

S.301. An Act Relating to Miscellaneous Agricultural Subjects
Section by Section Summary

Sec. 1. 6 V.S.A. § 4831. Vermont Seeding and Filter Strip Program

- Sec. 1 amends the existing Vermont Seeding and Filter Strip Program, which is a financial incentive program for farmers to remove land near waterways from production and maintain it in vegetation.
- The program currently requires a participating farmer to commit to a 10-year term during which the land will be out of production.
- Some farmers are unwilling to enter 10-year term agreements. Sec. 1 amends statute to eliminate the 10-year requirement for participation. Time limits will now be a part of the grant agreement.

Secs. 2-6. Agricultural Warehouses

- The Agency of Agriculture, Food and Markets (AAFM) licenses warehouses used to store agricultural products. However, some of the farmers who need warehouse licenses also need other licenses, such as a slaughter license, which creates two licenses where one could be required.
- Secs. 2-7 eliminate the need for two licenses for milk handlers and slaughterhouses. Farmers who store eggs or produce would still need a warehouse license.
- Sec. 2. 6 V.S.A. § 891 eliminates the requirement that farmers who store milk, cream, butter, cheese, eggs, or meat obtain a warehouse license
- Sec. 2. 6 V.S.A. § 892 makes clarifying or technical amendments.
- Sec. 2. 6 V.S.A. § 893 moves the annual license date for warehouse licenses from April 1 to Jan. 1.
- Sec. 3. 6 V.S.A. § 2672(5) provides that a person with a milk handler license is authorized to store milk, and will not need a separate warehouse license.
- Sec. 4. 6 V.S.A. § 2721 amends the milk handler license and permit section to provide a milk handler can store milk. The section also amends the license handling fee to provide that a milk producer who exclusively transports their own milk shall pay a license fee of \$25.
- Sec. 5. 6 V.S.A. § 3303(36) makes a gender conformity language change to the definition of “public warehouseman” to “public warehouse operator” in the statutory definitions for slaughter.
- Sec. 6. 6 V.S.A. § 3306 deletes requirement that a licensed slaughterhouse obtain a warehouse license

Secs. 7 and 8. Livestock Dealer Licensing

- Sec. 7, 6 V.S.A. § 761, AAFM wants to standardize the terminology across statute when deer may be considered livestock.
- Sec. 7 adds a definition of “domestic deer” that cross references the definitions for contagious animal movements. As you will see in Sec. 9, “domestic deer” will be defined as “any member of the family cervidae except for white-tailed deer and moose.”
- Sec. 7 also cross references definitions of camelids and equines under the contagious disease chapter.
- Sec. 7 also amends the definition of livestock “transporter” to clarify that transporters are a separate licensable category from livestock dealers or packers.
- Sec. 8 clarifies a separate application form is needed for each livestock license sought by a person.

Secs. 9-11. Contagious Diseases and Animal Movement

- AAFM proposes to amend terms within the contagious animal disease chapter to be consistent with terms used in statute for regulation of the movement of animals chapter.
- Sec. 9. 6 V.S.A. § 1151 amends the definition of “domestic animal” to eliminate unnecessary terms such as “coturnix quail,” which are poultry, and by allowing the Secretary of Agriculture to designate additional animals as “domestic animals” under the chapter, but only after consult with ANR.
 - Sec. 9 also clarifies that domestic fowl or poultry are those that are edible as food.
 - Sec. 9 also consolidates definitions of various types of captive deer that under one definition “domestic deer.”
- Sec. 10. 6 V.S.A. § 1153, makes a conforming change to the AAFM authority to adopt rules for contagious diseases and management of deer to change the term “deer” to “domestic deer”.
- Sec. 11. 6 V.S.A. § 1165, makes conforming amendments to the captive deer testing statute to reference the term “domestic deer” and to make a gender conformity change.

Secs. 12-16. Mosquito Control; Rodenticides

- AAFM proposed technical changes to the mosquito control program. The Senate Committee on Agriculture also proposes under these sections to enhance regulation of certain rodenticides.
- Sec. 12. 6 V.S.A. § 1083 makes several changes to the mosquito control program statute. Many of the changes are technical. The changes that are not technical include that:
 - AAFM will no longer be required to seek the advice of the Agricultural Innovation Board when designating acceptable control products.
 - Another substantive change is to clarify that landowners may use properly registered pesticides on their own property without a State permit. Current law allows use of biological larvicides or pupacides, but not all products sold for pesticide control are pupacides or larvicides.
- Sec. 13 amends 6 V.S.A. § 1084 to remove a requirement that the Secretary of Agriculture employ mosquito control engineers or technicians to carry out mosquito control. There are no specific mosquito control engineers or technicians, and the Agency prefers that this language authorize the hiring of “persons.”
- Sec. 14 makes technical changes to the Mosquito Control Grant Program under 6 V.S.A. § 1105 to change the term “larval control program” to “larval management program” and to make gender conformity changes.
- Secs. 15 and 16 relate to the use of second generation anticoagulant rodenticides in the State.
 - Sec. 15 defines these rodenticides in 6 V.S.A. § 911 as any rodenticide containing any one of the following active ingredients: brodifacoum, bromadiolone, difenacoum, or difethialone.
 - Sec. 16 amends 6 V.S.A. § 918 to require second generation anticoagulant rodenticides to be registered as restricted use pesticides, which are not available for general public use. A person must be trained and certified for their use.

Secs. 17-20. Vermont Agricultural Credit Program (VACP)

- Secs. 17 to 20 make several changes to the services and eligibility for services under the Vermont Agricultural Credit Program.
- Sec. 17 amends 10 V.S.A. § 374a to provide that the VACP shall provide funding for farm and forest products businesses not only when these businesses are not having their credit needs met, but also to serve as an inducement for the establishment or expansion of projects in the State.
 - Sec. 17 also clarifies that part of the purpose of VACP is funding for the development of innovative techniques for farming and forest products businesses.
- Sec. 18 amends the definitions for the VACP. Sec. 18 clarifies that an agricultural facility eligible under VACP needs not have products primarily produced in the State, but the products must be at least partially produced in the State.
 - Sec. 18 also allows VACP farm ownership loans to be awarded for farm worker or farmer housing.
 - Sec. 18 also allows for assistance to farm operations that are specialty service business providers such as foresters or farriers.
 - Sec. 18 also strikes the definition of resident, as VACP eligibility will no longer be dependent on residency.
- Sec. 19 amends the VACP loan eligibility standards.
 - Sec. 19 first clarifies that forest products businesses are eligible for VACP loans.
 - Sec. 19 also provides that a farmer, forest products business, or other business entity must have at least a 20% minimum ownership by farmers, forest products businesses, or nonprofit corporation and that the loan must be intended to expand the agricultural or forest economy in the State.
 - Sec. 19 strikes the requirement that an applicant eligible for a VACP loan must be a resident.

Sec. 20. Effective Date

- This act shall take effect on July 1, 2024.