

1 TO THE HONORABLE SENATE:

2 The Committee on Agriculture to which was referred House Bill No. 656
3 entitled “An act relating to miscellaneous agricultural subjects” respectfully
4 reports that it has considered the same and recommends that the Senate
5 propose to the House that the bill be amended as follows:

6 First: in Sec. 21, 10 V.S.A. § 4709, in subdivision (f)(1)(C), after
7 “molecular tool” and before the period by striking out the words “by the U.S.
8 Department of Agriculture, Animal and Plant Health Inspection Service,
9 Wildlife Services to be a feral swine hybrid based on results of genetic testing
10 conducted at the National Wildlife Research Center”

11 And in subdivision (f)(3), after “Vermont Statutes Annotated.” by inserting
12 the following two sentences to read as follows:

13 At the request of the owner of a domestic pig that is outside of its enclosure,
14 the Secretary of Agriculture, Food and Markets may assist the owner in
15 capturing and confining the domestic pig. In providing assistance to the owner
16 of a domestic pig under this subdivision, the Secretary of Agriculture, Food
17 and Markets may request support or guidance from the U.S. Department of
18 Agriculture, Animal and Plant Health Inspection Service.

19 And in subdivision (f)(4), in the second sentence, after the words “or
20 destruction of” and before the period, by striking out the words “the feral

1 swine” and inserting in lieu thereof the words a feral swine as defined under
2 subdivision (f)(1)(A) of this section

3 And in subdivision (f)(7), by striking the second sentence in the subdivision
4 in its entirety

5 Second: By striking out Sec. 28 (Effective Dates) and its reader assistance
6 heading in their entirety and inserting in lieu thereof the following:

7 * * * Vermont Housing and Conservation Board * * *

8 Sec. 28. 10 V.S.A. § 321 is amended to read:

9 § 321. GENERAL POWERS AND DUTIES

10 (a) The Board shall have all the powers necessary and convenient to carry
11 out and effectuate the purposes and provisions of this chapter, including those
12 general powers provided to a business corporation by Title 11A and those
13 general powers provided to a nonprofit corporation by Title 11B and including,
14 without limitation of the general powers under Titles 11A and 11B, the power
15 to:

16 (1) upon application from an eligible applicant in a form prescribed by
17 the Board, provide funding in the form of grants or loans for eligible activities;

18 (2) enter into cooperative agreements with private organizations or
19 individuals or with any agency or instrumentality of the United States or of this
20 State to carry out the purposes of this chapter;

1 (3) issue rules in accordance with 3 V.S.A. chapter 25 for the purpose of
2 administering the provisions of this chapter; ~~and~~

3 (4) transfer funds to the Department of Housing and Community
4 Development to carry out the purposes of this chapter;

5 (5) make and execute all legal documents necessary or convenient for
6 the exercise of its powers and functions under this chapter, including legal
7 documents that may be made and executed with the State or any of its agencies
8 or instrumentalities, with the United States or any of its agencies or
9 instrumentalities, or with private corporations or individuals;

10 (6) receive and accept grants from any source to be held, used, or
11 applied or awarded to carry out the purposes of this chapter subject to the
12 conditions upon which the grants, aid, or contributions may be made;

13 (7) make and publish rules and regulations respecting its housing
14 programs and such other rules and regulations as are necessary to effectuate its
15 corporate purposes; and

16 (8) do any and all things necessary or convenient to effectuate the
17 purposes and provisions of this chapter and to carry out its purposes and
18 exercise the powers given and granted in this chapter.

19 (b)(1) The Board shall seek out and fund nonprofit organizations and
20 municipalities that can assist any region of the State that has high housing

1 prices, high unemployment, ~~and~~ or low per capita incomes in obtaining grants
2 and loans under this chapter for perpetually affordable housing.

3 (2) The Board shall administer the “HOME” affordable housing
4 program ~~which~~ that was enacted under Title II of the Cranston-Gonzalez
5 National Affordable Housing Act (Title II, P.L. 101-625, 42 U.S.C. 12701-
6 12839). The State of Vermont, as a participating jurisdiction designated by
7 Department of Housing and Urban Development, shall enter into a written
8 memorandum of understanding with the Board, as subrecipient, authorizing the
9 use of HOME funds for eligible activities in accordance with applicable federal
10 law and regulations. HOME funds shall be used to implement and effectuate
11 the policies and purposes of this chapter related to affordable housing. The
12 memorandum of understanding shall include performance measures and results
13 that the Board will annually report on to the Vermont Department of Housing
14 and Community Development.

15 (c) On behalf of the State of Vermont, the Board shall be the exclusive
16 designated entity to seek and administer federal affordable housing funds
17 available from the Department of Housing and Urban Development under the
18 national Housing Trust Fund ~~which~~ that was enacted under HR 3221, Division
19 A, Title 1, Subtitle B, Section 1131 of the Housing and Economic Reform Act
20 of 2008 (P.L. 110-289) to increase perpetually affordable rental housing and
21 home ownership for low and very low income families. The Board is also

1 authorized to receive and administer federal funds or enter into cooperative
2 agreements for a shared appreciation and/or community land trust
3 demonstration program that increases perpetually affordable homeownership
4 options for lower income Vermonters and promotes such options both within
5 and outside Vermont.

6 (d) On behalf of the State of Vermont, the Board shall seek and administer
7 federal farmland protection and forestland conservation funds to facilitate the
8 acquisition of interests in land to protect and preserve in perpetuity important
9 farmland for future agricultural use and forestland for future forestry use. Such
10 funds shall be used to implement and effectuate the policies and purposes of
11 this chapter. In seeking federal farmland protection and forestland
12 conservation funds under this subsection, the Board shall seek to maximize
13 State participation in the federal Wetlands Reserve Program and ~~such~~ other
14 programs as is appropriate to allow for increased or additional implementation
15 of conservation practices on farmland and forestland protected or preserved
16 under this chapter.

17 (e) The Board shall inform all grant applicants and recipients of funds
18 derived from the annual capital appropriations and State bonding act of the
19 following: “The Vermont Housing and Conservation Trust Fund is funded by
20 the taxpayers of the State of Vermont, at the direction of the General
21 Assembly, through the annual Capital Appropriation and State Bonding Act.”

1 An appropriate placard shall, if feasible, be displayed at the location of the
2 proposed grant activity.

3 Sec. 29. 2017 Acts and Resolves No. 77, Sec. 12 is amended to read:

4 Sec. 12. REPEALS

5 ~~(a) 10 V.S.A. chapter 15, subchapter 4 (Rural Economic Development~~
6 ~~Initiative) shall be repealed on July 1, 2021; and~~

7 ~~(b) 6 V.S.A. §4828(d) (phosphorus removal grant criteria) shall be repealed~~
8 ~~on July 1, 2023.~~

9 **Sec. 30. APPROPRIATIONS; VHCB; COVID-19 CONSULTING**

10 **SERVICES FOR FARM AND FOOD BUSINESSES**

11 In addition to funds appropriated in fiscal year 2021 to the Vermont
12 Housing and Conservation Board (VHCB), \$192,000.00 is appropriated to
13 VHCB from the Coronavirus Relief Fund to provide business, financial, and
14 mental health assistance to farm and food businesses that suffered losses or
15 expenses due to business interruptions caused by the COVID-19 public health
16 emergency. Consulting services shall include information and assistance with
17 accessing federal and State COVID-19 relief funds, access to additional
18 markets, diversification of income streams, access to mental health services,
19 and other assistance farm and food businesses may require to address or
20 recover from business interruption caused by the COVID-19 public health
21 emergency.

1 * * * DFR Report on Milk Pricing * * *

2 Sec. 31. DEPARTMENT OF FINANCIAL REGULATION; OVERSIGHT
3 OF MILK PRICING IN VERMONT; REPORT

4 (a) Findings. The General Assembly finds that:

5 (1) the price dairy farmers are paid for milk is set under a federal milk
6 market order that establishes the price of milk based on the class of milk,
7 commodity pricing, and location of producers, among other factors;

8 (2) most dairy farmers in Vermont receive payment under the federal
9 milk market order through the two remaining membership-based dairy
10 cooperatives, both of which levy costs, assessments, or surcharges on dairy-
11 farmers, thereby further reducing net payment of dairy farmers for their milk;

12 (3) as a result of pricing under the milk market order and assessments
13 and other charges levied by cooperatives, the final price that dairy farmers
14 receive for their product is significantly less than the costs of production;

15 (4) because of the prolonged downturn in the prices dairy farmers have
16 received, almost all dairy farms are suffering, and many ultimately will close if
17 the economic reality of dairy farming does not change; and

18 (5) before Vermont loses a substantial portion of its dairy farming
19 community, a State agency with expertise in financial regulation and fair
20 pricing should review the milk pricing system for dairy farmers in Vermont to
21 collect data on the long-term sustainability and fairness to the Vermont dairy

1 farming community of the federal milk market order pricing system as
2 distributed by dairy cooperatives.

3 (b) Report. On before March 1, 2021, the Commissioner of Financial
4 Regulation shall, after coordination with the Secretary of Agriculture, Food
5 and Markets, submit to the Senate Committees on Agriculture and on
6 Economic Development, Housing, and General Affairs and the House
7 Committees on Agriculture and Forestry and on Commerce an assessment of
8 the long-term sustainability of Vermont dairy farming under the existing
9 federal milk market order pricing system as distributed by dairy cooperatives.
10 In developing an assessment, the Commissioner of Financial Regulation shall
11 obtain from the Secretary of Agriculture, Food, and Markets an accounting of
12 payments made to milk producers under the federal milk market order. The
13 Commissioner is authorized to utilize the Vermont Milk Commission's
14 authority under 6 V.S.A. § 2936 to obtain information from milk handlers
15 regarding: the prices paid to purchase various forms of milk from Vermont
16 producers; the costs of production, processing, transporting, distributing, and
17 marketing milk; and any other information deemed necessary and relevant by
18 the Commissioner. The Commissioner is also authorized to use the authority
19 established under 6 V.S.A. § 2936, and the authority under 8 V.S.A. § 13, to
20 assess the use and impact of payments made to milk producers. The report of
21 the Commissioner of Financial Regulation shall include:

- 1 (1) an evaluation of the long-term sustainability of dairy farming in
- 2 Vermont under the current conditions; and
- 3 (2) recommendations, if any, for revising dairy pricing in the State to
- 4 improve the future viability of dairy farming in the State.

* * * Effective Dates * * *

6 Sec. 32. EFFECTIVE DATES

7 (a) This section, Sec. 17 (local food), Sec. 24 (payment for ecosystem
8 services and Soil Health Working Group), Sec. 25 (2020 hemp growing
9 season), Sec. 29 (repeal of REDI sunset), and 31 (DFR milk pricing report)
10 shall take effect on passage.

11 (b) The remaining sections shall take effect on July 1, 2020.

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15 (Committee vote: _____)

16

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Senator _____

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FOR THE COMMITTEE