

1 S.226

2 Representative Stevens of Waterbury moves that the House propose to the  
3 Senate that the bill be amended by striking out Sec. 22, 10 V.S.A. § 12, Land  
4 Access and Opportunity Board, in its entirety and inserting in lieu thereof Secs.  
5 22, 22a, 22b, and 22c to read as follows:

6 Sec. 22. INTENT

7 It is the intent of the Vermont General Assembly to acknowledge structural  
8 racism and address prevalent wealth disparities by creating new opportunities  
9 to improve access to woodlands, farmland, and land and home ownership for  
10 Vermonters from historically marginalized or disadvantaged communities who  
11 continue to face barriers to land and home ownership.

12 Sec. 22a. VERMONT LAND ACCESS AND OPPORTUNITY BOARD;  
13 APPROPRIATION; SUPPORT

14 (a) As used in this section:

15 (1) “Board” means the Vermont Land Access and Opportunity Board.

16 (2) “VHCB” means the Vermont Housing and Conservation Board.

17 (b) The sum of \$200,000.00 is appropriated from the General Fund to  
18 VHCB in fiscal year 2023 to administer and support the Vermont Land Access  
19 and Opportunity Board.

20 (c) In fiscal year 2023, and to the extent that funding is appropriated in  
21 fiscal years 2024 and 2025, VHCB shall provide general, accounting, and

1 administrative support to the Board, including support related to the  
2 administration of Board meetings, compliance with requirements for records  
3 retention and of the Open Meeting Law, processing of per diem compensation  
4 and reimbursement of expenses for Board members, contracting, and  
5 bookkeeping and financial compliance.

6 Sec. 22b. 10 V.S.A. chapter 15, subchapter 5 is added to read:

7 Subchapter 5: Land Access and Opportunity Board

8 § 325t. DEFINITIONS

9 As used in this subchapter:

10 (1) “Board” means the Vermont Land Access and Opportunity Board.

11 (2) “Historically marginalized or disadvantaged community” means a  
12 community that has historically suffered from discrimination and has not had  
13 equal access to public or private economic benefits due to the race, ethnicity,  
14 gender, geography, language preference, immigrant or citizen status, sexual  
15 orientation, gender identity, socioeconomic status, or disability status of its  
16 members.

17 (3) “LGBTQ” means an individual who identifies as lesbian, gay,  
18 bisexual, transgender, queer, or questioning.

19 (4) “VHCB” means the Vermont Housing and Conservation Board.

1     § 325u. VERMONT LAND ACCESS AND OPPORTUNITY BOARD

2           (a) Creation. There is created the Vermont Land Access and Opportunity  
3     Board to promote improvements in access to woodlands, farmland, and land  
4     and home ownership for Vermonters from historically marginalized or  
5     disadvantaged communities who continue to face barriers to land and home  
6     ownership. The Board shall be attached to the Vermont Housing and  
7     Conservation Board for administrative purposes.

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

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

10          (2) one member of Indigenous heritage, appointed by the Vermont  
11     Commission on Native American Affairs;

12          (3) one member, appointed by the Vermont NAACP;

13          (4) one member, appointed by the Vermont Racial Justice Alliance;

14          (5) one member, appointed by Liberation Ecosystem;

15          (6) one member, appointed by the Vermont Every Town project;

16          (7) one member, appointed by the National Association of Social  
17     Workers, Vermont Chapter, who shall be a social worker with expertise in  
18     antiracism;

19          (8) one member, appointed by the Pride Center of Vermont, who shall  
20     be LGBTQ;

1           (9) one member, appointed by the U.S. Committee for Refugees and  
2           Immigrants Vermont, who shall be a member of a refugee or immigrant  
3           community or shall have experience representing refugee or immigrant  
4           communities, or both; and

5           (10) one member, appointed by the Vermont Developmental Disabilities  
6           Council.

7           (c) Member terms; priority.

8           (1) A member of the Board shall serve a term of three years and until  
9           their successor has been appointed.

10           (2) In the event of a vacancy occurring during a member's term, the  
11           vacancy shall be filled for the balance of the unexpired term in the same  
12           manner as the original appointment.

13           (3)(A) When selecting members of the Board, appointing authorities  
14           shall give priority to, and shall seek to appoint, Vermonters who satisfy one or  
15           more of the following:

16                   (i) are a member of a historically marginalized or disadvantaged  
17                   community;

18                   (ii) represent the interests of Vermonters from historically  
19                   marginalized or disadvantaged communities; or

20                   (iii) have expertise regarding access to housing, land, agriculture,  
21                   or credit.

1           (4) A member may serve not more than two full terms. A member who  
2           is appointed to fill a vacancy occurring during a term may serve two full terms  
3           in addition to the unexpired portion of the term during which the member is  
4           first appointed.

5           (d) Compensation. Board members shall be entitled to per diem  
6           compensation and reimbursement of expenses pursuant 32 V.S.A. § 1010 for  
7           meetings as deemed appropriate by the Board within the appropriation  
8           provided. These payments shall be made from monies appropriated to VHCB  
9           for the support and administration of the Board.

10          (e) Meetings. The Executive Director of Racial Equity or designee shall  
11          call the first meeting of the Board to occur on or before September 1, 2022.

12          (f) Powers and duties of the Board. The Board may do the following:

13               (1) Advise VHCB regarding policy development and programs to  
14               promote racial, social, economic, and climate justice for Vermonters from  
15               historically marginalized or disadvantaged communities.

16               (2) Retain wealth, financial, and real estate advisors who are  
17               Vermonters from historically marginalized or disadvantaged communities and  
18               use the services of those advisors to provide education and guidance for  
19               Vermonters from historically marginalized or disadvantaged communities.

20               (3) Retain Vermonters from historically marginalized or disadvantaged  
21               communities with expertise in agriculture, agronomics, and natural resource

1 and land management to provide regenerative natural resource services to  
2 Vermonters from historically marginalized or disadvantaged communities.

3 (4) Work with VHCB; the Agency of Agriculture, Food and Markets;  
4 the Departments of Financial Regulation and of Housing and Community  
5 Development; the Vermont Sustainable Jobs Fund; the Vermont Housing  
6 Finance Agency; the Vermont State Housing Authority; the Vermont  
7 Economic Development Agency; and other State entities to:

8 (A) develop metrics relevant to historically marginalized or  
9 disadvantaged communities to understand disparities and track progress in  
10 addressing disparities and improving opportunities; and

11 (B) develop strategies and plans to more effectively reach out and  
12 provide access to resources that can overcome structural barriers to housing  
13 and land ownership, including an examination of:

14 (i) debt-to-income ratios;

15 (ii) impacts from redlining;

16 (iii) the impact of algorithmic systems of decision making,  
17 including the impact of credit scores and criminal background checks;

18 (iv) the impact of shared equity programs and homeownership  
19 programs on wealth disparity; and

20 (v) other practices that increase discrimination, disparities, and  
21 inequities in land access, property ownership, and wealth acquisition.

1           (5) Work with the Department of Taxes to recommend options and  
2           opportunities to provide advantageous tax treatment to properties owned by  
3           Vermonters who come from historically marginalized or disadvantaged  
4           communities.

5           (6)(A) Review, monitor, and recommend options and opportunities to  
6           redress State policies, procedures, practices, laws, and rules related to racial  
7           and social equity in property ownership for the benefit of Vermonters from  
8           historically marginalized or disadvantaged communities.

9           (B) Collaborate with VHCB and other affordable housing  
10           stakeholders to recommend programs and related rules to provide loans, grants,  
11           and financial assistance to individuals from historically marginalized or  
12           disadvantaged communities.

13           (7) Develop one or more programs with associated rules and procedures  
14           to distribute grants, to the extent funds are appropriated for the purpose, for:

15           (A) community-based groups and programs that will improve land  
16           and housing access, safety, and health for historically marginalized or  
17           disadvantaged communities; and

18           (B) individual and collective property and home ownership or  
19           housing improvements to support safe and sustainable residences for  
20           historically marginalized or disadvantaged communities.

1           (8) Identify, examine, and make recommendations to redress the  
2           limitations and problems associated with existing laws, rules, programs, and  
3           services related to property ownership for Vermonters from historically  
4           marginalized or disadvantaged communities.

5           § 325v. ACCEPTANCE OF GRANTS AND CONTRIBUTIONS

6           The Board may accept from any governmental department or agency, public  
7           or private body, or any other source, grants or contributions to be used in  
8           carrying out the provisions of this subchapter.

9           Sec. 22c. INITIAL REPORT; VERMONT LAND ACCESS AND

10                   OPPORTUNITY BOARD

11           On or before January 15, 2023, in consultation with the Vermont Housing  
12           and Conservation Board and any contractors hired for this purpose, the  
13           Vermont Land Access and Opportunity Board shall submit a written report to  
14           the House Committee on General, Housing, and Military Affairs and the  
15           Senate Committee on Economic Development, Housing and General Affairs  
16           with initial recommendations related to the goals set forth in 10 V.S.A. § 325u.  
17           The report and recommendations shall primarily address legal, constitutional,  
18           and governance questions relevant to the functions of the Board, including  
19           grant making and how to fund, organize, and structure the Board as a  
20           permanent instrumentality of the State of Vermont.