

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

### **Sec. 1. Strategic Plan to Stabilize the Agricultural Industry (Session Law)**

- By Jan. 15, 2020, the Secretary of Agriculture shall submit to the Legislature a plan for stabilizing, diversifying, and revitalizing the agricultural industry.
- The submitted plan shall include:
  - recommend new markets, products, or ingredients for farmers and recommend methods, products, or incentives available to farmers to assist in the diversification of agricultural products produced on the farm;
  - recommended methods for improving the marketing of Vermont agricultural products outside the State, outside the region, and outside the country;
  - proposed techniques or systems for improving the ecological footprint and environmental sustainability of farming in the State; and
  - an assessment of the potential to increase the amount of Vermont agricultural products purchased by school nutrition programs.

### **Sec. 2. Dairy Processing Plant; Report (Session Law)**

- On or before January 15, 2020, the Secretary of Agriculture, shall report to the Legislature regarding the development of a dairy processing plant in the State for the purpose of increasing the access of Vermont dairy products to major metropolitan markets in New England and the Northeast. The report shall:
  - recommend whether the State should facilitate the development of a dairy processing plant in the State;
  - if the Secretary recommends that the State facilitate development of a dairy processing plant, summarize how the State could facilitate development of a dairy processing plant through public-private partnerships, joint ventures, or other economic incentives; and
  - identify existing funding sources or economic incentives that could be utilized to fund the development of a dairy processing plant.

### **Sec. 3. Financial Incentives for Implementation of Soil Conservation Practices (Session Law)**

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

**Secs. 4 and 5. Vermont Clean Water Vermont State-Sponsored Affinity Card Program (32 V.S.A. § 584)**

- Sec. 4 amends the Treasurer’s authority to issue an affinity card (credit card) so that any card would benefit water quality improvement
  - The Treasurer recommended these changes. A card would only be procured at rates and terms in the best interests of the cardholders.
  - But in selecting a card provider the Treasurer shall consider the issuer’s record of investments in the State and shall take into consideration program features that will enhance the promotion of the State-sponsored affinity card—i.e. enhance water quality.
  - The net proceeds generated from the card would be deposited into the Clean Water Fund, except in FY20 and FY21, see Sec. 5.
- Sec. 5 provides that in FY20 and FY21 one-half of the proceeds will be deposited into the General Fund to pay for the dairy plant feasibility report and one half is deposited into the General Fund to pay for financial incentives to encourage farmers to implement regenerative farming practices.

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

- Sec. 6 repeals the sunset on the authority of livestock owners to conduct on-farm slaughter without inspection under specified conditions.
- Sec. 7 clarifies that multiple persons can own one animal slaughtered under the personal use exception or the on-farm slaughter exception to inspection.
- Sec. 7 also provides that animals slaughtered under the personal use exception or the on-farm slaughter exception must be slaughtered in a humane manner.

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

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

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

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

**Sec. 11. Working Lands Enterprise Board** (6 V.S.A. § 4607)

- Amends the authority of the Working Lands Enterprise Board to include agricultural products certified by independent animal welfare programs as a value-added agricultural product that the Board is authorized to promote and seek expanded markets for.

**Sec. 12. Green Mountain State Forest Carbon Pilot Project** (Session Law)

- Requires the Department of Forests and Parks to establish the Green Mountain State Forest Carbon Pilot Project in order to enter at least one parcel of State forestland into a voluntary carbon market and to enter at least one parcel of State forestland into a compliance carbon market.
- The Department shall produce a report that will aid private owners of Vermont forestlands regarding the process of entering land into a carbon market.

**Sec. 13. Vermont Forests in Carbon Markets** (10 V.S.A. ch. 83, subchap. 9)

- Requires the Department of Forests and Parks to establish the Green Mountain State Forest Carbon Program to support and promote the entrance of tracts of Vermont forestlands into international, national, and regional carbon markets. The Department shall contract with an entity to implement the program.
- Services will include: technical assistance on how to gain access to carbon markets; technical assistance on aggregation of multiple small parcels of forested land into parcels that are economically attractive to carbon marketplaces; and services related to legal requirements for access to carbon marketplaces.

**Secs. 14. Logger Safety** (10 V.S.A. §§ 2622b and 2622c)

- Sec. 14 enacts two sections 10 V.S.A. §§ 2622b and 2622c related to Logger Safety
- 10 V.S.A. § 2622b requires the Commissioner of Forests and Parks to develop a logging operations accident prevention and safety training curriculum and supporting materials to assist logging safety instructors in providing logging safety instruction.
  - The Commissioner shall make the accident prevention and safety training curriculum and supporting materials available to persons, organizations, or groups for presentation to individuals being trained in forest operations and safety.
  - The Commissioner, any logging safety instructor, or a logger safety certification organization shall issue a certificate of completion to each person who satisfactorily completes a logging operations accident prevention and safety training program based on the curriculum developed under this section.
- 10 V.S.A. § 2622a requires the Commissioner of Forests, Parks annually to award a grant to the Vermont Logger Education to Advance Professionalism (LEAP) program to provide financial assistance to logging contractors to reduce the costs of logger safety training or continuing education in logger safety.
  - Up to 50% of the costs to a logging contractor shall be eligible for assistance. Eligible activities for financial assistance are: the costs of safety training, continuing education, or a loss prevention consultation; the costs of certification under the Master Logger Certification Program; and the costs of completion of a logging career technical education program.
- Of the grant funds awarded annually, the LEAP program annually shall award grants to pay for the costs of the initial certification of up to 10 logging contractors enrolled in the Master Logger certification program through the Trust to Conserve Northeast Forestlands.

**Sec. 15. Value-Added Forest Products Financial Assistance** (10 V.S.A. § 2702)

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

**Sec. 16. Appropriations for Logger Safety and Value Added Forest Products Assistance** (Session Law)

- Appropriates \$95,000 to Department of Forests and Parks in FY20 to finance the logger safety and value added assistance programs under Secs. 14 and 15.
- \$15,000 would be used for the logger safety curriculum; \$30,000 for the annual grant to LEAP for safety training, and \$50,000 for value-added assistance.

**Sec. 17. Repeal of Sunset on Fee for Pipelines in Wetlands** (Session Law)

- Last year the Legislature capped at \$200 for one year the permit fees for construction of manure pipelines in wetlands, pending a proposal from ANR to reform wetlands requirements for farming.
- Sec. 17 repeals the sunset on the cap.

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

- Repeals the sunset on the sales tax exemption for advanced wood boilers.

**Sec. 19. Certification of Farms Accepting Food Residuals** (Session Law)

- Provides that ANR shall not require a farm accepting food residuals for composting to obtain a solid waste certification until July 1, 2020 provided that the farm is complying with agricultural water quality requirement and the farm was accepting food residuals on or before January 1, 2019.

**Sec. 20. Effective Dates**

- The act takes effect on July 1, 2019, except that Sec. 13 (Green Mountain State Forest Carbon Program) shall take effect July 1, 2021.