

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 Secretary of Agriculture, Food and
10 Markets shall submit to the Senate Committee on Agriculture and the House
11 Committee on Agriculture and Forestry a series of farm and food sector and
12 market specific summaries of trends and viability strategies across Vermont’s
13 agricultural and food industry. These agricultural industry highlights shall be
14 prioritized into a strategic plan for the stabilization, diversification, and
15 revitalization of the agricultural and food industry in Vermont by June 30,
16 2020.

17 (b) The sector and market channel summaries shall be facilitated by the
18 Vermont Farm to Plate Investment Program and the Agency of Agriculture,
19 Food and Markets. The summaries shall be composed of research conducted
20 by various industry subject matter experts, partners, and stakeholders. The
21 industry highlights shall:

1 (1) summarize the current conditions within a particular sector or market
2 channel, including the most recent data synthesis, research, reports, and expert
3 documentation of challenges and opportunities for growth;

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

7 (3) recommend methods for improving the marketing of Vermont
8 agricultural products outside the State, outside the region, and outside the
9 country.

10 (c) The strategic plan shall outline prioritized next steps and opportunities
11 to assist in stabilizing, diversifying, and revitalizing Vermont’s food system.

12 The plan may include:

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

15 (2) alternatives or methods for encouraging, maintaining, or increasing
16 the amount of land in agricultural production in the State;

17 (3) recommended sources of financing for research and development by
18 universities and businesses of innovative methods for managing and
19 commoditizing manure to mitigate the environmental concerns raised by
20 current manure management techniques;

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

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

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 (d) The Secretary of Agriculture, Food and Markets shall consult with the
10 Vermont Farm to Plate Investment Program and other interested parties in
11 developing the industry summaries required under subsection (b) of this
12 section. The Secretary shall hold at least four public hearings around the State
13 to receive public input on priorities for stabilizing and revitalizing the
14 agricultural industries in Vermont to be included in the strategic plan required
15 under subsection (c) of this section.

16 * * * Dairy Marketing Assessment * * *

17 Sec. 2. DAIRY **MARKETING ASSESSMENT**; REPORT

18 On or before January 15, 2020, the Secretary of Agriculture, Food and
19 Markets shall report to the Senate Committee on Agriculture and the House
20 Committee on Agriculture and Forestry regarding the development of a dairy
21 marketing assessment for the purpose of increasing the consumption of

1 Vermont dairy products by major metropolitan markets in New England and
2 the Northeast. The report shall:

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

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

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

13 * * * Soil Conservation Practice Working Group * * *

14 Sec. 3. SOIL CONSERVATION PRACTICE WORKING GROUP

15 (a) The Secretary of Agriculture, Food and Markets shall convene a Soil
16 Conservation Practice Working Group to recommend financial incentives
17 designed to encourage farmers in Vermont to implement agricultural practices
18 that exceed the requirements of 6 V.S.A. chapter 215 and that improve soil
19 health, enhance crop resilience, increase carbon storage and stormwater storage
20 capacity, and reduce agricultural runoff to waters. The Working Group shall:

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

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

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

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

16 (b) The Soil Conservation Practice Working Group shall consist of persons
17 with knowledge or expertise in agricultural water quality, soil health, economic
18 development, or agricultural financing. The Secretary of Agriculture, Food
19 and Markets shall appoint the members that are not ex officio members. The
20 Working Group shall include the following members:

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

- 1 (2) the Secretary of Natural Resources or designee;
- 2 (3) the Commissioner of Forests, Parks and Recreation or designee
- 3 (4) a representative of the Vermont Housing and Conservation Board;
- 4 (5) a member of the former Dairy Water Collaborative;
- 5 (6) a representative of at least three farmer’s watershed alliances;
- 6 (7) a representative of the Natural Resources Conservation Council;
- 7 (8) a representative of the Gund Institute for Ecological Economics of
8 the University of Vermont;
- 9 (9) a representative of the University of Vermont (UVM) Extension;
- 10 (10) at least two members of the Agricultural Water Quality Partnership,
11 appointed by the Partnership; and
- 12 (11) a representative of small-scale, diversified farming.

13 (c) The Secretary of Agriculture, Food and Markets or designee shall be the
14 chair of the Working Group, and the representative of the Vermont Housing
15 and Conservation Board shall be the vice chair.

16 (d) On or before January 15, 2020, the Secretary of Agriculture, Food and
17 Markets shall submit to the Senate Committee on Agriculture and the House
18 Committee on Agriculture and Forestry the findings and recommendations of
19 the Soil Conservation Practice Working Group regarding financial incentives
20 designed to encourage farmers in Vermont to implement agricultural practices

1 that improve soil health, enhance crop resilience, and reduce agricultural
2 runoff to waters.

3 * * * Clean Water Affinity Card * * *

4 Sec. 4. 32 V.S.A. § 584 is amended to read:

5 § 584. VERMONT CLEAN WATER VERMONT STATE SPONSORED
6 AFFINITY CARD PROGRAM

7 (a) The State Treasurer is hereby authorized to sponsor and participate in
8 an Affinity Card Program for the benefit of water quality improvement in the
9 ~~residents of~~ this State upon his or her determination that such a Program is
10 feasible and may be procured at rates and terms in the best ~~interest~~ interests of
11 the cardholders. ~~In selecting an affinity card issuer, the Treasurer shall consider~~
12 ~~the issuer's record of investments in the State and shall take into consideration~~
13 ~~program features which will enhance the promotion of the State-sponsored~~
14 ~~affinity card, including consumer-friendly terms, favorable interest rates,~~
15 ~~annual fees, and other fees for using the card.~~

16 (b) In selecting an affinity card issuer, the Treasurer shall consider the
17 issuer's record of investments in the State and shall take into consideration
18 program features that will enhance the promotion of the State-sponsored
19 affinity card, including consumer-friendly terms, favorable interest rates,
20 annual fees, and other fees for using the card. ~~The Treasurer shall consult with~~
21 ~~other State agencies about potential public purpose projects to be designated~~

1 ~~for the Program and shall allow cardholders to designate that funds be used~~
2 ~~either to support sustainable agricultural programs, renewable energy~~
3 ~~programs, State parks and forestland programs, or any combination of these.~~
4 ~~The net proceeds of the State fees or royalties generated by this program shall~~
5 ~~be transmitted to the State and shall be deposited in a State sponsored Affinity~~
6 ~~Card Fund and subsequently transferred to the designated State programs and~~
7 ~~purposes as selected by the cardholders. The funds received shall be held by~~
8 ~~the Treasurer until transferred for the purposes directed by participating State-~~
9 ~~sponsored affinity cardholders in accordance with the trust fund provisions of~~
10 ~~section 462 of this title.~~

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

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

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

4 Sec. 5. FUNDING; **SOIL CONSERVATION PRACTICE WORKING**
5 **GROUP**

6 Notwithstanding 32 V.S.A. § 584, requiring deposit of proceeds from the
7 Vermont Clean Water Affinity Card into the Clean Water Fund, in fiscal year
8 2020, the proceeds from the Vermont Clean Water Affinity Card that were
9 generated in fiscal year 2020 shall be deposited into the General Fund for use
10 by the Secretary of Agriculture, Food and Markets to administer the Soil
11 Conservation Practice Working Group and to complete the report required
12 under Sec. 3 of this act regarding financial incentives designed to encourage
13 farmers in Vermont to implement agricultural practices that improve soil
14 health, enhance crop resilience, or reduce agricultural runoff to waters.

15 * * * On-Farm Slaughter * * *

16 Sec. 6. 2013 Acts and Resolves No. 83, Sec. 13, as amended by 2016 Acts and
17 Resolves No. 98, Sec. 2, is amended to read:

18 6 V.S.A. § 3311a (livestock slaughter inspection and license exemptions)
19 shall be repealed on July 1, ~~2019~~ 2023.

1 Sec. 7. 6 V.S.A. § 3351a 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 Carbon Sequestration Working Group ***

18 Sec. 11. VERMONT CARBON SEQUESTRATION WORKING

19 GROUP; REPORT

1 (a) Creation. There is created the Vermont Carbon Sequestration Working
2 Group to study how to create a Statewide program to facilitate the enrollment
3 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; and

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

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

17 (1) evaluate the current status of carbon sequestration markets,
18 including:

19 (A) review of available information on the feasibility of enrolling
20 public and private land from Vermont in a carbon sequestration market.

1 including review of existing feasibility analyses specific to the development of
2 forest carbon sequestration projects in New England and Vermont;

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

5 (C) if available, technical assistance programs developed by other
6 states to assist private landowners in engaging in carbon sequestration markets;

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

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

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

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

17 (6) review how to structure and regulate a Statewide program to
18 facilitate the enrollment of Vermont forestlands in carbon sequestration
19 markets, including how the program should be governed, whether the program
20 should be governed by a State agency, how forestland will be assessed and
21 enrolled, how parcels and landowners will enter and leave the program, how

1 landowners will be paid, and how requirements and standards concerning
2 forest management will be applied and enforced:

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

5 (A) support the governance structure, management, and oversight of
6 the program;

7 (B) fairly compensate landowners; and

8 (C) encourage enrollment in the program; and

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

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

18 (e) Report. On or before January 15, 2020, the Working Group shall
19 submit a written report to the House Committees on Agriculture and Forestry,
20 on Natural Resources, Fish, and Wildlife, and on Energy and Technology and

1 to the Senate Committees on Agriculture and on Natural Resources and

2 Energy. The report shall include:

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

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

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

8 (f) Meetings.

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

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

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

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

15 (g) Compensation and reimbursement.

16 (1) For attendance at meetings during adjournment of the General
17 Assembly, a legislative member of the Working Group shall be entitled to per

18 diem compensation and reimbursement of expenses pursuant to 2 V.S.A.

19 § 406. These payments shall be made from monies appropriated to the General
20 Assembly.

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

8 * * * Logger Safety * * *

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

10 § 2622b. ACCIDENT PREVENTION AND SAFETY TRAINING FOR
11 LOGGING CONTRACTORS

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

9 Sec. **16**. 2018 Acts and Resolves No. 194, Sec. 26b is amended to read:

10 Sec. 26b. REPEALS

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

13 (b) Sec. 26a of this act (transfer from CEDF) shall be repealed on July 1,
14 ~~2021~~ 2023.

15 * * * **Composting; Food Residuals** * * *

16 Sec. **17**. 10 V.S.A. § 6607a(g) is amended to read:

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

19 **(A) Beginning on July 1, 2015, shall offer to collect mandated**
20 **recyclables separate from other solid waste and deliver mandated recyclables**

1 to a facility maintained and operated for the management and recycling of
2 mandated recyclables.

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

11 * * *

12 * * * Pesticide Regulation * * *

13 Sec. 18. 6 V.S.A. § 642 is amended to read:

14 § 642. DUTIES AND AUTHORITY OF THE SECRETARY

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

17 (1) Sampling, inspecting, making analysis of, and testing seeds subject
18 to the provisions of this subchapter that are transported, sold, or offered or
19 exposed for sale within the State for sowing purposes. The Secretary shall
20 notify promptly a person who sells, offers, or exposes seeds for sale and, if
21 appropriate, the person who labels or transports seeds, of any violation and

1 seizure of the seeds, or order to cease sale of the seeds under section 643 of
2 this title.

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

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

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

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

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

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

- 1 (A) a certified commercial agricultural pesticide applicator;
2 (B) an agronomist or relevant crop specialist from the University of
3 Vermont or Vermont Technical College;
4 (C) a licensed seed dealer; and
5 (D) a member of a farming sector affected by the new genetically
6 engineered seed.

7 (3) A majority of the seed review committee must approve of the sale,
8 distribution, or use of a new genetically engineered seed prior to sale,
9 distribution, or use in the State. In order to ensure the appropriate use or traits
10 of a new genetically engineered seed in the State, a seed review committee
11 may propose to the Secretary limits or conditions on the sale, distribution, or
12 use of a seed or recommend a limited period of time for sale of the seed.

13 * * * Dairy Sanitation Rules * * *

14 Sec. 19. 6 V.S.A. § 2701 is amended to read:

15 § 2701. RULES

16 (a) The Secretary, in accordance with 3 V.S.A. chapter 25, shall adopt, and
17 may amend and rescind, dairy sanitation rules relating to dairy products to
18 enforce this chapter, including labeling, weighing, measuring and testing
19 facilities, buildings, equipment, methods, procedures, health of animals, health
20 and capability of personnel, and quality standards. In addition, the uniform
21 regulation for sanitation requirements, as adopted by the National Conference

1 on Interstate Milk Shippers, and published by the U.S. Department of Health
2 and Human Services, Public Health Service, Food and Drug Administration,
3 Grade A Pasteurized Milk Ordinance (PMO), as amended, supplemented, or
4 revised, are adopted as part of this chapter, except ~~as modified or rejected by~~
5 rule that any exemption to the preventative controls for human food
6 requirements for Grade “A” milk and milk products for a very small business,
7 as defined in the PMO and federal regulations, shall not apply. The Secretary
8 may modify or reject by rule the PMO. When adherence to the PMO is deemed
9 unreasonable by the Agency for non-Grade “A” products, the most current
10 version of the Recommended Requirements of the U.S. Department of
11 Agriculture, Agricultural Marketing Service, Milk for Manufacturing Purposes
12 and its Production and Processing may be used.

13 * * *

14 * * * Effective Date * * *

15 **Sec. 20. EFFECTIVE DATE**

16 **This act shall take effect on July 1, 2019.**

17
18
19
20
21 (Committee vote: _____)

1

2

Representative _____

3

FOR THE COMMITTEE