

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 inside the state, outside the State, outside the region, and
8 outside the country.

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

13 (1) technical assistance resources and capital availability 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 and the number and diversity of
17 people participating in the growing, harvesting, or processing of food in the
18 State;

19 (3) resources for financing for research and development by universities
20 and businesses that promote innovative methods for managing and

1 commoditizing manure to mitigate the environmental concerns raised by
2 current manure management techniques;

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

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

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

11 (7) approaches for improving agricultural and food literacy among
12 Vermonters including increased understanding of ~~so that they are better~~
13 ~~informed about~~ where their food comes from and how it is produced and;
14 enhanced opportunities to learn about and participate in the growing and
15 processing of crops for food and fiber; and

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

19 (d) The Secretary of Agriculture, Food and Markets in partnership with the
20 Vermont Farm-to-Plate Investment Program shall hold at least four public
21 hearings combined with other stakeholder engagement sessions around the

Commented [EK1]: Keep as 4 ... there will be a lot of other focus group and other types of input sessions that are not public hearings.

1 State to receive public input on priorities for stabilizing and revitalizing the
2 agricultural industries in Vermont to be included in the strategic plan required
3 under subsection (c) of this section.

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

8 * * * Local Food Purchasing Working Group * * *

9 Sec. 2. LOCAL FOOD PURCHASING WORKING GROUP

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

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

15 (B) the Secretary of Education or designee;

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

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

20 (E) two representatives of ~~the~~ School Nutrition Associations,
21 appointed by the Secretary of Agriculture, Food and Markets; ~~and~~

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

3 (G) a representative of the Agency of Education 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 recommended local foods purchasing
12 plan for schools. The plan shall include:

13 ~~(1) A proposed definition of “local food.”~~

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

17 (i) a proposed incentive amount per plate;

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

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

Commented [EK2]: This should not be included. There is already a state definition of what is local food, passed in 2007

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 (3) 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.

21 * * * Dairy Marketing Assessment * * *

1 Sec. 3. DAIRY MARKETING ASSESSMENT; REPORT

2 On or before January 15, 2020, the Secretary of Agriculture, Food and
3 Markets shall report to the Senate Committee on Agriculture and the House
4 Committee on Agriculture and Forestry regarding the development of a dairy
5 marketing assessment for the purpose of increasing the consumption of
6 Vermont dairy products by major metropolitan markets in New England and
7 the Northeast. The report shall:

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

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

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

18 * * * Soil Conservation Practice Working Group * * *

19 Sec. 4. SOIL CONSERVATION PRACTICE WORKING GROUP

20 (a) The Secretary of Agriculture, Food and Markets shall convene a Soil
21 Conservation Practice Working Group to recommend financial incentives

1 designed to encourage farmers in Vermont to implement agricultural practices
2 that exceed the requirements of 6 V.S.A. chapter 215 and that improve soil
3 health, enhance crop resilience, increase carbon storage and stormwater storage
4 capacity, and reduce agricultural runoff to waters. The Working Group shall:

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

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

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

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

20 (b) The Soil Conservation Practice Working Group shall consist of persons
21 with knowledge or expertise in agricultural water quality, soil health, economic

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

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

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

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

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

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

9 (6) a representative from at least three farmer's watershed alliances;

10 (7) a representative of the Natural Resources Conservation Council;

11 (8) a representative of the Gund Institute for Ecological Economics of
12 the University of Vermont;

13 (9) a representative of the University of Vermont (UVM) Extension;

14 (10) at least two members of the Agricultural Water Quality Partnership;

15 (11) a representative of small-scale, diversified farming; and

16 (12) a member of the Healthy Soils Initiative.

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

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

1 Committee on Agriculture and Forestry the findings and recommendations of
2 the Soil Conservation Practice Working Group regarding financial incentives
3 designed to encourage farmers in Vermont to implement agricultural practices
4 that improve soil health, enhance crop resilience, and reduce agricultural
5 runoff to waters.

6 * * * Clean Water Affinity Card * * *

7 Sec. 5. 32 V.S.A. § 584 is amended to read:

8 § 584. VERMONT CLEAN WATER ~~VERMONT STATE SPONSORED~~
9 AFFINITY CARD PROGRAM

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

19 (b) In selecting an affinity card issuer, the Treasurer shall consider the
20 issuer's record of investments in the State and shall take into consideration
21 program features that will enhance the promotion of the State-sponsored

1 affinity card, including consumer-friendly terms, favorable interest rates,
2 annual fees, and other fees for using the card. The Treasurer shall consult with
3 other State agencies about potential public purpose projects to be designated
4 for the Program and shall allow cardholders to designate that funds be used
5 either to support sustainable agricultural programs, renewable energy
6 programs, State parks and forestland programs, or any combination of these.
7 The net proceeds of the State fees or royalties generated by this program shall
8 be transmitted to the State and shall be deposited in a State-sponsored Affinity
9 Card Fund and subsequently transferred to the designated State programs and
10 purposes as selected by the cardholders. The funds received shall be held by
11 the Treasurer until transferred for the purposes directed by participating State-
12 sponsored affinity cardholders in accordance with the trust fund provisions of
13 section 462 of this title.

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

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

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

6 * * * On-Farm Slaughter * * *

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

9 6 V.S.A. § 3311a (livestock slaughter inspection and license exemptions)
10 shall be repealed on July 1, ~~2019~~ 2023.

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

12 § 3311a. LIVESTOCK; INSPECTION; LICENSING; PERSONAL
13 SLAUGHTER; ITINERANT SLAUGHTER

14 (a) As used in this section:

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

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

20 (A) clean and free of contaminants; and

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

1 (i) the occurrence of water pollution; and

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

3 (b) The requirement for a license under section 3306 of this title or for
4 inspection under this chapter shall not apply to the slaughter by an ~~individual~~
5 owner of livestock that the ~~individual~~ owner raised for the ~~individual's~~ owner's
6 exclusive use or for the use of members of his or her household and his or her
7 nonpaying guests and employees.

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

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

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

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

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

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

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

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

3 (A) 15 swine;

4 (B) five cattle;

5 (C) 40 sheep or goats; or

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

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

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

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

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

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

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

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

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

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

1 * * * Animal Welfare; Traceability * * *

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

3 § 1152. ADMINISTRATION; INSPECTION; TESTING; RECORDS

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

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

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

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

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

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

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

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

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

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

2 § 1470. RECORDS

3 (a) A commercial slaughter facility 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 (b) Records produced or acquired by the Secretary under this chapter shall
10 be available to the public for inspection and copying, 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. 10. REPORT ON RADIO FREQUENCY IDENTIFICATION FOR
17 LIVESTOCK

18 On or before January 15, 2020, the Secretary of Agriculture, Food and
19 Markets shall submit to the Senate Committees on Agriculture and on
20 Appropriations and the House Committees on Agriculture and Forestry and on
21 Appropriations a report regarding the use of radio frequency identification

1 (RFID) tags and readers by livestock owners and federally inspected
2 commercial slaughter facilities in the State. The Secretary shall consult with
3 the Vermont Grass Farmers Association, the Vermont Sheep and Goat
4 Association, and the Vermont Agricultural Fairs Association in the
5 development of the report. The report shall include:

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

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

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

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

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

1 (6) a recommendation of whether the State should provide financial
2 assistance to livestock owners or federally inspected commercial slaughter
3 facilities for the purchase of RFID tags and readers, including eligibility
4 requirements, cost-share, timing, or other criteria recommended by the
5 Secretary of Agriculture, Food and Markets for the provision of RFID tags and
6 readers to livestock owners or federally inspected commercial slaughter
7 facilities in in the State.

8 * * * Vermont Carbon Sequestration Working Group * * *

9 Sec. 11. VERMONT CARBON SEQUESTRATION WORKING
10 GROUP; REPORT

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

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

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

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

20 (3) the Secretary of Natural Resources or designee; and

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

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

7 (1) evaluate the current status of carbon sequestration markets,
8 including:

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

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

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

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

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

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

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

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

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

16 (A) support the governance structure, management, and oversight of
17 the program;

18 (B) fairly compensate landowners; and

19 (C) encourage enrollment in the program; and

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

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

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

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

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

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

1 (f) Meetings.

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

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

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

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

8 (g) Compensation and reimbursement.

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

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

1 * * * Logger Safety * * *

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

3 § 2622b. ACCIDENT PREVENTION AND SAFETY TRAINING FOR
4 LOGGING CONTRACTORS

5 (a) Training Program. The Commissioner of Forests, Parks and Recreation
6 shall develop a logging operations accident prevention and safety training
7 curriculum and supporting materials to assist logging safety instructors in
8 providing logging safety instruction. In developing the logging operations
9 accident prevention and safety training curriculum and supporting materials,
10 the Commissioner shall consult with and seek the approval of the training
11 curriculum by the Workers' Compensation and Safety Division of the
12 Department of Labor.

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

16 (A) safe performance of standard logging practices, whether
17 mechanized or nonmechanized;

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

20 (C) recognition of health and safety hazards associated with logging
21 practices.

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

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

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

15 § 2622c. FINANCIAL ASSISTANCE; LOGGER SAFETY; MASTER
16 LOGGER CERTIFICATION; COST-SHARE

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

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

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

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

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

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

11 (3) the costs of completion of a logging career technical education
12 program.

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

15 (d) Of the grant funds awarded annually by the Commissioner of Forests,
16 Parks and Recreation under subsection (a) of this section, the Commissioner
17 annually shall award grants to pay for up to 50 percent, but not more than
18 \$1,500.00, of the costs of the initial certification of up to 10 logging
19 contractors enrolled in the Master Logger Certification Program through the
20 Trust to Conserve Northeast Forestlands.

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

2 § 2702. VALUE-ADDED FOREST PRODUCTS; FINANCIAL
3 ASSISTANCE

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

10 Sec. 14. IMPLEMENTATION OF LOGGER SAFETY AND VALUE-
11 ADDED PRODUCTS PROGRAMS; FUNDING

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

17 * * * Wetlands; Environmental Permitting Fees * * *

18 Sec. 15. REPEAL OF SUNSET OF FEE FOR PIPELINES IN WETLAND
19 2018 Acts and Resolves No. 194, Sec. 8a (sunset of maximum fee for
20 manure pipeline in wetland) is repealed.

* * * Advanced Wood Boilers * * *

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

Sec. 26b. REPEALS

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

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

* * * Composting; Food Residuals * * *

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

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

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

(B) Beginning on July 1, 2020, shall offer to nonresidential customers and apartment buildings with four or more residential units the collection of food residuals separate from other solid waste and deliver to a location that manages food residuals in a manner consistent with the priority uses established under subdivisions 6605k(a)(2)-(5) of this title. Commercial haulers shall not be required to offer collection of food residuals if another

1 commercial hauler provides collection services for food residuals in the same
2 area and has sufficient capacity to provide service to all customers.

3 * * *

4 * * * Pesticide Regulation * * *

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

6 § 642. DUTIES AND AUTHORITY OF THE SECRETARY

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

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

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

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

20 (4) Prior to sale, distribution, or use of a new genetically engineered
21 seed in the State and after consultation with a seed review committee convened

1 under subsection (c) of this section, review the traits of the new genetically
2 engineered seed. The Secretary may prohibit, restrict, condition, or limit the
3 sale, distribution, or use of the seed in the State when determined necessary to
4 prevent an adverse effect on agriculture in the State.

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

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

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

14 (A) a certified commercial agricultural pesticide applicator;

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

17 (C) a licensed seed dealer; and

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

20 (3) A majority of the seed review committee must approve of the sale,
21 distribution, or use of a new genetically engineered seed prior to sale,

1 distribution, or use in the State. In order to ensure the appropriate use or traits
2 of a new genetically engineered seed in the State, a seed review committee
3 may propose to the Secretary limits or conditions on the sale, distribution, or
4 use of a seed or recommend a limited period of time for sale of the seed.

5 * * * Dairy Sanitation Rules * * *

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

7 § 2701. RULES

8 (a) The Secretary, in accordance with 3 V.S.A. chapter 25, shall adopt, and
9 may amend and rescind, dairy sanitation rules relating to dairy products to
10 enforce this chapter, including labeling, weighing, measuring and testing
11 facilities, buildings, equipment, methods, procedures, health of animals, health
12 and capability of personnel, and quality standards. In addition, the uniform
13 regulation for sanitation requirements, as adopted by the National Conference
14 on Interstate Milk Shippers, and published by the U.S. Department of Health
15 and Human Services, Public Health Service, Food and Drug Administration,
16 Grade A Pasteurized Milk Ordinance (PMO), as amended, supplemented, or
17 revised, are adopted as part of this chapter, except ~~as modified or rejected by~~
18 ~~rule~~ that any exemption to the preventative controls for human food
19 requirements for Grade “A” milk and milk products for a very small business,
20 as defined in the PMO and federal regulations, shall not apply. The Secretary
21 may modify or reject by rule the PMO. When adherence to the PMO is deemed

1 unreasonable by the Agency for non-Grade “A” products, the most current
2 version of the Recommended Requirements of the U.S. Department of
3 Agriculture, Agricultural Marketing Service, Milk for Manufacturing Purposes
4 and its Production and Processing may be used.

5 * * *

6 * * * Effective Date * * *

7 Sec. 20. EFFECTIVE DATE

8 This act shall take effect on July 1, 2019.

9
10
11
12
13 (Committee vote: _____)

14 _____
15 Representative _____

16 FOR THE COMMITTEE