of food products.

12          (4) Some Vermont farmers may benefit economically from transitioning  
13          from conventional farming to regenerative organic farming.

14          (5) Regenerative organic farming is a system of farming principles and  
15          practices that enriches soils, improves watersheds, traps carbon, enhances  
16          ecosystem services, reduces pesticide use, reduces fertilizer use, utilizes  
17          organic waste, absorbs and holds water from storm events, stores water for use  
18          by crops during drought conditions, and increases the market value of  
19          agricultural products.

1           (6) Regenerative organic farming also regenerates soil and revitalizes  
2           soil health, which may be essential to preserve farming globally and in  
3           Vermont as:

4                   (A) the United Nations Food and Agriculture Organization estimates  
5           that, at current rates of degradation, the world could lose most if not all of its  
6           arable topsoil in 60 years; and

7                   (B) The U.S. Department of Agriculture's Natural Resource  
8           Conservation Service (NRCS) calculated that Vermont farmland loses on  
9           average 1.5 to 1.8 tons of soil per acre per year due to water erosion.

10           (7) The State of Vermont should establish a program to assist farmers to  
11           transition voluntarily from conventional farming to regenerative organic  
12           farming in order to improve soil health, benefit water quality, and return  
13           increased economic benefits to the farm.

14           Sec. 2. 6 V.S.A. chapter 215, subchapter 7a is added to read:

15                   Subchapter 7a. Regenerative Organic Farming

16           § 4961. PURPOSE

17           The purposes of this subchapter are to:

18                   (1) enhance the economic viability of farms in Vermont;

19                   (2) improve the health and productivity of the soils of Vermont;

20                   (3) encourage farmers engaged in conventional farming to transition to  
21           regenerative organic farming;

1           (4) reduce the amount of agricultural waste entering the waters of

2           Vermont;

3           (5) enhance crop resilience to rainfall fluctuations and mitigate water  
4           damage to crops, land, and surrounding infrastructure;

5           (6) promote cost-effective farming practices;

6           (7) reinvigorate the rural economy; and

7           (8) help the next generation of Vermont farmers learn regenerative  
8           organic farming practices so that farming remains integral to the economy,  
9           landscape, and culture of Vermont.

10          § 4962. DEFINITION

11           As used in this subchapter, “regenerative organic farming” means a farm or  
12           farming that meets the standards set forth in the NSF Framework for  
13           Regenerative Organic Certification.

14          § 4963. REGENERATIVE ORGANIC FARMING; TRANSITION

15                   ASSISTANCE PROGRAM

16           (a) Establishment of program. There is created within the Vermont  
17           Housing and Conservation Board the Regenerative Organic Transition  
18           Assistance Program (ROTAP Program) to provide technical and financial  
19           assistance to Vermont farmers seeking to transition from conventional farming  
20           to regenerative organic farming.

1        (b) Program services. The ROTAP Program shall provide the following  
2        services to farmers seeking to transition to regenerative organic farming:

3            (1) information and education regarding the requirements for  
4        certification, including the method, timeline, and costs of certification;

5            (2) technical assistance in planning for certification prior to application;

6            (3) technical assistance in completing any required application for  
7        certification;

8            (4) financial assistance in paying for certification, including one or both  
9        of the following:

10           (A) the dollar amount of fees required for an organization or entity to  
11        certify a farm as regenerative organic farming;

12           (B) grants to a farm to retrofit equipment or implement practices  
13        required for certification, provided that no grant awarded under this section  
14        shall exceed \$50,000.00; and

15           (5) technical assistance in complying with the requirements for  
16        regenerative organic farming once a farm is certified.

17        § 4964. REGENERATIVE ORGANIC TRANSITION ASSISTANCE

18            PROGRAM FUND

19           (a) Fund established. There is established the Regenerative Organic  
20        Transition Assistance Program Fund pursuant to 32 V.S.A. chapter 7,

1 subchapter 5 to be administered by the Vermont Housing and Conservation

2 Board. The Fund shall consist of:

3 (1) appropriations or revenues dedicated by the General Assembly for  
4 deposit into the Fund; and

5 (2) gifts, donations, or other monies received from any source, public or  
6 private, dedicated for deposit into the Fund and approved by the General  
7 Assembly, or by the Joint Fiscal Committee when the General Assembly is not  
8 in session.

9 (b) Use of Fund. Monies in the Fund shall be used for the following  
10 purposes:

11 (1) to fund the ROTAP Program services set forth in subsection 4963(b)  
12 of this subchapter; and

13 (2) to pay the costs of implementation and administration of the ROTAP  
14 Program, including costs to contract for implementation and administration  
15 under subsection 4965(d) of this subchapter, provided that no more than five  
16 percent of the amounts in the Fund shall be used for this purpose in any fiscal  
17 year.

18 (c) Limit on use of Fund. Monies in the Fund shall not be available to meet  
19 the general obligations of the State.

1        (d) Balance of Fund. Notwithstanding any contrary provisions of  
2        32 V.S.A. chapter 7, subchapter 5, unexpended balances shall remain in the  
3        Fund from year to year.

4        § 4965. PROGRAM IMPLEMENTATION AND ADMINISTRATION

5        (a) The Vermont Housing and Conservation Board may, after notice and  
6        opportunity for hearing, enter into a contract with an organization or other  
7        entity to implement and administer the ROTAP Program.

8        (b) An organization or entity contracted with under this section shall have  
9        demonstrated experience in providing services or assistance to farmers,  
10       including assisting farmers with one or more of the following:

11        (1) complying with regulatory requirements;

12        (2) meeting industry standards;

13        (3) developing markets or products.

14        (c) A contract entered into under this section shall be for a limited duration  
15       not to exceed three years, provided that an organization or entity may be  
16       reappointed by contract to continue administration and implementation of the  
17       Program.

18        (d) A contract entered into under this section shall authorize the contracted  
19       organization or entity to conduct fundraising or other activities to encourage  
20       public and private contributions to the ROTAP Program Fund established  
21       under section 4964 of this title.

1       (e) A contract entered under this section shall include metrics or measures  
2       for monitoring the performance of the contracted organization or entity. The  
3       contract shall require the contracted entity to report to the Vermont Housing  
4       and Conservation Board at regularly defined intervals regarding the progress of  
5       the ROTAP Program.

6       Sec. 3. APPROPRIATIONS; ROTAP PROGRAM

7       Notwithstanding the requirements in 32 V.S.A. § 9602a regarding the  
8       deposit of the property transfer tax surcharge, the first \$500,000.00 of revenue  
9       generated by the property transfer tax surcharge in fiscal year 2019 shall be  
10       deposited in the ROTAP Program Fund established under 6 V.S.A. § 4964 to  
11       be used for the authorized purposes of the Fund.

12       Sec. 4. EFFECTIVE DATE

13       This act shall take effect on July 1, 2018.