

S.160. An Act relating to Agricultural Development: Section by Section Summary

Sec. 1. Strategic Plan to Stabilize and Revitalize Agricultural Industry (Session Law)

- By Jan. 15, 2020, the Farm-to-Plate Investment Program, after consultation with the Secretary of Agriculture, shall submit to the Legislature a report to update the Farm-to-Plate Strategic Plan.
- The report shall include a strategic plan for stabilizing, diversifying, and revitalizing the agricultural industry. The submitted plan shall:
 - summarize the current conditions within particular subsectors, product categories, and market channels that comprise the Vermont food system;
 - recommend State investment in R&D by universities or qualified organizations to establish new markets, products, or ingredients; and
 - recommended methods for improving the marketing of Vermont agricultural products outside the State, outside the region, and outside the country.

Sec. 2. Local Food Purchasing Working Group

- The Secretary of Agriculture shall convene a Local Food Purchasing Working Group to develop a plan to assist schools increase the purchase of local foods
- On or before January 15, 2020, the Secretary of Agriculture shall submit to the Legislature a recommended local foods purchasing plan for schools. The plan shall include:
 - A proposed “per plate” incentive for local food purchasing for Vermont K–12 school meals and a timeline for implementation of the incentive; and
 - A proposal to support and assist schools in increasing local food purchasing, including additional procurement training for school personnel to purchase local foods and proposed work with the Agency of Education Child Nutrition Programs to determine how to collect and manage the data needed to track local food purchasing in schools.
- The bill provides that the Secretary of Agriculture shall not implement the Local Foods Purchasing Working Group unless and until the General Assembly approves appropriations in fiscal year 2020 to complete “field testing” the per plate incentive.

Sec. 3. Dairy Processing Plant; Report (Session Law)

- On or before January 15, 2020, the Secretary of Agriculture, shall report to the Legislature regarding the development of a dairy marketing assessment for the purpose of increasing the consumption of Vermont dairy products by major metropolitan markets in New England and the Northeast.
- The report shall:
 - conduct market research to identify consumer preferences and upcoming trends around dairy products;
 - summarize how the State could facilitate messaging and marketing of dairy products with high value with consumers; and
 - identify existing funding sources or economic incentives that could be utilized to fund the development of dairy trend research and marketing campaigns in key identified markets and sectors, including innovation grants or financing under federal or State law.

Sec. 4. Soil Conservation Practice and Payment for Ecosystem Services Working Group (Session Law)

- The Secretary of Agriculture shall convene a Soil Conservation Practice and Payment for Ecosystem Services Working Group to recommend financial incentives to encourage farmers to implement agricultural practices that exceed current regulatory requirements and that improve soil health, enhance crop resilience, and reduce runoff to waters.
- The Working Group shall:
 - identify agricultural standards or practices that farmers can implement to improve soil health, enhance crop resilience, and reduce runoff to waters;
 - recommend existing financial incentives that could be modified or amended to incentivize soil conservation standards or preservation of wetlands; and
 - propose new financial incentives for implementation of the identified soil conservation standards if existing financial incentives are inadequate or if the goal of implementation of the agricultural standards would be better served by a new financial incentive.
- The Working Group shall submit an interim report to the Legislature on or before January 15, 2020. A final report would be due January 15, 2021.

Secs. 5. Vermont Clean Water Vermont State-Sponsored Affinity Card Program (32 V.S.A. § 584)

- Sec. 5 amends the Treasurer's authority to issue an affinity card (credit card) so that any card would benefit water quality improvement
 - The Treasurer recommended these changes. A card would only be procured at rates and terms in the best interests of the cardholders.
 - But in selecting a card provider the Treasurer shall consider the issuer's record of investments in the State and shall take into consideration program features that will enhance the promotion of the State-sponsored affinity card—i.e. enhance water quality.
 - The net proceeds generated from the card would be deposited into the Clean Water Fund.

Secs. 6 and 7. On-farm Slaughter (Sec. 6: Session Law; Sec. 7: 6 V.S.A. § 3351)

- Sec. 6 extends from July 1, 2019 to July 1, 2023, the sunset on the ability of livestock owners to conduct on-farm slaughter without inspection.
- Sec. 7 clarifies that multiple persons can own one animal slaughtered under the personal use exception or the on-farm slaughter exception to inspection.
- Sec. 7 also provides that animals slaughtered under the personal use exception or the on-farm slaughter exception must be slaughtered in a humane manner.

Secs. 8 and 9. Slaughter Facilities; Records (6 V.S.A. § 1152 and § 1470)

- Secs. 8 and 9 require commercial slaughterhouses in the State to retain records for 3 years pertaining to the number of animals slaughtered at the facility, the physical address of origin for each animal, the date of slaughter for each animal, and official identification numbers of slaughtered animals.
- Secs. 8 and 9 require all commercial slaughterhouses to make records available to the Agency of Agriculture upon request. Records produced or acquired by the Agency must be available to the public for inspection or copying, unless confidential under federal law.

Sec. 10. Radio Frequency Identification for Livestock (Session Law)

- Requires the Secretary of Agriculture to report to the Legislature on or before January 15, 2020 regarding the use of radio frequency identification (RFID) tags and readers by livestock owners and federally inspected commercial slaughter facilities in the State.
- The report shall include:
 - a summary of existing or pending federal RFID requirements for livestock owners or federally inspected commercial slaughter facilities;
 - an analysis of whether RFID tags and readers are beneficial for the management or slaughter of all livestock;
 - an estimate of the cost of equipping a farm or a federally inspected commercial slaughter facility with RFID tags and readers; and
 - a recommendation of whether the State should provide financial assistance to livestock owners or slaughter facilities to purchase RFID tags and readers.

Sec. 11. Vermont Forest Carbon Sequestration Working Group (Session Law)

- Creates the Vermont Forest Carbon Sequestration Working Group to study how to create a Statewide program to facilitate the enrollment of Vermont forestlands in carbon sequestration markets.
- The Working Group shall study how to create a statewide program to facilitate enrollment of Vermont forestlands in carbon sequestration markets, and shall:
 - evaluate the current status of carbon sequestration markets, including:
 - evaluate the economic and environmental case for encouraging forest carbon sequestration offset projects in Vermont;
 - analyze how to best market and sell carbon credits from State-owned and privately owned forestland in carbon sequestration markets;
 - determine how to develop economies of scale in marketing and selling carbon credits in carbon sequestration markets;
 - evaluate how to utilize financial incentives and existing forest management and certification programs and Vermont's Use Value Appraisal program to maximize the potential value of forestland in carbon sequestration markets while also enhancing conservation and other goals;
 - review how to structure and regulate a Statewide program to facilitate the enrollment of Vermont forestlands in carbon sequestration;
 - estimate expected revenue from enrolling forestland in carbon markets and how that revenue should be allocated; and
 - any other issue the Working Group deems relevant to designing and implementing a statewide program.

Sec. 12. Logger Safety (10 V.S.A. §§ 2622b and 2622c)

- Sec. 12 enacts two sections 10 V.S.A. §§ 2622b and 2622c related to Logger Safety
- 10 V.S.A. § 2622b requires the Commissioner of Forests and Parks to develop a logging operations accident prevention and safety training curriculum and supporting materials to assist logging safety instructors in providing logging safety instruction.

- The Commissioner shall make the accident prevention and safety training curriculum and supporting materials available to persons, organizations, or groups for presentation to individuals being trained in forest operations and safety.
- The Commissioner, any logging safety instructor, or a logger safety certification organization shall issue a certificate of completion to each person who satisfactorily completes a logging operations accident prevention and safety training program based on the curriculum developed under this section.
- 10 V.S.A. § 2622a requires the Commissioner of Forests, Parks annually to award a grant to the Vermont Logger Education to Advance Professionalism (LEAP) program to provide financial assistance to logging contractors to reduce the costs of logger safety training or continuing education in logger safety.
 - Up to 50% of the costs to a logging contractor shall be eligible for assistance. Eligible activities for financial assistance are: the costs of safety training, continuing education, or a loss prevention consultation; the costs of certification under the Master Logger Certification Program; and the costs of completion of a logging career technical education program.
- Of the grant funds awarded annually, the LEAP program annually shall award grants to pay for the costs of the initial certification of up to 10 logging contractors enrolled in the Master Logger certification program through the Trust to Conserve Northeast Forestlands.

Sec. 13. Value-Added Forest Products Financial Assistance (10 V.S.A. § 2702)

- Requires the Commissioner of Forests and Parks to award grants of up to \$10,000 to applicants adding value to forests products.
- Grants would be used to assist with permitting costs, consultation costs, engineering, and other costs of establishing a value-added forest products business.

Sec. 14. Appropriations for Logger Safety and Value Added Forest Products Assistance (Session Law)

- Provides that the Commissioner of Forests, Parks and Recreation shall not implement the logger safety or value-added forest products programs established under Secs. 12 and 13 of the act unless and until appropriations to implement the programs are approved by the General Assembly for fiscal year 2020.

Sec. 15. Repeal of Sunset on Fee for Pipelines in Wetlands (Session Law)

- Last year the Legislature capped at \$200 for one year the permit fees for construction of manure pipelines in wetlands, pending a proposal from ANR to reform wetlands requirements for farming. Sec. 15 repeals the sunset on the cap, as ANR's wetlands proposal was not approved by the committee.

Sec. 16. ANR Wetlands Permitting Fees (3 V.S.A. § 2822)

- Caps the maximum wetlands permit fee for a water quality improvement project at \$200. Water quality improvement projects are located in impaired waters and are designed to reduce pollutant loading under a TMDL or other cleanup plan.
 - Projects include stream crossings, impervious surface retrofits, and conservation practices on farms, including animal trails, artificial wetlands, and relocation of structures.
- Caps the maximum wetlands fee for farm structures at \$5,000, provided that the fee for waste storage facilities and bunk silos shall be \$200 when constructed and maintained according to NRCS and Agency of Agriculture Standards.

Sec. 17. Wetland Scientist Licensure

- Requires ANR to commence a study of potential approaches to licensing and certifying qualified wetlands scientists, including developing a set of standard qualifications required for all professional wetland scientists. A report would be due back to the Legislature by January 1, 2024.

Sec. 18. Advanced Wood Boilers; Sales Tax Exemption (Session Law)

- Extends the sunset on the sales tax exemption for advanced wood boilers from July 1, 2021 to July 1, 2023.

Sec. 19. Composting; Food Residuals (Session Law)

- Amends the requirements for the recycling of food residuals to provide that that solid waste haulers are only required to offer food residuals collection services to nonresidential customers and apartment buildings with four or more residential units.
- Commercial haulers shall not be required to offer collection of food residuals if another commercial hauler provides collection services for food residuals in the same area and has sufficient capacity to provide service to all customers.

Sec. 20. Seed Review; Seed Review Committee (6 V.S.A. § 642)

- Requires the Secretary of Agriculture to review the traits of new genetically engineered seed prior to its sale, distribution, or use in the State.
- Requires the Secretary of Agriculture to convene a Seed Review Committee of experts for the purposes of review a new genetically engineered seed. The Seed Review Committee shall recommend approval, denial, or conditions on the use if the new genetically engineered seed.

Sec. 21. Dairy Sanitation Rules

- Provides that the federal exemptions to the requirements of the pasteurized milk ordinance (PMO) for very small businesses shall not apply in Vermont.
- The Section also gives the Secretary of Agriculture the authority to modify by rule the requirements of the PMO for Vermont

Sec. 22. Effective Dates

- The act takes effect on July 1, 2019, except that wetlands permitting fees and repeal of the sunset on the wetlands permit fees for manure pipeliens shall take effect on passage.