

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Agriculture and Forestry to which was referred Senate
3 Bill No. 160 entitled “An act relating to agricultural development” respectfully
4 reports that it has considered the same and recommends that the House propose
5 to the Senate that the bill be amended by striking out all after the enacting
6 clause and inserting in lieu thereof the following:

7 Sec. 1. STRATEGIC PLAN TO STABILIZE AND REVITALIZE THE
8 VERMONT AGRICULTURAL INDUSTRY

9 (a) On or before January 15, 2020, the Vermont Farm-to-Plate Investment
10 Program, after consultation with the Secretary of Agriculture, Food and
11 Markets and industry stakeholders, shall submit to the Senate Committee on
12 Agriculture and the House Committee on Agriculture and Forestry a report that
13 shall serve as the basis for an update to the Farm-to-Plate Strategic Plan. After
14 additional industry stakeholder engagement, the report shall be used to develop
15 a prioritized strategic plan for the stabilization, diversification, and
16 revitalization of the agricultural and food industry in Vermont by August 31,
17 2020.

18 (b) The report required under subsection (a) of this section shall:

19 (1) summarize the current conditions within particular subsectors,
20 product categories, and market channels that comprise the Vermont food

1 system, including the most recent data synthesis, research, reports, and expert
2 documentation of challenges and opportunities for growth;

3 (2) recommend State investment in research and development by
4 universities or other qualified organizations to establish new markets, products,
5 or ingredients; and

6 (3) recommend methods for improving the marketing of Vermont
7 agricultural products.

8 (c) The strategic plan required under subsection (a) of this section shall
9 outline prioritized next steps and opportunities to assist in stabilizing,
10 diversifying, and revitalizing Vermont’s food system. The plan may include
11 recommendations related to:

12 (1) technical assistance resources and capital availability to farmers to
13 assist in the diversification of agricultural products produced on a farm;

14 (2) alternatives or methods for encouraging, maintaining, or increasing
15 the amount of land in agricultural production and the number and diversity of
16 people participating in the growing, harvesting, and processing of food in the
17 State;

18 (3) resources for financing research and development by universities and
19 businesses that promote innovative methods for managing and commoditizing
20 manure to mitigate the environmental concerns raised by current manure
21 management techniques;

1 (4) techniques, strategies, or systems for improving the ecological
2 footprint and environmental sustainability of farming in the State;

3 (5) the potential to increase the amount of Vermont agricultural products
4 that are purchased by school nutrition programs and other publicly funded
5 institutions in the State;

6 (6) approaches for improving transparency in the agricultural industry so
7 that the public is educated and aware of the need for and effect of certain dairy
8 practices;

9 (7) approaches for improving agricultural and food literacy among
10 Vermonters, including increased understanding of where their food comes
11 from, how food is produced, and enhanced opportunities to learn about and
12 participate in the growing and processing of crops for food and fiber; and

13 (8) the level of State, private, and philanthropic investment needed over
14 the next 10 years in order to stabilize, diversify, and revitalize the Vermont
15 food system.

16 (d) The Secretary of Agriculture, Food and Markets in partnership with the
17 Vermont Farm-to-Plate Investment Program shall hold at least four public
18 hearings combined with other stakeholder engagement sessions around the
19 State to receive public input on priorities for stabilizing and revitalizing the
20 agricultural industries in Vermont. The public input that the Secretary receives

1 shall be included in the strategic plan required under subsection (c) of this
2 section.

3 (e) The Vermont Farm-to-Plate Investment Program and the Secretary of
4 Agriculture, Food and Markets shall not implement the requirements of this
5 section unless and until appropriations to implement the program are approved
6 by the General Assembly for fiscal year 2020.

7 * * * Local Food Purchasing Working Group * * *

8 Sec. 2. LOCAL FOOD PURCHASING WORKING GROUP

9 (a)(1) The Secretary of Agriculture, Food and Markets shall convene a
10 Local Food Purchasing Working Group to develop a plan to assists schools in
11 the State in increasing the purchase of local foods. The working group shall be
12 composed of:

13 (A) the Secretary of Agriculture, Food and Markets or designee;

14 (B) the Secretary of Education or designee;

15 (C) a representative of Vermont FEED to be appointed by the
16 organization;

17 (D) a representative of the Northeast Organic Farming Association
18 Vermont, appointed by the association;

19 (E) two representatives of the School Nutrition Association Vermont,
20 appointed by the Secretary of Agriculture, Food and Markets; and

1 (F) two school nutrition directors, appointed by the Secretary of
2 Agriculture, Food and Markets.

3 (2) The Secretary of Agriculture, Food and Markets shall invite
4 additional stakeholders, such as farmers, food distributors, school
5 administrators, and other interested parties to provide input in the development
6 of a recommended local food purchasing plan.

7 (b) On or before January 15, 2020, the Secretary of Agriculture, Food and
8 Markets shall submit to the House Committee on Agriculture and Forestry and
9 the Senate Committee on Agriculture a recommended local foods purchasing
10 plan for schools. The plan shall include:

11 (1)(A) A proposed “per plate” incentive for local food purchasing for
12 Vermont K–12 school meals and a timeline for implementation of the
13 incentive. This proposal shall include:

14 (i) a proposed incentive amount per plate;

15 (ii) an analysis of why the proposed incentive amount will be
16 effective for schools to increase school purchasing of local food; and

17 (iii) an estimate of the percentage increase in local food
18 purchasing from implementation of the proposed incentive.

19 (B) In order to develop the per plate incentive proposal, the Working
20 Group shall field test the per plate incentive with several school districts or
21 supervisory unions during the 2019–2020 school year and shall collect data

1 from the field test to contribute to the recommended plan required under this
2 subsection.

3 (2) A proposal to support and assist schools in increasing local food
4 purchasing. The proposal may include:

5 (A) additional procurement training for school personnel to purchase
6 local foods;

7 (B) proposed work with the Agency of Education Child Nutrition
8 Programs to determine how to collect and manage the data needed to track
9 local food purchasing in schools;

10 (C) research and development of a tracking system or modification of
11 current data collection systems; and

12 (D) a methodology for helping schools to know what is available and
13 how to purchase and track it.

14 (c) The Secretary of Agriculture, Food and Markets shall not implement the
15 requirements of this section unless and until the General Assembly approves
16 appropriations in fiscal year 2020 to complete the “field testing” with schools
17 required under subdivision (b)(2)(B) of this section.

18 * * * Dairy Marketing Assessment * * *

19 Sec. 3. DAIRY MARKETING ASSESSMENT; REPORT

20 On or before January 15, 2020, the Secretary of Agriculture, Food and
21 Markets shall report to the Senate Committee on Agriculture and the House

1 Committee on Agriculture and Forestry regarding the development of a dairy
2 marketing assessment for the purpose of increasing the consumption of
3 Vermont dairy products by major metropolitan markets in New England and
4 the Northeast. The report shall:

5 (1) conduct market research to identify consumer preferences and
6 upcoming trends around dairy products;

7 (2) summarize how the State could facilitate messaging and marketing
8 based on dairy products with additional benefits resulting in high value
9 resonance with consumers, including health, nutrition, social, and
10 environmental benefits; and

11 (3) identify existing funding sources or economic incentives that could
12 be utilized to fund the development of dairy trend research and marketing
13 campaigns in key identified markets and sectors, including innovation grants or
14 financing under federal or State law.

15 * * * Soil Conservation * * *

16 Sec. 4. SOIL CONSERVATION PRACTICE AND PAYMENT FOR
17 ECOSYSTEM SERVICES WORKING GROUP

18 (a) The Secretary of Agriculture, Food and Markets shall convene a Soil
19 Conservation Practice and Payment for Ecosystem Services Working Group to
20 recommend financial incentives designed to encourage farmers in Vermont to
21 implement agricultural practices that exceed the requirements of 6 V.S.A.

1 chapter 215 and that improve soil health, enhance crop resilience, increase
2 carbon storage and stormwater storage capacity, and reduce agricultural runoff
3 to waters. The Working Group shall:

4 (1) identify agricultural standards or practices that farmers can
5 implement that improve soil health, enhance crop resilience, increase carbon
6 storage and stormwater storage capacity, and reduce agricultural runoff to
7 waters;

8 (2) recommend existing financial incentives available to farmers that
9 could be modified or amended to incentivize implementation of the
10 agricultural standards identified under subdivision (1) of this subsection or
11 incentivize the reclamation or preservation of wetlands and floodplains;

12 (3) propose new financial incentives, including a source of revenue, for
13 implementation of the agricultural standards identified under subdivision (1) of
14 this subsection if existing financial incentives are inadequate or if the goal of
15 implementation of the agricultural standards would be better served by a new
16 financial incentive; and

17 (4) recommend legislative changes that may be required to implement
18 any financial incentive recommended or proposed in the report.

19 (b) The Soil Conservation Practice and Payment for Ecosystem Services
20 Working Group shall consist of persons with knowledge or expertise in
21 agricultural water quality, soil health, economic development, or agricultural

1 financing. The Secretary of Agriculture, Food and Markets shall appoint the
2 members that are not ex officio members. The Working Group shall include
3 the following members:

4 (1) the Secretary of Agriculture, Food and Markets or designee;

5 (2) the Secretary of Natural Resources or designee;

6 (3) the Commissioner of Forests, Parks and Recreation or designee

7 (4) a representative of the Vermont Housing and Conservation Board;

8 (5) a member of the former Dairy Water Collaborative;

9 (6) a representative of the Farmer’s Watershed Alliance;

10 (7) a representative from the Champlain Valley Farmer Coalition;

11 (8) a representative from the Connecticut River Watershed Farmers

12 Alliance;

13 (9) a representative of the Natural Resources Conservation Council;

14 (10) a representative of the Gund Institute for Environment of the

15 University of Vermont;

16 (11) a representative of the University of Vermont (UVM) Extension;

17 (12) at least two members of the Agricultural Water Quality Partnership;

18 (13) a representative of small-scale, diversified farming; and

19 (14) a member of the Vermont Healthy Soils Coalition.

1 feasible and may be procured at rates and terms in the best ~~interest~~ interests of
2 the cardholders. ~~In selecting an affinity card issuer, the Treasurer shall consider~~
3 ~~the issuer's record of investments in the State and shall take into consideration~~
4 ~~program features which will enhance the promotion of the State-sponsored~~
5 ~~affinity card, including consumer friendly terms, favorable interest rates,~~
6 ~~annual fees, and other fees for using the card.~~

7 (b) In selecting an affinity card issuer, the Treasurer shall consider the
8 issuer's record of investments in the State and shall take into consideration
9 program features that will enhance the promotion of the State-sponsored
10 affinity card, including consumer-friendly terms, favorable interest rates,
11 annual fees, and other fees for using the card. ~~The Treasurer shall consult with~~
12 ~~other State agencies about potential public purpose projects to be designated~~
13 ~~for the Program and shall allow cardholders to designate that funds be used~~
14 ~~either to support sustainable agricultural programs, renewable energy~~
15 ~~programs, State parks and forestland programs, or any combination of these.~~
16 ~~The net proceeds of the State fees or royalties generated by this program shall~~
17 ~~be transmitted to the State and shall be deposited in a State-sponsored Affinity~~
18 ~~Card Fund and subsequently transferred to the designated State programs and~~
19 ~~purposes as selected by the cardholders. The funds received shall be held by~~
20 ~~the Treasurer until transferred for the purposes directed by participating State-~~

1 ~~sponsored affinity cardholders in accordance with the trust fund provisions of~~
2 ~~section 462 of this title.~~

3 (c) The net proceeds of the State fees or royalties generated by the Vermont
4 Clean Water Affinity Card Program shall be transmitted to the State and shall
5 be deposited into the Clean Water Fund under 10 V.S.A. § 1388 to provide
6 financial incentives to encourage farmers in Vermont to implement agricultural
7 practices that improve soil health, enhance crop resilience, or reduce
8 agricultural runoff to waters. All program balances at the end of the fiscal year
9 ~~shall be carried forward and shall not revert to the General Fund. Interest~~
10 ~~earned shall remain in the program.~~

11 (d) The State shall not assume any liability for lost or stolen credit cards
12 nor any other legal debt owed to the financial institutions.

13 (e) The State Treasurer is authorized to adopt such rules as may be
14 necessary to implement the Vermont Clean Water ~~State-sponsored~~ Affinity
15 Card Program.

16 * * * On-Farm Slaughter * * *

17 Sec. 6. 2013 Acts and Resolves No. 83, Sec. 13, as amended by 2016 Acts and

18 Resolves No. 98, Sec. 2, is amended to read:

19 6 V.S.A. § 3311a (livestock slaughter inspection and license exemptions)
20 shall be repealed on July 1, ~~2019~~ 2023.

1 Sec. 7. 6 V.S.A. § 3311a is amended to read:

2 § 3311a. LIVESTOCK; INSPECTION; LICENSING; PERSONAL
3 SLAUGHTER; ITINERANT SLAUGHTER

4 (a) As used in this section:

5 (1) “Assist in the slaughter of livestock” means the act of slaughtering
6 or butchering an animal and shall not mean the farmer’s provision of a site on
7 the farm for slaughter, provision of implements for slaughter, or the service of
8 disposal of the carcass or offal from slaughter.

9 (2) “Sanitary conditions” means a site on a farm that is:

10 (A) clean and free of contaminants; and

11 (B) located or designed in a way to prevent:

12 (i) the occurrence of water pollution; and

13 (ii) the adulteration of the livestock or the slaughtered meat.

14 (b) The requirement for a license under section 3306 of this title or for
15 inspection under this chapter shall not apply to the slaughter by an ~~individual~~
16 owner of livestock that the ~~individual~~ owner raised for the ~~individual’s~~ owner’s
17 exclusive use or for the use of members of his or her household and his or her
18 nonpaying guests and employees.

19 (c) The requirement for a license under section 3306 of this title or for
20 inspection under this chapter shall not apply to the slaughter of livestock that
21 occurs in a manner that meets all of the following requirements:

1 (1) ~~An individual~~ A person or persons purchases livestock from a farmer
2 that raised the livestock.

3 (2) The farmer is registered with the Secretary, on a form provided by
4 the Secretary, as selling livestock for slaughter under this subsection.

5 (3) The individual or individuals who purchased the livestock performs
6 the act of slaughtering the livestock, as the owner of the livestock.

7 (4) The act of slaughter occurs, after approval from the farmer who sold
8 the livestock, on a site on the farm where the livestock was purchased.

9 (5) The slaughter is conducted under sanitary conditions.

10 (6) The farmer who sold the livestock to the individual or individuals
11 does not assist in the slaughter of the livestock.

12 (7) No more than the following number of livestock per year are
13 slaughtered under this subsection:

14 (A) 15 swine;

15 (B) five cattle;

16 (C) 40 sheep or goats; or

17 (D) any combination of swine, cattle, sheep, or goats, provided that
18 no more than 6,000 pounds of the live weight of livestock are slaughtered per
19 year.

20 (8) The farmer who sold the livestock to the individual or individuals
21 maintains a record of each slaughter conducted under this subsection and

1 reports quarterly to the Secretary, on a form provided by the Secretary, on or
2 before April 15 for the calendar quarter ending March 31, on or before July 15
3 for the calendar quarter ending June 30, on or before October 15 for the
4 calendar quarter ending September 30, and on or before January 15 for the
5 calendar quarter ending December 31. If a farmer fails to report slaughter
6 activity conducted under this subsection, the Secretary, in addition to any
7 enforcement action available under this chapter or chapter 1 of this title, may
8 suspend the authority of the farmer to sell animals to an individual or
9 individuals for slaughter under this subsection.

10 (9) The slaughtered livestock may be halved or quartered by the
11 individual or individuals who purchased the livestock but solely for the
12 purpose of transport from the farm.

13 (10) The livestock is slaughtered according to a humane method, as that
14 term is defined in subdivision 3131(6) of this title.

15 (d) The requirement for a license under section 3306 of this title or for
16 inspection under this chapter shall not apply to an itinerant slaughterer engaged
17 in the act of itinerant livestock slaughter or itinerant poultry slaughter.

18 (e) An itinerant slaughterer may slaughter livestock owned by a person on
19 the farm where the livestock was raised under the following conditions:

20 (1) the meat from the slaughter of the livestock is distributed only as
21 whole ~~or half~~, halved, or quartered carcasses to the person who owned the

1 animal for his or her personal use or for use by members of his or her
2 household or nonpaying guests; ~~and~~

3 (2) the slaughter is conducted under sanitary conditions; and

4 (3) the livestock is slaughtered according to a humane method, as that
5 term is defined in subdivision 3131(6) of this title.

6 (f) A carcass or offal from slaughter conducted under this section shall be
7 disposed of according to the requirements under the required agricultural
8 practices for the management of agricultural waste.

9 * * * Animal Welfare; Traceability * * *

10 Sec. 8. 6 V.S.A. § 1152 is amended to read:

11 § 1152. ADMINISTRATION; INSPECTION; TESTING; RECORDS

12 (a) The Secretary shall be responsible for the administration and
13 enforcement of the livestock disease control program. The Secretary may
14 appoint the State Veterinarian to manage the program, and other personnel as
15 are necessary for the sound administration of the program.

16 (b) The Secretary shall maintain a public record of all permits issued and of
17 all animals tested by the Agency of Agriculture, Food and Markets under this
18 chapter for a period of five years.

19 (c) The Secretary may conduct any inspections, investigations, tests,
20 diagnoses, or other reasonable steps necessary to discover and eliminate
21 contagious diseases existing in domestic animals in this State. The Secretary

1 shall investigate any reports of diseased animals, provided there are adequate
2 resources. In carrying out the provisions of this part, the Secretary or his or her
3 authorized agent may enter any real estate, premises, buildings, enclosures, or
4 areas where animals may be found for the purpose of making reasonable
5 inspections and tests. A livestock owner or the person in possession of the
6 animal to be inspected, upon request of the Secretary, shall restrain the animal
7 and make it available for inspection and testing.

8 (d) The Secretary may contract and cooperate with the U.S. Department of
9 Agriculture, other federal agencies or states, and accredited veterinarians for
10 the control and eradication of contagious diseases of animals. The Secretary
11 shall consult and cooperate, as appropriate, with the Commissioners of Fish
12 and Wildlife and of Health regarding the control of contagious diseases.

13 (e) If necessary, the Secretary shall set priorities for the use of the funds
14 available to operate the program established by this chapter.

15 (f) Any commercial slaughterhouse operating in the State shall maintain
16 and retain for three years records of the number of animals slaughtered at the
17 facility, the physical address of origination of each animal, the date of
18 slaughter of each animal, and all official identification numbers of slaughtered
19 animals. A commercial slaughterhouse shall make the records required under
20 this subsection available to the Agency upon request.

1 (g) Records produced or acquired by the Secretary under this chapter shall
2 be available to the public, except that:

3 (1) the Secretary may withhold from inspection and copying records that
4 are confidential under federal law; and

5 (2) the Secretary may withhold or redact a record to the extent needed to
6 avoid disclosing directly or indirectly the identity of individual persons,
7 households, or businesses.

8 Sec. 9. 6 V.S.A. § 1470 is added to read:

9 § 1470. RECORDS

10 (a) A commercial slaughter facility operating in the State shall maintain
11 and retain for three years records of the number of animals slaughtered at the
12 facility, the physical address of origination of each animal, the date of
13 slaughter of each animal, and all official identification numbers of slaughtered
14 animals. A commercial slaughterhouse shall make the records required under
15 this subsection available to the Agency upon request.

16 (b) Records produced or acquired by the Secretary under this chapter shall
17 be available to the public for inspection and copying, except that:

18 (1) the Secretary may withhold from inspection and copying records that
19 are confidential under federal law; and

1 (2) the Secretary may withhold or redact a record to the extent needed to
2 avoid disclosing directly or indirectly the identity of individual persons,
3 households, or businesses.

4 Sec. 10. REPORT ON RADIO FREQUENCY IDENTIFICATION FOR
5 LIVESTOCK

6 On or before January 15, 2020, the Secretary of Agriculture, Food and
7 Markets shall submit to the Senate Committees on Agriculture and on
8 Appropriations and the House Committees on Agriculture and Forestry and on
9 Appropriations a report regarding the use of radio frequency identification
10 (RFID) tags and readers by livestock owners and federally inspected
11 commercial slaughter facilities in the State. The Secretary shall consult with
12 the Vermont Grass Farmers Association, the Vermont Sheep and Goat
13 Association, and the Vermont Agricultural Fairs Association in the
14 development of the report. The report shall include:

15 (1) a summary of the current Agency of Agriculture, Food and Markets
16 practice of providing metal or plastic animal identification tags to livestock
17 owners at no or low cost;

18 (2) a summary of any existing or pending federal requirements for the
19 use of RFID tags and readers by livestock owners or federally inspected
20 commercial slaughter facilities;

1 (3) a summary of how RFID tags and readers are used to manage
2 livestock or track animals through the slaughter process, including the benefits
3 of RFID in comparison to metal or plastic animal identification tags;

4 (4) an analysis of whether RFID tags and readers are beneficial for the
5 management or slaughter of all livestock, including whether use of RFID tags
6 and readers is appropriate for certain livestock types, small farms, or small
7 slaughter facilities;

8 (5) an estimate of the cost of equipping a farm or a federally inspected
9 commercial slaughter facility with RFID tags and readers; and

10 (6) a recommendation of whether the State should provide financial
11 assistance to livestock owners or federally inspected commercial slaughter
12 facilities for the purchase of RFID tags and readers, including eligibility
13 requirements, cost-share, timing, or other criteria recommended by the
14 Secretary of Agriculture, Food and Markets for the provision of RFID tags and
15 readers to livestock owners or federally inspected commercial slaughter
16 facilities in in the State.

17 * * * Vermont Forest Carbon Sequestration Working Group * * *

18 Sec. 11. VERMONT FOREST CARBON SEQUESTRATION WORKING

19 GROUP; REPORT

1 (a) Creation. There is created the Vermont Forest Carbon Sequestration
2 Working Group to study how to create a Statewide program to facilitate the
3 enrollment of Vermont forestlands in carbon sequestration markets.

4 (b) Membership. The Working Group shall be composed of the following
5 members:

6 (1) two members of the House of Representatives, not from the same
7 political party, appointed by the Speaker of the House;

8 (2) two members from the Senate, not from the same political party,
9 appointed by the Committee on Committees;

10 (3) the Secretary of Natural Resources or designee;

11 (4) four persons with expertise of or experience with the requirements
12 for participating in carbon sequestration markets, two appointed by the Speaker
13 of the House and two appointed by the Committee on Committees; and

14 (5) a private landowner or a representative of an association or
15 organization representing private landowners, appointed by the Governor.

16 (c) Powers and duties. The Working Group shall study how to create a
17 statewide program to facilitate the enrollment of Vermont forestlands in carbon
18 sequestration markets, and shall:

19 (1) evaluate the current status of carbon sequestration markets,
20 including:

1 (A) review of available information on the feasibility of enrolling
2 public and private land from Vermont in a carbon sequestration market,
3 including review of existing feasibility analyses specific to the development of
4 forest carbon sequestration projects in New England and Vermont;

5 (B) examples from forest carbon sequestration project development
6 on public land in other states; and

7 (C) if available, technical assistance programs developed by other
8 states and organizations to assist private landowners in engaging in carbon
9 sequestration markets;

10 (2) evaluate the economic and environmental case for encouraging
11 forest carbon sequestration offset projects in Vermont;

12 (3) analyze how to best market and sell carbon credits from State-owned
13 and privately owned forestland in carbon sequestration markets;

14 (4) determine how to develop economies of scale in marketing and
15 selling carbon credits in carbon sequestration markets;

16 (5) evaluate how to utilize financial incentives and existing forest
17 management and certification programs and Vermont’s Use Value Appraisal
18 program to maximize the potential value of forestland in carbon sequestration
19 markets while also enhancing conservation and other goals;

20 (6) review how to structure and regulate a Statewide program to
21 facilitate the enrollment of Vermont forestlands in carbon sequestration

1 markets, including how the program should be governed, whether the program
2 should be governed by a State agency, how forestland will be assessed and
3 enrolled, how parcels and landowners will enter and leave the program, how
4 landowners will be paid, and how requirements and standards concerning
5 forest management will be applied and enforced;

6 (7) estimate expected revenue from enrolling forestland in carbon
7 markets and how that revenue should be allocated to:

8 (A) support the governance structure, management, and oversight of
9 the program;

10 (B) fairly compensate landowners; and

11 (C) encourage enrollment in the program; and

12 (8) any other issue the Working Group deems relevant to designing and
13 implementing a statewide program to facilitate the enrollment of Vermont
14 forestlands in carbon sequestration markets.

15 (d) Assistance. The Working Group shall have the technical and legal
16 assistance of the Agency of Natural Resources. The Working Group shall have
17 the administrative and legislative drafting assistance of the Office of
18 Legislative Council. The Working Group may consult with stakeholders and
19 experts in relevant subject areas, including carbon markets, forest management
20 strategies, and parcel mapping.

1 (e) Report. On or before January 15, 2020, the Working Group shall
2 submit a written report to the House Committees on Agriculture and Forestry,
3 on Natural Resources, Fish, and Wildlife, and on Energy and Technology and
4 to the Senate Committees on Agriculture and on Natural Resources and
5 Energy. The report shall include:

6 (1) specific and detailed findings and proposals concerning the issues set
7 forth in subsection (c);

8 (2) a proposal for a pilot project to enroll State-owned forestland in a
9 carbon sequestration market; and

10 (3) any recommendations for legislative or regulatory action.

11 (f) Meetings.

12 (1) The Secretary of Natural Resources or designee shall call the first
13 meeting of the Working Group to occur on or before July 15, 2019.

14 (2) The Secretary of Natural Resources or designee shall be the chair.

15 (3) A majority of the membership shall constitute a quorum.

16 (4) The Working Group shall meet as often as necessary and shall cease
17 to exist on January 31, 2020.

18 (g) Compensation and reimbursement.

19 (1) For attendance at meetings during adjournment of the General
20 Assembly, a legislative member of the Working Group shall be entitled to per
21 diem compensation and reimbursement of expenses pursuant to 2 V.S.A.

1 § 406. These payments shall be made from monies appropriated to the General
2 Assembly.

3 (2) Any nonlegislative member of the Working Group who is a State
4 employee shall not be entitled to per diem compensation or reimbursement of
5 expenses. Any member of the Working Group who is not a State employee
6 shall be entitled to per diem compensation and reimbursement of expenses as
7 permitted under 32 V.S.A. § 1010 for any meeting he or she attended in
8 person. These payments shall be made from monies appropriated to the
9 Agency of Natural Resources.

10 * * * Logger Safety * * *

11 Sec. 12. 10 V.S.A. §§ 2622b and 2622c are added to read:

12 § 2622b. ACCIDENT PREVENTION AND SAFETY TRAINING FOR
13 LOGGING CONTRACTORS

14 (a) Training Program. The Commissioner of Forests, Parks and Recreation
15 shall develop a logging operations accident prevention and safety training
16 curriculum and supporting materials to assist logging safety instructors in
17 providing logging safety instruction. In developing the logging operations
18 accident prevention and safety training curriculum and supporting materials,
19 the Commissioner shall consult with and seek the approval of the training
20 curriculum by the Workers' Compensation and Safety Division of the
21 Department of Labor.

1 (1) The accident prevention and safety training curriculum and
2 supporting materials shall consist of an accident prevention and safety course
3 that addresses the following:

4 (A) safe performance of standard logging practices, whether
5 mechanized or nonmechanized;

6 (B) safe use, operation, and maintenance of tools, machines, and
7 vehicles typically utilized and operated in the logging industry; and

8 (C) recognition of health and safety hazards associated with logging
9 practices.

10 (2) The Commissioner shall make the accident prevention and safety
11 training curriculum and supporting materials available to persons,
12 organizations, or groups for presentation to individuals being trained in forest
13 operations and safety.

14 (b) Request for proposal. The Commissioner shall prepare and issue a
15 request for proposal to develop at least three course curriculums and associated
16 training materials. The Commissioner may cooperate with any reputable
17 association, organization, or agency to provide course curriculums and
18 training required under this subsection.

19 (c) Certificate of completion. The Commissioner, any logging safety
20 instructor, or a logger safety certification organization shall issue a certificate
21 of completion to each person who satisfactorily completes a logging operations

1 accident prevention and safety training program based on the curriculum
2 developed under this section.

3 § 2622c. FINANCIAL ASSISTANCE; LOGGER SAFETY; MASTER
4 LOGGER CERTIFICATION; COST-SHARE

5 (a) The Commissioner of Forests, Parks and Recreation annually shall
6 award a grant to the Vermont Logger Education to Advance Professionalism
7 (LEAP) program for the purpose of providing financial assistance to:

8 (1) logging contractors to reduce the total costs of logger safety training
9 or continuing education in logger safety; and

10 (2) the Trust to Conserve Northeast Forestlands for the purpose of cost
11 sharing the certification of logging contractors participating in the Master
12 Logger Program.

13 (b) Financial assistance to the LEAP program and to the Trust to Conserve
14 Northeast Forestlands shall be in the form of grants. The following costs to a
15 logging contractor shall be eligible for assistance:

16 (1) the costs of safety training, continuing education, or a loss
17 prevention consultation;

18 (2) the costs of certification under the Master Logger Program
19 administered by the Trust to Conserve Northeast Forestlands; or

20 (3) the costs of completion of a logging career technical education
21 program.

1 (c) A grant awarded under this section shall pay up to 50 percent of the cost
2 of an eligible activity.

3 (d) Of the grant funds awarded annually by the Commissioner of Forests,
4 Parks and Recreation under subsection (a) of this section, the Commissioner
5 annually shall award grants to pay for up to 50 percent, but not more than
6 \$1,500.00, of the costs of the initial certification of up to 10 logging
7 contractors enrolled in the Master Logger Certification Program through the
8 Trust to Conserve Northeast Forestlands.

9 Sec. 13. 10 V.S.A. § 2702 is added to read:

10 § 2702. VALUE-ADDED FOREST PRODUCTS; FINANCIAL

11 ASSISTANCE

12 The Commissioner shall award grants of up to \$10,000.00 to applicants
13 engaged in adding value to forest products within the State. A grant awarded
14 under this section may be used by the applicant to pay for expenses associated
15 with State and local permit application costs, project consultation costs,
16 engineering and siting costs, and expert witness analysis and testimony
17 necessary for permitting.

18 Sec. 14. IMPLEMENTATION OF LOGGER SAFETY AND VALUE-

19 ADDED PRODUCTS PROGRAMS; FUNDING

20 The Commissioner of Forests, Parks and Recreation shall not implement
21 the programs established under 10 V.S.A. §§ 2622b and 2622c (logger safety)

1 and under 10 V.S.A. § 2702 (value-added forest products) unless and until
2 appropriations to implement the programs are approved by the General
3 Assembly for fiscal year 2020.

4 * * * Wetlands; Environmental Permitting Fees * * *

5 Sec. 15. REPEAL OF SUNSET OF FEE FOR PIPELINES IN WETLAND

6 2018 Acts and Resolves No. 194, Sec. 8a (sunset of maximum fee for
7 manure pipeline in wetland) is repealed.

8 Sec. 16. 3 V.S.A. § 2822(j) is amended to read:

9 (j) In accordance with subsection (i) of this section, the following fees are
10 established for permits, licenses, certifications, approvals, registrations, orders,
11 and other actions taken by the Agency of Natural Resources.

12 * * *

13 (26) For individual conditional use determinations, for individual
14 wetland permits, for general conditional use determinations issued under
15 10 V.S.A. § 1272, or for wetland authorizations issued under a general permit,
16 an administrative processing fee assessed under subdivision (2) of this
17 subsection and an application fee of:

18 (A) \$0.75 per square foot of proposed impact to Class I or II
19 wetlands.

20 (B) \$0.25 per square foot of proposed impact to Class I or II wetland
21 buffers.

1 * * *

2 (H) Maximum fee, for the construction of any water quality
3 improvement project in any Class II wetland or buffer, \$200.00 per
4 application. As used in this subdivision, “water quality improvement project”
5 means projects specifically designed and implemented to reduce pollutant
6 loading in accordance with the requirements of a Total Maximum Daily Load
7 Implementation Plan or Water Quality Remediation Plan, or pursuant to a plan
8 for reducing pollutant loading to a waterbody. These projects include:

9 (i) the retrofit of impervious surfaces in existence as of January 1,
10 2019 for the purpose of addressing stormwater runoff;

11 (ii) the replacement of stream-crossing structures necessary to
12 improve aquatic organism passage, stream flow, or flood capacity;

13 (iii) construction of the following conservation practices on farms,
14 when constructed and maintained in accordance with Natural Resources
15 Conservation Service Conservation Practice Standards for Vermont and the
16 Agency of Agriculture, Food and Markets’ Required Agricultural Practices:

17 (I) construction of animal trails and walkways;

18 (II) construction of access roads;

19 (III) designation and construction of a heavy-use protection
20 area;

21 (IV) construction of artificial wetlands; and

1 (V) the relocation of structures, when necessary, to allow for
2 the management and treatment of agricultural waste, as defined in the Required
3 Agricultural Practices Rule.

4 (I) Maximum fee for the construction of a permanent structure used
5 for farming, \$5,000.00, provided that the maximum fee for a waste storage
6 facility or bunker silo shall be \$200.00 when constructed and maintained in
7 accordance with Natural Resources Conservation Service Conservation
8 Practice Standards for Vermont and the Agency of Agriculture, Food and
9 Markets' Required Agricultural Practices.

10 Sec. 17. WETLAND SCIENTIST LICENSURE REQUIREMENTS

11 The Agency of Natural Resources shall commence a study of potential
12 approaches to licensing and certifying qualified wetlands scientists, including
13 developing a set of standard qualifications required for all professional wetland
14 scientists. On or before January 1, 2024, the Agency shall submit a report to
15 the Legislature summarizing its findings and providing recommendations for
16 the development of a professional certification program for wetland scientists.

17 * * * Advanced Wood Boilers * * *

18 Sec. 18. 2018 Acts and Resolves No. 194, Sec. 26b is amended to read:

19 Sec. 26b. REPEALS

20 (a) 32 V.S.A. § 9741(52) (sales tax exemption for advanced wood boilers)
21 shall be repealed on July 1, ~~2021~~ 2023.

1 (b) Sec. 26a of this act (transfer from CEDF) shall be repealed on July 1,
2 ~~2021~~ 2023.

3 * * * Composting; Food Residuals * * *

4 Sec. 19. 10 V.S.A. § 6607a(g) is amended to read:

5 (g)(1) Except as set forth in subdivisions (2), (3), and (4) of this subsection,
6 a commercial hauler that offers the collection of municipal solid waste:

7 (A) Beginning on July 1, 2015, shall offer to collect mandated
8 recyclables separate from other solid waste and deliver mandated recyclables
9 to a facility maintained and operated for the management and recycling of
10 mandated recyclables.

11 (B) Beginning on July 1, 2020, shall offer to nonresidential
12 customers and apartment buildings with four or more residential units the
13 collection of food residuals separate from other solid waste and deliver to a
14 location that manages food residuals in a manner consistent with the priority
15 uses established under subdivisions 6605k(a)(2)-(5) of this title. Commercial
16 haulers shall not be required to offer collection of food residuals if another
17 commercial hauler provides collection services for food residuals in the same
18 area and has sufficient capacity to provide service to all customers.

19 * * *

20 * * * Pesticide Regulation * * *

21 Sec. 20. 6 V.S.A. § 642 is amended to read:

1 § 642. DUTIES AND AUTHORITY OF THE SECRETARY

2 (a) The Secretary shall enforce and carry out the provisions of this
3 subchapter, including:

4 (1) Sampling, inspecting, making analysis of, and testing seeds subject
5 to the provisions of this subchapter that are transported, sold, or offered or
6 exposed for sale within the State for sowing purposes. The Secretary shall
7 notify promptly a person who sells, offers, or exposes seeds for sale and, if
8 appropriate, the person who labels or transports seeds, of any violation and
9 seizure of the seeds, or order to cease sale of the seeds under section 643 of
10 this title.

11 (2) Making or providing for purity and germination tests of seed for
12 farmers and dealers on request and to fix and collect charges for the tests made.

13 (3) Cooperating with the U.S. Department of Agriculture and other
14 agencies in seed law enforcement.

15 (4) Prior to sale, distribution, or use of a new genetically engineered
16 seed in the State and after consultation with a seed review committee convened
17 under subsection (c) of this section, review the traits of the new genetically
18 engineered seed. The Secretary may prohibit, restrict, condition, or limit the
19 sale, distribution, or use of the seed in the State when determined necessary to
20 prevent an adverse effect on agriculture in the State.

1 (b) The Secretary shall establish rules to carry out the provisions of this
2 subchapter, including those governing the methods of sampling, inspecting,
3 analyzing, testing, and examining seeds and reasonable standards for seed.

4 (c)(1) The Secretary shall convene a seed review committee to review the
5 seed traits of a new genetically engineered seed proposed for sale, distribution,
6 or use in the State.

7 (2) A seed review committee convened under this subsection shall be
8 comprised of the Secretary of Agriculture, Food and Markets or designee and
9 the following members appointed by the Secretary:

10 (A) a certified commercial agricultural pesticide applicator;

11 (B) an agronomist or relevant crop specialist from the University of
12 Vermont or Vermont Technical College;

13 (C) a licensed seed dealer; and

14 (D) a member of a farming sector affected by the new genetically
15 engineered seed.

16 (3) A majority of the seed review committee must approve of the sale,
17 distribution, or use of a new genetically engineered seed prior to sale,
18 distribution, or use in the State. In order to ensure the appropriate use or traits
19 of a new genetically engineered seed in the State, a seed review committee
20 may propose to the Secretary limits or conditions on the sale, distribution, or
21 use of a seed or recommend a limited period of time for sale of the seed.

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* * *

* * * Effective Dates * * *

Sec. 22. EFFECTIVE DATES

(a) This section and Secs. 15 (repeal of sunset on maximum wetland fee),
16 (wetlands permit fees), and 17 (wetlands scientist licensing) shall take
effect on passage.

(b) All other sections shall take effect on July 1, 2019.

(Committee vote: _____)

Representative _____

FOR THE COMMITTEE