

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 “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 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 (f)(3), the Secretary of Agriculture,  
17 Food and Markets may request support or guidance from the U.S. Department  
18 of 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 following: a feral swine as defined  
2 under subdivision (f)(1)(A) of this section

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

5 Second: By striking out Sec. 28, effective dates, and its reader assistance  
6 heading in their entireties 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~~ REPEAL

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~~  
8 ~~repealed 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.

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\* \* \* DFR Report on Milk Pricing \* \* \*

Sec. 31. DEPARTMENT OF FINANCIAL REGULATION; OVERSIGHT  
OF MILK PRICING IN VERMONT; REPORT; TASK FORCE

(a) Findings. The General Assembly finds that:

(1) The minimum pay price received by most dairy farmers in Vermont is regulated and established by the Federal Milk Market Order Program based on a complex formula, and under this formula, the regulated minimum price for Vermont dairy farms has been for many years set at an amount below the costs of production.

(2) Most dairy farmers in Vermont utilize the two remaining membership-based dairy cooperatives to sell their milk for market prices above the federally-regulated minimum pay prices, and the cooperatives levy fees and other surcharges on their member dairy farmers to cover the marketing costs.

(3) Amidst radical market changes and an oversupply of milk, the dairy cooperatives recently have been unable to obtain pay prices for Vermont dairy farmers that are above the federally regulated minimum prices, and, as a result, the charges assessed to their members have often caused the net price that Vermont dairy farmers receive to fall below the regulated minimum prices and to amount to significantly less than the costs of production.

1           (4) Vermont dairy farms have suffered from combined regulatory and  
2           market failures, and 60 percent of the State's dairy farms subject to the federal  
3           regulatory program have closed since the year 2000.

4           (5) Before Vermont loses another substantial portion of its remaining  
5           dairy farming community, the State agency with expertise in financial  
6           regulation and rational market pricing should review the milk pricing system  
7           for dairy farmers in Vermont to collect and assess data on the long-term  
8           sustainability and fairness to the Vermont dairy farming community of the  
9           federal milk market order pricing system, current market conditions, and dairy  
10           cooperative operation.

11           (b) Report. On or before January 15, 2021, the Commissioner of Financial  
12           Regulation shall submit to the Senate Committees on Agriculture and on  
13           Economic Development, Housing and General Affairs and the House  
14           Committees on Agriculture and Forestry and on Commerce and Economic  
15           Development an assessment of the long-term sustainability of Vermont dairy  
16           farming under the existing federal milk market order pricing system, current  
17           market conditions, and dairy cooperative operation. In developing the  
18           assessment, the Commissioner of Financial Regulation shall obtain from the  
19           Secretary of Agriculture, Food and Markets an accounting of payments made  
20           to milk producers under the federal milk market order. After consultation with  
21           the Secretary of Agriculture, Food and Markets, the Commissioner is

1 authorized to utilize the Vermont Milk Commission's authority under 6 V.S.A.  
2 § 2936 to obtain information from milk handlers regarding the prices paid to  
3 purchase various forms of milk from Vermont producers; the costs of  
4 production, processing, transporting, distributing, and marketing milk; and any  
5 other information deemed necessary and relevant by the Commissioner. The  
6 Commissioner is also authorized to use the authority established under  
7 6 V.S.A. § 2936, and the authority under 8 V.S.A. § 13, to assess the use and  
8 impact of payments made to milk producers. The report of the Commissioner  
9 of Financial Regulation shall include:

10 (1) an evaluation of the long-term sustainability of dairy farming in  
11 Vermont under the current regulatory and market conditions; and  
12 (2) recommendations for revising regulated dairy pricing and other  
13 market regulation in the State to improve the future viability of Vermont dairy  
14 farming.

15 (c) Task force.

16 (1) After receipt of the report required under subsection (b) of this  
17 section, the Committee on Committees and the Speaker of the House shall  
18 appoint a joint committee of legislators and other experts to be known as the  
19 Task Force to Revitalize the Vermont Dairy Industry to develop legislation to  
20 implement the recommendations of the Commissioner of Financial Regulation.



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4 (Committee vote: \_\_\_\_\_)

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Senator \_\_\_\_\_

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FOR THE COMMITTEE