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H.273

Introduced by Representatives Cina of Burlington, Bluemle of Burlington,
Christie of Hartford, Colston of Winooski, Cordes of Lincoln,
Donnally of Hyde Park, Durfee of Shaftsbury, Elder of
Starksboro, Gannon of Wilmington, Mulvaney-Stanak of
Burlington, Sims of Craftsbury, Surprenant of Barnard, Toleno
of Brattleboro, Troiano of Stannard, Vyhovsky of Essex, Walz
of Barre City, White of Hartford, and Wood of Waterbury

Referred to Committee on

Date:

Subject: Economic; housing; social equity

Statement of purpose of bill as introduced: This bill proposes to promote racial
and social equity in land access and property ownership by creating grant
programs, financial education, and other investments targeted to Vermonters
who have historically suffered from discrimination and who have not had equal
access to public or private economic benefits due to race, ethnicity, sex,
geography, language preference, immigrant or citizen status, sexual
orientation, gender identity, socioeconomic status, or disability status.

An act relating to promoting racial and social equity in land access and
property ownership

1 It is hereby enacted by the General Assembly of the State of Vermont:

2 Sec. 1. LEGISLATIVE INTENT

3 (a) Equal opportunity is a fundamental principle of American democracy.

4 (b) Equal access to land and to wealth is a human right and a priority of the
5 State of Vermont.

6 (c) Structural racism, defined as the laws, policies, institutional practices,
7 cultural representations, and other societal norms that often work together to
8 deny equal opportunity, has resulted in wealth disparities among Vermonters.
9 Great social costs arise from these inequities, including threats to economic
10 development, democracy, and the social health of the State of Vermont.

11 (d) Wealth disparities are a function of not only access to income, but also
12 the ability to have access to the land and to property ownership, which has
13 been impacted by race, ethnicity, sex, geography, language preference,
14 immigrant or citizen status, sexual orientation, gender identity, socioeconomic
15 status, and disability status. Wealth disparities directly and indirectly affect the
16 health and wellness of individuals and communities.

17 (e) The foundation of our current economic system was built on land that
18 was taken from Abenaki and other Indigenous persons, and the structures of
19 our economic system were constructed with the labor of enslaved persons. The
20 legacy of settler colonialism and chattel slavery has been systemic racism and
21 discrimination embedded into many aspects of our modern way of life on this

1 land. The relationship between all persons and the land has been used to
2 oppress persons over the past several centuries. The laws and policies of our
3 State and nation severed Indigenous persons from their land while denying
4 them, Black persons, and other Persons of Color from having the opportunity
5 to access and to own land. These actions of the State led to systemic racism
6 that has impacted all Vermonters who have historically suffered from
7 discrimination and who have not had equal access to public or private
8 economic benefits due to race, ethnicity, sex, geography, language preference,
9 immigrant or citizen status, sexual orientation, gender identity, socioeconomic
10 status, or disability status.

11 (f) In order to offer repair for the systemic discrimination faced by many
12 persons throughout the State over the past four centuries, the State of Vermont
13 must engage in a just transition to an economic system that systemically
14 undoes racism instead of reinforcing it. Efforts to remedy wealth disparity in
15 the United States have traditionally looked to the free market economy for
16 solutions to the very problem that it has created. However, there has been
17 increased recognition that improving access to land and property ownership
18 will require broader approaches. In order to rectify this history of inequity, we
19 must create opportunities for permanent land access in every town in Vermont
20 through collective and individual land ownership options, using new systems
21 that empower and center Vermonters who have historically suffered from

1 discrimination and who have not had equal access to public or private
2 economic benefits due to race, ethnicity, sex, geography, language preference,
3 immigrant or citizen status, sexual orientation, gender identity, socioeconomic
4 status, or disability status.

5 (g) It is therefore the intent of this legislature to acknowledge and address
6 wealth disparity by creating new opportunities for individual and collective
7 land access and ownership for Vermonters who have historically suffered from
8 discrimination and who have not had equal access to public or private
9 economic benefits due to race, ethnicity, sex, geography, language preference,
10 immigrant or citizen status, sexual orientation, gender identity, socioeconomic
11 status, or disability status by ensuring equal access to owning property,
12 woodlands, and farmland in every town across the State of Vermont.

13 (h) In addition to the actions taken by this act, the State must engage in a
14 deep process of truth and reconciliation, guided by the persons who have been
15 most impacted, to address the underlying wounds of colonization and slavery.

16 Sec. 2. FINDINGS

17 (a) Definitions. As used in this section:

18 (1) “Non-White” means Black, Indigenous, and other Persons of Color
19 (BIPOC). The term is not intended to reflect self-identity but rather how
20 persons are categorized in the racial caste system on which discrimination has
21 been historically based in the United States. This term is used in this act

1 because currently Vermont typically disaggregates data solely by White and
2 non-White.

3 (2) “Race and ethnicity” means the categories for classifying individuals
4 that have been created by prevailing social perceptions, historical policies, and
5 practices. The term includes how individuals perceive themselves and how
6 individuals are perceived by others.

7 (b) Wealth Disparity in Vermont. Concerning the history of wealth
8 disparity in Vermont, the General Assembly finds:

9 (1) History, research, and experience demonstrate that Vermont
10 residents experience barriers to the equal enjoyment and economic benefit of
11 land access and home ownership opportunities based on race and ethnicity.

12 (2)(A) The United States was founded as a country on a triangular
13 relationship between settlers, native persons, and slaves. *Tuck, E., & Yang, K.*
14 *W. (2012). Decolonization is not a metaphor. Decolonization: Indigeneity,*
15 *education & society, 1(1).*

16 (B) This structure created an inequity for homeownership, land
17 access, resources, and wealth related to owning property through systemic
18 oppression and systematic racism for those who were defined as native or
19 slave.

1 (C) This systemic oppression would continue for generations to
2 follow, including those who would immigrate later to the United States and
3 could be categorized racially or ethnically.

4 (D) Prior to Vermont self-declaring its occupation of the land in
5 1777, it is estimated that at least 10,000 Indigenous persons were living in the
6 region, specifically upwards of 4,000 Abenaki living in the Champlain Valley.

7 (E) Centuries of genocide, eugenics, broken treaties, displacement,
8 and land dispossession placed persons of the Abenaki Nations and other
9 Indigenous persons living in Vermont at a great social disadvantage.

10 (F) Although the original Vermont constitution abolished slavery in
11 the State, it would not be until 1854 that an African American would be
12 considered legally free, not being considered property, in the State and not
13 until 1863 federally recognized as free from enslavement.

14 (G) During and since these early days of colonization and slavery,
15 due to local, State, and federal policies that were intentionally developed to
16 economically, socially, and racially discriminate against members of the
17 BIPOC community, multi-generational poverty has created a disturbing
18 disproportionate wealth gap for land and home ownership in what we now
19 know as Vermont and the United States.

1 (3)(A) Several federal policies also resulted in land being stolen from
2 Indigenous persons across North America and ultimately, led to the
3 displacement and land dispossession of Indigenous persons in Vermont.

4 (B) Between 1497 and 1795, European settlers committed genocide
5 against the Native Americans and stripped them of land ownership.

6 (C) A continuation of land dispossession happened between 1776 and
7 1887 when 1.5 billion acres of land was stolen from Indigenous Nations by the
8 U.S. federal government.

9 (D) In 1823, the U.S. Supreme Court (Johnson vs. McIntosh, 21 U.S.
10 543; Cherokee Nation v. Georgia, 30 U.S.; Worcester v. Georgia, 31 U.S. 515)
11 ruled that Indigenous persons could live within the United States but could not
12 hold property titles because European settlers' "right to discovery" trumped
13 Indigenous persons' "right of occupancy." This was also known as the
14 Discovery Doctrine. *Gazillo, C., Guskowski, J., Kolesinskas, K., Swamy, L.,*
15 *2020. Planning for Agriculture: A guide for Connecticut Municipalities.*
16 *Wethersfield, CT: American Farmland Trust.*

17 (4)(A) One of the most devastating policies enacted that impacted
18 Indigenous land ownership was the General Allotment Act of 1887, often
19 referred to as the Dawes Act.

1 (B) As part of the Dawes Act, the federal government designed the
2 policy to partition communal Indigenous lands into individual parcels of 40,
3 80, or 160 acres.

4 (C) The most productive lands from reservations were identified as
5 “surplus to Indian needs” and sold to colonizers to exploit for natural
6 resources.

7 (D) Under the allotment policies, colonial settlers could purchase and
8 own land outright, but Native persons were deemed “incompetent” by the
9 federal government and had to wait 25 years to gain the legal title and rights to
10 sell the land.

11 (E) In addition to the land grab, the act aimed to “civilize” and
12 assimilate Indigenous persons in order to dissolve their connections to their
13 traditional land, culture, and identity. *Gazillo, C., Guskowski, J., Kolesinskas,*
14 *K., Swamy, L., 2020. Planning for Agriculture: A guide for Connecticut*
15 *Municipalities. Wethersfield, CT: American Farmland Trust.*

16 (5)(A) After the Civil War, freed slaves and their descendants obtained
17 between 12 million to 19 million acres of land. *See*
18 [https://www.ers.usda.gov/webdocs/publications/46984/19353_ra174h_1_.pdf?](https://www.ers.usda.gov/webdocs/publications/46984/19353_ra174h_1_.pdf?v=41056#:~:text=Land%20ownership%20by%20Black%20farmers,acres%20owned%20by%20White%20farmers.)
19 [v=41056#:~:text=Land%20ownership%20by%20Black%20farmers,acres](https://www.ers.usda.gov/webdocs/publications/46984/19353_ra174h_1_.pdf?v=41056#:~:text=Land%20ownership%20by%20Black%20farmers,acres%20owned%20by%20White%20farmers.)
20 [%20owned%20by%20White%20farmers.](https://www.ers.usda.gov/webdocs/publications/46984/19353_ra174h_1_.pdf?v=41056#:~:text=Land%20ownership%20by%20Black%20farmers,acres%20owned%20by%20White%20farmers.)

1 (B) However, federal land policies and programs denied members of
2 the BIPOC community farmland ownership opportunities that were available
3 to their White counterparts.

4 (C) The federal government’s creation of early land use policies,
5 such as those adopted under President Andrew Johnson, who overturned the
6 infamous “40 acres and a mule” and implemented “states’ rights” based
7 reconstruction policies, resulted in sharecropping. Giancatarino, A. and Noor,
8 S. (2014). Building for the case of racial equity within the food system. New
9 York, New York: Center for Social Inclusion.

10 (D) Sharecropping was the federal government prohibiting Black
11 farmers from owning property and as a result they were forced to rent land
12 from White landlords.

13 (E) Many Black farmers at this time experienced unfair terms and
14 agreements. Giancatarino, A. and Noor, S. (2014). Building for the case of
15 racial equity within the food system. New York, New York: Center for Social
16 Inclusion.

17 (F) The U.S. Department of Agriculture (USDA) and Farm Service
18 Agency (FSA) Loan Distribution Program has made it difficult for Black and
19 other persons of color to own farmland. Carpenter, Stephen. 2002. Poverty,
20 Racial Discrimination and the Family Farm. In Challenges to Equality:
21 Poverty and Race in America, ed. C.W. Hartman. New York: Routledge.

1 (G) The rate of “Black land-loss” can be attributed to Jim Crow,
2 racist practices conducted by the USDA and decades of farm busts. Harper,
3 B., and Holt-Giménez, E. (2016). *Dismantling Racism in the Food System.*
4 *Oakland, CA: Food First/Institute for Food and Development Policy.*
5 Retrieved from: [https://foodfirst.org/wp-](https://foodfirst.org/wp-content/uploads/2016/03/DRIFinal.pdf)
6 [content/uploads/2016/03/DRIFinal.pdf](https://foodfirst.org/wp-content/uploads/2016/03/DRIFinal.pdf).

7 (H) In 1910, it was reported that 14 percent of all farm owner-
8 operators in the United States were Black or African American.

9 (I) By 2012, they comprised only 1.5 percent of farm owners across
10 the country. See
11 [https://www.aacu.org/liberaleducation/2016/fall/goldstein_felix-romero.](https://www.aacu.org/liberaleducation/2016/fall/goldstein_felix-romero)

12 (6)(A) Redlining was the practice of denying bank loans for mortgages
13 to Black and other persons of color, and it was used to segregate Black and
14 other communities of color into inner city neighborhoods. Rothstein. R.
15 (2017). *The Color of Law: A Forgotten History of How our Government*
16 *Segregated America. New York, NY: Liveright Publishing Corporation.*

17 (B) This practice had a drastic impact on members of the BIPOC
18 community for subsequent generations and further withheld generational
19 wealth from the Black communities.

1 (C) The practice was started in 1934 by the U.S. Department of
2 Housing and Urban Development’s Home Owners’ Loan Corporation (HOLC)
3 program.

4 (D) The HOLC program was criticized for denying Black and brown
5 residents’ equal access to home mortgages, often offering subprime loans that
6 came with unusually severe terms. Rothstein, R. (2017). *The Color of Law: A*
7 *Forgotten History of How our Government Segregated America.* New York,
8 *NY: Liveright Publishing Corporation.*

9 (E) The federal government insured private mortgages, which
10 resulted in lower interest rates and a decline in the amount owed for the down
11 payment to purchase a new home. Coates, T. (2014). *The Case for*
12 *Reparations. The Atlantic, June 2014.*

13 (7)(A) In 1944, Congress signed the “Servicemen’s Readjustment Act,”
14 which created the G.I. Bill of Rights.

15 (B) The bill was enacted to help World War II veterans with low-
16 interest mortgages and granted stipends covering tuition and expenses for
17 veterans attending college or trade schools.

18 (C) Funds from the bill were only made available to White soldiers
19 returning from war and not BIPOC veterans. Rothstein, R. (2017). *The Color*
20 *of Law: A Forgotten History of How our Government Segregated America.*
21 *New York, NY: Liveright Publishing Corporation.*

1 (D) This important piece of legislation allowed many White veterans
2 returning from war in Vermont and across the country to have access to
3 wealth, land, and homeownership that thus created generational wealth for
4 many White Vermonters, many of whom were recent European immigrants.
5 See [https://hrc.vermont.gov/sites/hrc/files/2018-11-](https://hrc.vermont.gov/sites/hrc/files/2018-11-8%20Updated%20Act%2054%20Racial%20Disparities%20in%20State%20Systems%20Report.pdf)
6 [8%20Updated%20Act%2054%20Racial%20Disparities%20in%20State%20Sy-](https://hrc.vermont.gov/sites/hrc/files/2018-11-8%20Updated%20Act%2054%20Racial%20Disparities%20in%20State%20Systems%20Report.pdf)
7 [stems%20Report.pdf](https://hrc.vermont.gov/sites/hrc/files/2018-11-8%20Updated%20Act%2054%20Racial%20Disparities%20in%20State%20Systems%20Report.pdf).

8 (E) Despite amendments to the U.S. Constitution and the 1866 Civil
9 Rights Act, systemic racism, both within Vermont’s Housing and Agricultural
10 sectors, remains prevalent today.

11 (8) On July 16, 2020, Burlington, Vermont took the bold move to
12 declare racism as a public health emergency, citing that only four percent of
13 the homes owned in Burlington were owned by persons of color while making
14 up 18 percent of the population and that they were four and a half times as
15 likely to be denied for a home loan compared to applicants who are White. See
16 [https://webpubcontent.gray.tv/wcax/docs/20200716%20Racism%20public%20](https://webpubcontent.gray.tv/wcax/docs/20200716%20Racism%20public%20health%20emergency%20declaration_final.pdf)
17 [health%20emergency%20declaration_final.pdf](https://webpubcontent.gray.tv/wcax/docs/20200716%20Racism%20public%20health%20emergency%20declaration_final.pdf).

18 (9)(A) To ensure the sustainability of Vermont’s future economically,
19 socially, and as a front-runner in abolishing inequity, it is imperative that land
20 access and home ownership for members of the BIPOC community be a
21 priority.

1 (B) Housing disparity and land access may increase with Covid-19,
2 advancing the triple threats of oppression—racism, classism, and sexism—in
3 the State.

4 (C) The needs for isolation and quarantine to mitigate the pandemic
5 have risen to the surface, and without access to land and home ownership for
6 Vermonters who have a social disadvantage due to historic and current
7 policies, we will not be able to effectively protect all citizens from the next
8 outbreak.

9 (10)(A) Vermont continues to remain the State with the highest percent
10 of White persons in the country.

11 (B) According to the 2010 United States Census, 94.2 percent of the
12 population is White.

13 (C) Nearly a quarter of Black Vermonters lived in poverty, compared
14 with 11 percent of Vermonters overall.

15 (D) However, poverty rates for the BIPOC community exceeded the
16 State average in 2018.

17 (E) Poverty rates were also greater among persons who include
18 themselves in two or more racial groups or identified as American Indian or of
19 Hispanic or Latino origin. See [https://publicassets.org/wp-](https://publicassets.org/wp-content/uploads/2020/12/SWVT2020.pdf)
20 [content/uploads/2020/12/SWVT2020.pdf](https://publicassets.org/wp-content/uploads/2020/12/SWVT2020.pdf).

1 (c) Connection between health, wealth, and property ownership.

2 Concerning the connection between health, wealth, and property ownership,

3 the General Assembly finds:

4 (1)(A) The U.S. Department of Agriculture defines “food insecurity” as
5 “a household-level economic and social condition of limited or uncertain
6 access to adequate food.” See [https://www.ers.usda.gov/topics/food-nutrition-](https://www.ers.usda.gov/topics/food-nutrition-assistance/food-security-in-the-us/definitions-of-food-security.aspx#:~:text=Food%20insecurity%E2%80%94the%20condition%20assessed,may%20result%20from%20food%20insecurity)
7 [assistance/food-security-in-the-us/definitions-of-food-](https://www.ers.usda.gov/topics/food-nutrition-assistance/food-security-in-the-us/definitions-of-food-security.aspx#:~:text=Food%20insecurity%E2%80%94the%20condition%20assessed,may%20result%20from%20food%20insecurity)
8 [security.aspx#:~:text=Food%20insecurity%E2%80%94the%20condition%20a](https://www.ers.usda.gov/topics/food-nutrition-assistance/food-security-in-the-us/definitions-of-food-security.aspx#:~:text=Food%20insecurity%E2%80%94the%20condition%20assessed,may%20result%20from%20food%20insecurity)
9 [ssessed,may%20result%20from%20food%20insecurity](https://www.ers.usda.gov/topics/food-nutrition-assistance/food-security-in-the-us/definitions-of-food-security.aspx#:~:text=Food%20insecurity%E2%80%94the%20condition%20assessed,may%20result%20from%20food%20insecurity).

10 (B) Food insecurity rates are higher for members of the BIPOC
11 community who reside in the State of Vermont than their White neighbors.

12 (C) During the COVID-19 pandemic, it was estimated by the
13 University of Vermont that 49 percent of BIPOC households in the State
14 experienced food insecurity compared to 25.2 percent of White households.
15 Niles, Meredith T.; Bertmann, Farryl; Morgan, Emily H.; Wentworth, Thomas;
16 Biehl, Erin; and Neff, Roni, “The Impact of Coronavirus on Vermonters
17 Experiencing Food Insecurity” (2020). College of Agriculture and Life
18 Sciences Faculty Publications. 19. <https://scholarworks.uvm.edu/calsfac/19>.

19 (D) Food insecurity has been linked to and known to cause mental
20 health problems and depression, hypertension and hyperlipidemia, worse
21 outcomes on health exams, being in poor or fair health, poor sleep, and obesity.

1 Gundersen, C. and Ziliak, J., “Food Insecurity and Health Outcomes” (2015).
2 Food and Health: An Outcome. 10.1377/hlthaff.2015.0645 HEALTH AFFAIRS
3 34, NO. 11.

4 (E) According to the 2018 Vermont Department of Health’s
5 Behavioral Risk Factor Surveillance System report, non-White Vermonters
6 are:

7 (i) statistically less likely to have a personal doctor;

8 (ii) statistically more likely to report poor mental health;

9 (iii) more than twice as likely to report rarely or never getting the
10 emotional and social support they need;

11 (iv) significantly more likely to have depression;

12 (v) significantly more likely to have been worried about having
13 enough food in the past year; and

14 (vi) significantly more likely to report no leisure time physical
15 activity.

16 (2)(A) The average age is 33 for BIPOC Vermonters, versus 46 for
17 Vermonters who are White.

18 (B) BIPOC Vermonters are also at a higher risk for more serious
19 outcomes, such as hospitalization.

20 (C) Although there are not statistically significant differences in the
21 rates of pre-existing conditions, including diabetes, lung disease, and

1 cardiovascular disease, among all Vermonters, there are disparities in rates of
2 pre-existing conditions among COVID-19 cases.

3 (D) The pre-existing conditions rate among COVID-19 cases is 19.4
4 for BIPOC Vermonters.

5 (3)(A) Access to healthy, fresh, nutritious foods has been directly linked
6 to better health outcomes.

7 (B) Access to secure land tenure to grow food has been linked to
8 better health outcomes for persons living in poverty in Vermont and across the
9 country.

10 (C) In fact, because of this seeds were deemed essential in the early
11 days of the Covid-19 pandemic, making planting a garden or farming two of
12 the most sustainable ways families create “food security” for themselves while
13 being in quarantine or statewide “lockdown.”

14 (4)(A) Property ownership rates for the BIPOC community in the State
15 continue to remain stagnant.

16 (B) In a 2019 equity report, Burlington city officials found that
17 BIPOC own only four percent of the homes there, though they make up
18 18 percent of the city’s population.

19 (C) Furthermore, Black Burlingtonians are four times as likely to be
20 denied for a home loan as a White counterpart.

1 (D) This is a direct result of the wealth gap between the BIPOC
2 community and their White counterparts.

3 (E) The median household income for a Black Vermonter is
4 \$41,533.00 compared to \$58,244.00 for their White counterparts. *Vermont*
5 *Housing Finance Agency; and the U.S. Census Bureau 2018 5 year ACS Table*
6 *S1903.*

7 (F) Nearly 24 percent of Black Vermonters live in poverty compared
8 to nearly 11 percent of White Vermonters.

9 (5)(A) A robust body of literature documents the historical and
10 structural drivers of racial and ethnic disparities in farmland tenure and
11 farming in the United States. *See Carpenter, S. 2012. "The USDA*
12 *discrimination cases: Pigford, In re Black Farmers, Keepseagle, Garcia, and*
13 *Love.*" *Drake Journal of Agricultural Law, 17(1), 1–35; Calo, A., and De*
14 *Master, K. T. 2016. "After the incubator: Factors impeding land access along*
15 *the path from farmworker to proprietor.*" *Journal of Agriculture, Food*
16 *Systems, and Community Development, 6(2), 111–127.; Horst, M. and Marion,*
17 *A. 2019 "Racial, ethnic and gender inequities in farmland ownership and*
18 *farming in the U.S."* *Agriculture and Human Values 36:1–16.*

19 (B) BIPOC farmers in Vermont have been impacted by such systemic
20 barriers at the municipal, State, and federal levels, which resulted in BIPOC

1 farmers experiencing land dispossession and the denial of access to capital and
2 resources to enable land ownership.

3 (C) As a result, Vermont producers remain overwhelming White
4 (97.7 percent) and operate approximately 99 percent of land in farms in the
5 State.

6 (D) According to the 2017 National Agricultural Census, only
7 2.3 percent of producers in Vermont identify as BIPOC, compared to the
8 six percent of producers across New England who identify as BIPOC and the
9 4.87 percent nationally. *Vermont Farm to Plate, Racial Equity in the Vermont*
10 *Food System.*

11 (6)(A) For these reasons, few farmers of color own and rent farmland in
12 Vermont today.

13 (B) Especially in urban and peri-urban areas, lack of land ownership
14 and long-term leasing opportunities prevents many BIPOC farmers from
15 growing food.

16 (C) Furthermore, farmland owners in the State also remain
17 disproportionately White.

18 (D) According to the 2017 National Agricultural Statistic Service,
19 142 farms in the State were fully owned by BIPOC producers, which includes
20 American Indian or Alaska Native; Asian; Black or African American; Native

1 Hawaiian or Pacific Islander; Multi-Racial and Hispanic or Latino/a, compared
2 to the 4,561 farms in the State that were owned by White producers.

3 (7)(A) Food justice and sovereignty leaders of color across the State
4 emphasize the role of secure farmland ownership and farming opportunities as
5 key pathways to address the economic, environmental, and social injustices
6 that were created by centuries of policies that exploited BIPOC farmers.

7 (B) Farming represents an opportunity for BIPOC farmers to
8 reconnect with the land, promote food justice and sovereignty, and self-
9 determination and sufficiency through food cultivation.

10 Sec. 3. PURPOSE

11 The purpose of this act is to invest in individual and collective land access
12 and property ownership as a way to move towards greater racial and social
13 equity in wealth distribution.

14 Sec. 4. 10 V.S.A. § 12 is added to read:

15 § 12. VERMONT LAND ACCESS AND OPPORTUNITY FUND

16 (a) There is created a special fund in the State Treasury named the
17 “Vermont Land Access and Opportunity Fund.”

18 (b) Notwithstanding any contrary provisions of 32 V.S.A. chapter 7,
19 subchapter 5:

20 (1) The Vermont Land Access and Opportunity Board, created in
21 section 13 of this title, shall administer the Fund.

1 (2) The Fund shall comprise monies appropriated to it by the General
2 Assembly and other public or private monies the Board accepts.

3 (3) Unexpended balances and any earnings shall remain in the Fund
4 from year to year.

5 (4) The Board shall expend monies from the Fund consistent with the
6 powers and duties specified in section 13 of this title.

7 Sec. 5. 10 V.S.A. § 13 is added to read:

8 § 13. VERMONT LAND ACCESS AND OPPORTUNITY BOARD

9 (a) Creation. There is created the Vermont Land Access and Opportunity
10 Board, which for administrative purposes shall be attached to the Agency of
11 Commerce and Community Development.

12 (b) Organization of Board. The Board shall be composed of:

13 (1) the Executive Director of Racial Equity or designee;

14 (2) three members appointed by the Vermont Commission on Native
15 American Affairs, at least two of whom are Abenaki;

16 (3) two members appointed by the Vermont NAACP;

17 (4) a member appointed by the Vermont Racial Justice Alliance;

18 (5) a member appointed by the Vermont Releaf Collective;

19 (6) a member appointed by the Vermont Every Town project;

20 (7) a member with financial expertise appointed by the Secretary of
21 Commerce and Community Development;

1 (8) a member with real estate expertise appointed by the Commissioner
2 of Housing and Community Development;

3 (9) a member with farming expertise appointed by the Secretary of
4 Agriculture, Food and Markets;

5 (10) a social worker with expertise in anti-racism appointed by the
6 National Association of Social Workers, Vermont Chapter; and

7 (11) two members appointed by the Pride Center of Vermont who are
8 LGBTQ.

9 (c) Member terms; priority; composition.

10 (1) A member of the Board shall serve a term of three years or until the
11 member's earlier resignation or removal.

12 (2) An appointing authority shall fill a vacant seat pursuant to subsection
13 (b) of this section.

14 (3) When selecting members of the Board, appointing authorities shall
15 give priority to, and shall seek to appoint a balanced mix of, Vermonters who
16 have historically suffered from discrimination and who have not had equal
17 access to public or private economic benefits due to race, ethnicity, sex,
18 geography, language preference, immigrant or citizen status, sexual
19 orientation, gender identity, socioeconomic status, or disability status.

1 (d) Officers; committees; advisors. The Board may elect officers, establish
2 one or more committees or subcommittees, and adopt procedural rules as it
3 determines are necessary and appropriate to perform its work.

4 (e) Quorum; meetings; voting.

5 (1) A majority of the sitting members constitutes a quorum.

6 (2) The Board may take action by a majority of the members present and
7 voting at any regular or special meeting at which a quorum is present.

8 (3) The Board may permit any or all directors to participate in a regular
9 or special meeting by, or conduct the meeting through the use of, any means of
10 communication, including an electronic, telecommunications, and video- or
11 audio-conferencing conference telephone call, by which all members
12 participating may simultaneously or sequentially communicate with each other
13 during the meeting. A member participating in a meeting by this means is
14 deemed to be present in person at the meeting.

15 (f) Compensation. Private sector members shall be entitled to per diem
16 compensation authorized under 32 V.S.A. § 1010(b) for each day spent in the
17 performance of their duties, and each member shall be reimbursed from the
18 Fund for his or her actual and necessary expenses incurred in carrying out his
19 or her duties.

20 (g) Powers and Duties. The Board shall have the authority and duty to
21 promote racial and social equity in property ownership for Vermonters who

1 have historically suffered from discrimination and who have not had equal
2 access to public or private economic benefits due to race, ethnicity, sex,
3 geography, language preference, immigrant or citizen status, sexual
4 orientation, gender identity, socioeconomic status, or disability status, as
5 follows:

6 (1) The Board shall award grants for the purchase of a primary
7 residence.

8 (2) The Board shall award grants for the purchase of a farm property or
9 land deemed suitable for regenerative practices.

10 (3) The Board shall award grants for land access and stewardship
11 programs.

12 (4) The Board shall award funding to new and existing financial
13 education, wealth management, and regenerative natural resource programs led
14 by and focused on Vermonters who have historically suffered from
15 discrimination and who have not had equal access to public or private
16 economic benefits due to race, ethnicity, sex, geography, language preference,
17 immigrant or citizen status, sexual orientation, gender identity, socioeconomic
18 status, or disability status.

19 (5) The Board shall:

20 (A) retain wealth, financial, and natural resource advisors who are
21 Vermonters who have historically suffered from discrimination and who have

1 not had equal access to public or private economic benefits due to race,
2 ethnicity, sex, geography, language preference, immigrant or citizen status,
3 sexual orientation, gender identity, socioeconomic status, or disability status;
4 and

5 (B) use the services of those advisors to provide and create education,
6 wealth management, and regenerative natural resources services to grant
7 recipients.

8 (6) The Board shall award grants to anti-racist mutual aid networks that
9 support recipients of grants awarded pursuant to subdivisions (1)–(2) of this
10 subsection.

11 (7) The Board shall award grants to groups proposing to share land, to
12 create commons, and for collective ownership.

13 (8) The Board shall grant funds to the Every Town Project to purchase
14 and hold land in trust in every municipality in Vermont in order to promote
15 land access and stewardship by Vermonters who have historically suffered
16 from discrimination and who have not had equal access to public or private
17 economic benefits due to race, ethnicity, sex, geography, language preference,
18 immigrant or citizen status, sexual orientation, gender identity, socioeconomic
19 status, or disability status.

20 (9) The Board shall work with the Vermont Housing Finance Agency to
21 explore ways to apply grants to mortgage subsidies and explore ways to

1 overcome the barriers to obtaining a mortgage, including debt-to-income
2 ratios, redlining, and the impact of algorithmic systems of decision making.

3 (10) The Board shall work with the Vermont Department of Taxes to
4 explore ways to provide tax breaks to properties attached to the grants.

5 (h) Eligibility.

6 (1) The Board shall have the authority to adopt rules concerning
7 eligibility criteria for recipients and rules for the use of grant funds, which
8 shall include income guidelines, limits on the amount of grants, and rules
9 governing the transfer of grant-funded properties, generational poverty,
10 inheritance, and impact of any other assistance already received.

11 (2) The Board shall allocate grants to achieve a balanced, healthy mix of
12 private ownership and collective ownership.

13 Sec. 6. APPROPRIATIONS

14 In fiscal year 2022, the amount of \$10,000,000.00 is appropriated from the
15 General Fund to the Vermont Land Access and Opportunity Fund created in
16 10 V.S.A. § 12 for grants and other expenditures approved by the Vermont
17 Land Access and Opportunity Board.

18 Sec. 7. EFFECTIVE DATE

19 This act shall take effect on July 1, 2021.