

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,

20 appointed by the Secretary of Agriculture, Food and Markets;

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

3           (G) a representative of the Agency of Education’s Child Nutrition  
4           Program.

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

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

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

16                   (i) a proposed incentive amount per plate;

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

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

1           (B) In order to develop the per plate incentive proposal, the Working  
2           Group shall field test the per plate incentive with several school districts or  
3           supervisory unions during the 2019–2020 school year and shall collect data  
4           from the field test to contribute to the recommended plan required under this  
5           subsection.

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

8           (A) additional procurement training for school personnel to purchase  
9           local foods;

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

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

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

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



\* \* \* Soil Conservation \* \* \*

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

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

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

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

(3) propose new financial incentives, including a source of revenue, for implementation of the agricultural standards identified under subdivision (1) of this subsection if existing financial incentives are inadequate or if the goal of

1 implementation of the agricultural standards would be better served by a new  
2 financial incentive; and

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

5 (b) The Soil Conservation Practice and Payment for Ecosystem Services  
6 Working Group shall consist of persons with knowledge or expertise in  
7 agricultural water quality, soil health, economic development, or agricultural  
8 financing. The Secretary of Agriculture, Food and Markets shall appoint the  
9 members that are not ex officio members. The Working Group shall include  
10 the following members:

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

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

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

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

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

16 (6) a representative of the Farmer's Watershed Alliance;

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

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

19 Alliance;

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

1           (10) a representative of the Gund Institute for Environment of the  
2           University of Vermont;

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

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

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

6           (14) a member of the Healthy Soils Coalition.

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

10           (d) On or before January 15, 2020, the Secretary of Agriculture, Food and  
11           Markets shall submit an interim report to the Senate Committee on Agriculture  
12           and the House Committee on Agriculture and Forestry regarding the progress  
13           of the Working Group. On or before January 15, 2021, the Secretary of  
14           Agriculture, Food and Markets shall submit to the Senate Committee on  
15           Agriculture and the House Committee on Agriculture and Forestry a final  
16           report including the findings and recommendations of the Soil Conservation  
17           Practice Working Group regarding financial incentives designed to encourage  
18           farmers in Vermont to implement agricultural practices that improve soil  
19           health, enhance crop resilience, and reduce agricultural runoff to waters.



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

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

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

19 (e) The State Treasurer is authorized to adopt such rules as may be  
20 necessary to implement the Vermont Clean Water ~~State sponsored~~ Affinity  
21 Card Program.



1 exclusive use or for the use of members of his or her household and his or her  
2 nonpaying guests and employees.

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

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

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

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

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

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

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

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

19 (A) 15 swine;

20 (B) five cattle;

21 (C) 40 sheep or goats; or

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

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

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

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

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

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

6 (1) the meat from the slaughter of the livestock is distributed only as  
7 whole ~~or half~~, halved, or quartered carcasses to the person who owned the  
8 animal for his or her personal use or for use by members of his or her  
9 household or nonpaying guests; ~~and~~

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

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

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

16 \* \* \* Animal Welfare; Traceability \* \* \*

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

18 § 1152. ADMINISTRATION; INSPECTION; TESTING; RECORDS

19 (a) The Secretary shall be responsible for the administration and  
20 enforcement of the livestock disease control program. The Secretary may

1 appoint the State Veterinarian to manage the program, and other personnel as  
2 are necessary for the sound administration of the program.

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

6 (c) The Secretary may conduct any inspections, investigations, tests,  
7 diagnoses, or other reasonable steps necessary to discover and eliminate  
8 contagious diseases existing in domestic animals in this State. The Secretary  
9 shall investigate any reports of diseased animals, provided there are adequate  
10 resources. In carrying out the provisions of this part, the Secretary or his or her  
11 authorized agent may enter any real estate, premises, buildings, enclosures, or  
12 areas where animals may be found for the purpose of making reasonable  
13 inspections and tests. A livestock owner or the person in possession of the  
14 animal to be inspected, upon request of the Secretary, shall restrain the animal  
15 and make it available for inspection and testing.

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

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

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

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

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

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

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

17 § 1470. RECORDS

18 (a) A commercial slaughter facility operating in the State shall maintain  
19 and retain for three years records of the number of animals slaughtered at the  
20 facility, the physical address of origination of each animal, the date of  
21 slaughter of each animal, and all official identification numbers of slaughtered

1 animals. A commercial slaughterhouse shall make the records required under  
2 this subsection available to the Agency upon request.

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

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

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

10 Sec. 10. REPORT ON RADIO FREQUENCY IDENTIFICATION FOR  
11 LIVESTOCK

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

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

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

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

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

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

16           (6) a recommendation of whether the State should provide financial  
17           assistance to livestock owners or federally inspected commercial slaughter  
18           facilities for the purchase of RFID tags and readers, including eligibility  
19           requirements, cost-share, timing, or other criteria recommended by the  
20           Secretary of Agriculture, Food and Markets for the provision of RFID tags and

1 readers to livestock owners or federally inspected commercial slaughter  
2 facilities in in the State.

3 \* \* \* Vermont Carbon Sequestration Working Group \* \* \*

4 Sec. 11. VERMONT **FOREST** CARBON SEQUESTRATION WORKING  
5 GROUP; REPORT

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

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

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

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

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

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

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

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

4               (1) evaluate the current status of carbon sequestration markets,  
5       including:

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

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

12              (C) if available, technical assistance programs developed by other  
13      states **and organizations** to assist private landowners in engaging in carbon  
14      sequestration markets;

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

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

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

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

5           (6) review how to structure and regulate a Statewide program to  
6           facilitate the enrollment of Vermont forestlands in carbon sequestration  
7           markets, including how the program should be governed, whether the program  
8           should be governed by a State agency, how forestland will be assessed and  
9           enrolled, how parcels and landowners will enter and leave the program, how  
10          landowners will be paid, and how requirements and standards concerning  
11          forest management will be applied and enforced;

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

14                (A) support the governance structure, management, and oversight of  
15                the program;

16                (B) fairly compensate landowners; and

17                (C) encourage enrollment in the program; and

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

1        (d) Assistance. The Working Group shall have the technical and legal  
2        assistance of the Agency of Natural Resources. The Working Group shall have  
3        the administrative and legislative drafting assistance of the Office of  
4        Legislative Council. The Working Group may consult with stakeholders and  
5        experts in relevant subject areas, including carbon markets, forest management  
6        strategies, and parcel mapping.

7        (e) Report. On or before January 15, 2020, the Working Group shall  
8        submit a written report to the House Committees on Agriculture and Forestry,  
9        on Natural Resources, Fish, and Wildlife, and on Energy and Technology and  
10       to the Senate Committees on Agriculture and on Natural Resources and  
11       Energy. The report shall include:

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

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

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

17        (f) Meetings.

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

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

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

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

3           (g) Compensation and reimbursement.

4           (1) For attendance at meetings during adjournment of the General  
5 Assembly, a legislative member of the Working Group shall be entitled to per  
6 diem compensation and reimbursement of expenses pursuant to 2 V.S.A.  
7 § 406. These payments shall be made from monies appropriated to the General  
8 Assembly.

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

16                                   \* \* \* Logger Safety \* \* \*

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

18           § 2622b. ACCIDENT PREVENTION AND SAFETY TRAINING FOR  
19                                   LOGGING CONTRACTORS

20           (a) Training Program. The Commissioner of Forests, Parks and Recreation  
21 shall develop a logging operations accident prevention and safety training

1 curriculum and supporting materials to assist logging safety instructors in  
2 providing logging safety instruction. In developing the logging operations  
3 accident prevention and safety training curriculum and supporting materials,  
4 the Commissioner shall consult with and seek the approval of the training  
5 curriculum by the Workers' Compensation and Safety Division of the  
6 Department of Labor.

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

10 (A) safe performance of standard logging practices, whether  
11 mechanized or nonmechanized;

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

14 (C) recognition of health and safety hazards associated with logging  
15 practices.

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

20 (b) Request for proposal. The Commissioner shall prepare and issue a  
21 request for proposal to develop at least three course curriculums and associated

1 training materials. The Commissioner may cooperate with any reputable  
2 association, organization, or agency to provide course curriculums and  
3 training required under this subsection.

4 (c) Certificate of completion. The Commissioner, any logging safety  
5 instructor, or a logger safety certification organization shall issue a certificate  
6 of completion to each person who satisfactorily completes a logging operations  
7 accident prevention and safety training program based on the curriculum  
8 developed under this section.

9 § 2622c. FINANCIAL ASSISTANCE; LOGGER SAFETY; MASTER

10 LOGGER CERTIFICATION; COST-SHARE

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

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

16 (2) the Trust to Conserve Northeast Forestlands for the purpose of cost  
17 sharing the certification of logging contractors participating in the Master  
18 Logger Program.

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

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

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

5           (3) the costs of completion of a logging career technical education  
6           program.

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

9           (d) Of the grant funds awarded annually by the Commissioner of Forests,  
10          Parks and Recreation under subsection (a) of this section, the Commissioner  
11          annually shall award grants to pay for up to 50 percent, but not more than  
12          \$1,500.00, of the costs of the initial certification of up to 10 logging  
13          contractors enrolled in the Master Logger Certification Program through the  
14          Trust to Conserve Northeast Forestlands.

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

16          § 2702. VALUE-ADDED FOREST PRODUCTS; FINANCIAL  
17                  ASSISTANCE

18          The Commissioner shall award grants of up to \$10,000.00 to applicants  
19          engaged in adding value to forest products within the State. A grant awarded  
20          under this section may be used by the applicant to pay for expenses associated  
21          with State and local permit application costs, project consultation costs,

1 engineering and siting costs, and expert witness analysis and testimony  
2 necessary for permitting.

3 Sec. 14. IMPLEMENTATION OF LOGGER SAFETY AND VALUE-  
4 ADDED PRODUCTS PROGRAMS; FUNDING

5 The Commissioner of Forests, Parks and Recreation shall not implement  
6 the programs established under 10 V.S.A. §§ 2622b and 2622c (logger safety)  
7 and under 10 V.S.A. § 2702 (value-added forest products) unless and until  
8 appropriations to implement the programs are approved by the General  
9 Assembly for fiscal year 2020.

10 \* \* \* Wetlands; Environmental Permitting Fees \* \* \*

11 Sec. 15. REPEAL OF SUNSET OF FEE FOR PIPELINES IN WETLAND  
12 2018 Acts and Resolves No. 194, Sec. 8a (sunset of maximum fee for  
13 manure pipeline in wetland) is repealed.

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

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

18 \* \* \*

19 (26) For individual conditional use determinations, for individual  
20 wetland permits, for general conditional use determinations issued under  
21 10 V.S.A. § 1272, or for wetland authorizations issued under a general permit,

1 an administrative processing fee assessed under subdivision (2) of this  
2 subsection and an application fee of:

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

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

7 \* \* \*

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

15 (i) the retrofit of impervious surfaces in existence as of January 1,  
16 2019 for the purpose of addressing stormwater runoff;

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

19 (iii) construction of the following conservation practices on farms,  
20 when constructed and maintained in accordance with Natural Resources

1 Conservation Service Conservation Practice Standards for Vermont and the  
2 Agency of Agriculture, Food and Markets’ Required Agricultural Practices:

3 (I) construction of animal trails and walkways;

4 (II) construction of access roads;

5 (III) designation and construction of a heavy-use protection  
6 area;

7 (IV) construction of artificial wetlands; and

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

11 (I) Maximum fee for the construction of a permanent structure used  
12 for farming, \$5,000.00, provided that the maximum fee for waste storage  
13 facility or bunker silo shall be \$200.00 when constructed and maintained in  
14 accordance with Natural Resources Conservation Service Conservation  
15 Practice Standards for Vermont and the Agency of Agriculture, Food and  
16 Markets’ Required Agricultural Practices. As used in this subdivision,  
17 “permanent structure,” “farming,” and “waste storage facility” have the same  
18 meaning as in 10 V.S.A. § 902.

19 Sec. 17. WETLAND SCIENTIST LICENSURE REQUIREMENTS

20 The Agency of Natural Resources shall commence a study of potential  
21 approaches to licensing and certifying qualified wetlands scientists, including

1 developing a set of standard qualifications required for all professional wetland  
2 scientists. On or before January 1, 2024, the Agency shall submit a report to  
3 the Legislature summarizing its findings and providing recommendations for  
4 the development of a professional certification program for wetland scientists.

5 \* \* \* Advanced Wood Boilers \* \* \*

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

7 Sec. 26b. REPEALS

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

10 (b) Sec. 26a of this act (transfer from CEDF) shall be repealed on July 1,  
11 ~~2021~~ 2023.

12 \* \* \* Composting; Food Residuals \* \* \*

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

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

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

20 (B) Beginning on July 1, 2020, shall offer to nonresidential  
21 customers and apartment buildings with four or more residential units the

1 collection of food residuals separate from other solid waste and deliver to a  
2 location that manages food residuals in a manner consistent with the priority  
3 uses established under subdivisions 6605k(a)(2)-(5) of this title. Commercial  
4 haulers shall not be required to offer collection of food residuals if another  
5 commercial hauler provides collection services for food residuals in the same  
6 area and has sufficient capacity to provide service to all customers.

7 \* \* \*

8 \* \* \* Pesticide Regulation \* \* \*

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

10 § 642. DUTIES AND AUTHORITY OF THE SECRETARY

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

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

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

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

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

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

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

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

18                   (A) a certified commercial agricultural pesticide applicator;

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

21                   (C) a licensed seed dealer; and



1 ~~rule~~ that any exemption to the preventative controls for human food  
2 requirements for Grade “A” milk and milk products for a very small business,  
3 as defined in the PMO and federal regulations, shall not apply. The Secretary  
4 may modify or reject by rule the PMO. When adherence to the PMO is deemed  
5 unreasonable by the Agency for non-Grade “A” products, the most current  
6 version of the Recommended Requirements of the U.S. Department of  
7 Agriculture, Agricultural Marketing Service, Milk for Manufacturing Purposes  
8 and its Production and Processing may be used.

9 \* \* \*

10 \* \* \* Effective Dates \* \* \*

11 **Sec. 22. EFFECTIVE DATES**

12 (a) This section and Secs. 15 (repeal of sunset on maximum wetland fee),  
13 16 (wetlands permit fees), and 17 (wetlands scientist licensing) shall take  
14 effect on passage.

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

16  
17  
18  
19  
20 (Committee vote: \_\_\_\_\_)

1

\_\_\_\_\_

2

Representative \_\_\_\_\_

3

FOR THE COMMITTEE