

1 H.229

2 Introduced by Representatives Burke of Brattleboro, Boyden of Cambridge,  
3 Bos-Lun of Westminster, Burt of Cabot, Nelson of Derby,  
4 O'Brien of Tunbridge, and Surprenant of Barnard

5 Referred to Committee on

6 Date:

7 Subject: Agriculture; forestry operations; disaster relief; funding

8 Statement of purpose of bill as introduced: This bill proposes to establish a  
9 Farm and Forestry Operations Security Special Fund to provide financial  
10 assistance to farms and forestry operations that experienced qualifying losses  
11 due to weather conditions.

12 An act relating to establishing the Farm and Forestry Operations Security  
13 Special Fund to provide grants for losses to farms and forestry operations  
14 due to weather conditions

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

16 Sec. 1. FINDINGS

17 The General Assembly finds that:

18 (1) In 2023 and 2024, Vermont experienced extreme flooding and other  
19 climate-fueled disasters that devastated farms and other working lands  
20 businesses across the State.

1           (2) Many existing State and federal programs that are designed to  
2           support farms and forestry operations are difficult to access, are  
3           administratively burdensome, are not equitably distributed to small- and  
4           medium-scale farmers and forestry operations, and currently do not meet the  
5           needs of Vermont farmers and forestry operation in a holistic way.

6           (3) In particular, because federal crop insurance programs are not  
7           designed to serve the needs of smaller scale or more diversified farming  
8           operations, many Vermont farmers are not covered by crop insurance.

9           (4) The purpose of State funding should be to ensure that farms and  
10          forestry operations remain viable in Vermont to ensure food security, climate  
11          resilience, rural economic vitality, and environmental health.

12          (5) The State should be continuously investing in farms and forestry  
13          operations in a way that makes them more resilient to current and future  
14          challenges.

15          (6) The State should establish a permanent funding support program to:

16                (A) maintain the viability of farms and forestry operations in  
17                Vermont in order to ensure food security, climate resilience, rural economic  
18                vitality, and environmental health;

19                (B) continuously invest in farms and forestry operations in a way that  
20                makes them more resilient to current and future challenges; and

1           (C) provide a source of relief funds permanently available to farmers  
2           and forestry operations impacted by climate emergencies and extreme weather.

3           Sec. 2. 6 V.S.A. chapter 207 is amended to read:

4           CHAPTER 207. PROMOTION AND, MARKETING, AND SUPPORT OF  
5                           VERMONT FARMS, FOODS, AND PRODUCTS

6                                                           \* \* \*

7           Subchapter 4. Farm and Forestry Operations Security Special Fund

8           § 4631. DEFINITIONS

9           As used in this subchapter:

10           (1) “Eligible weather condition” means any of the following weather  
11           conditions that are found to be closely correlated with agricultural or forest  
12           operation income losses:

13                   (A) high winds;

14                   (B) excessive moisture, intense precipitation, or flooding;

15                   (C) extreme heat;

16                   (D) abnormal freeze conditions;

17                   (E) widespread fire event;

18                   (F) hail;

19                   (G) drought; or

20                   (H) any other severe weather or growing conditions impacting  
21           agricultural or forestry operations income, as determined by the Review Board.

1           (2) “Farm” means a parcel or parcels of land owned, leased, or managed  
2           by a person and devoted primarily to farming and that is subject to regulation  
3           under the Required Agricultural Practices.

4           (3) “Farm and Forestry Operations Security Special Fund Review  
5           Board” or “Review Board” means the Board established under section 4634 of  
6           this title.

7           (4) “Farming” has the same meaning as in section 2.16 of the Required  
8           Agricultural Practices.

9           (5) “Forestry operation” has the same meaning as in 10 V.S.A. § 2602.  
10          § 4632. FARM AND FORESTRY OPERATIONS SECURITY SPECIAL

11           FUND

12          (a) There is established the Farm and Forestry Operations Security Special  
13          Fund to be administered by the Secretary of Agriculture, Food and Markets  
14          and that shall be managed in accordance with 32 V.S.A. chapter 7, subchapter  
15          5. The Fund shall consist of:

16           (1) funds appropriated by the General Assembly;

17           (2) funds from public and private sources that the Secretary accepts for  
18          the Fund; and

19           (3) funds from federal government aid for State support of farmers  
20          suffering income loss due to weather conditions.

1       (b) The Secretary of Agriculture, Food and Markets shall ensure language  
2       accessibility of the Fund through procurement and provision of interpretation  
3       and translation services.

4       (c) All balances in the Fund at the end of any fiscal year shall be carried  
5       forward and remain part of the Fund.

6       § 4633. FARM AND FORESTRY OPERATIONS SECURITY SPECIAL

7               FUND; GRANTS

8       (a) The Secretary, after consultation with the Review Board, shall award  
9       grants from the Farm and Forestry Operations Security Special Fund to farms  
10       and forestry operations that have incurred financial losses or expenses due to  
11       an eligible weather condition.

12               (1) Grants from the Fund shall be in an amount that reimburses a farm  
13       of forestry operation for up to 50 percent of uninsured or otherwise uncovered  
14       losses due to eligible weather conditions, up to a maximum award of  
15       \$150,000.00 total per year per qualified applicant farm or forestry operation.

16               (2) The Secretary shall establish criteria for the amount of an award  
17       based on the annual net income of the farm of forestry operation in relation to  
18       the median net income of all farms in Vermont.

19               (3) The Secretary may verify the occurrence of an eligible weather  
20       condition claimed under this section through use of available data from the  
21       National Oceanic and Atmospheric Administration, from other federal or State

1 certified weather data sources, or from other public or private weather or  
2 satellite data or models.

3 (4) Losses reimbursable by a grant under this section include:

4 (A) wages or compensation;

5 (B) replacement of lost income from destroyed crops, livestock, or  
6 timber;

7 (C) debt payments or other ongoing expenses;

8 (D) costs of replanting;

9 (E) livestock feed replacement costs;

10 (F) infrastructure or equipment repair and replacement;

11 (G) repair of farm roads or logging roads; or

12 (H) other losses as determined by the Secretary after consultation  
13 with the Review Board.

14 (b) The Secretary shall develop a streamlined application for awards under  
15 this section that shall include:

16 (1) a brief description of the damage that occurred;

17 (2) attestation of an eligible weather condition or event;

18 (3) an estimate of losses; and

19 (4) a year-end financial statement.

1       (c) An application for an award under this section may be made at any  
2       time, and the Fund may only close the application process upon award of all  
3       appropriated funds for the relevant fiscal year.

4       (d) Applications for an award under this section shall be processed in the  
5       order received, but an application shall not be ready for evaluation until the  
6       Secretary determines that the application is administratively complete and  
7       includes all documentation required by the Secretary.

8       (e) All administratively complete applications shall be evaluated by the  
9       Review Board. Within one week of receipt of an administratively complete  
10       application, the Review Board by majority vote shall recommend to the  
11       Secretary whether to issue a grant to the applicant. If the Review Board  
12       recommends an award under this section, the Secretary shall issue the award  
13       within two weeks of the date of the Review Board's recommendation.

14       § 4634. FARM AND FORESTRY OPERATIONS SECURITY SPECIAL  
15       FUND REVIEW BOARD

16       (a) Creation. There is created the Farm and Forestry Operations Security  
17       Special Fund Review Board, which for administrative purposes shall be  
18       attached to the Agency of Agriculture, Food and Markets.

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

20               (1) the Secretary of Agriculture, Food and Markets or designee, who  
21       shall serve as chair;

1           (2) the State Chief Recovery Officer or designee;

2           (3) representatives of three organizations or entities with experience  
3           granting relief funds or technical assistance to farmers or forestry operations,  
4           appointed by the Secretary of Agriculture, Food and Markets;

5           (4) two farmers who have received relief funding, appointed by the  
6           Secretary of Agriculture, Food and Markets; and

7           (5) two forestry operators who have received relief funding, appointed  
8           by the Secretary of Agriculture, Food and Markets.

9           (c) Member terms. The members designated in subdivision (b)(3) of this  
10          section shall be appointed to initial terms of two years. Thereafter, each  
11          appointed member shall serve a term of three years or until the member's  
12          earlier resignation or removal. The members designated in subdivision (b)(4)  
13          of this section shall be appointed to initial terms of one year. The members  
14          designated in subdivision (b)(5) of this section shall be appointed to initial  
15          terms of two years. Thereafter, each appointed member shall serve a term of  
16          three years or until the member's earlier resignation or removal. A vacancy  
17          shall be filled by the appointing authority for the remainder of the unexpired  
18          term. An appointed member shall not serve more than three consecutive three-  
19          year terms.

20          (d) Powers.



1           (1) The Review Board shall review applications for assistance under this  
2           section, assess the accuracy and validity of the applications, and recommend to  
3           the Secretary applicants who should receive assistance under this section.

4           (2) In order to ensure that the Fund is meeting the needs of Vermont's  
5           agricultural and forestry operations community, the Review Board annually  
6           shall review the application process, eligibility criteria, distribution, and  
7           accessibility of the Fund. The Review Board annually shall recommend to the  
8           House Committee on Agriculture, Food Resiliency and Forestry and the Senate  
9           Committee on Agriculture ways to improve the effectiveness of the Fund.

10          (e) Officers; committees. The Board may elect officers, establish one or  
11          more committees or subcommittees, and adopt procedural rules as it shall  
12          determine necessary and appropriate to perform its work.

13          (f) Quorum; meetings; voting. A majority of the sitting members shall  
14          constitute a quorum, and action taken by the Board may be authorized by a  
15          majority of the members present and voting at any regular or special meeting at  
16          which a quorum is present. The Board may permit any or all members to  
17          participate in a regular or special meeting by, or conduct the meeting through  
18          the use of, any means of communication, including an electronic,  
19          telecommunications, and video- or audio-conferencing conference telephone  
20          call, by which all members participating may simultaneously or sequentially

1 communicate with each other during the meeting. A member participating in a  
2 meeting by this means is deemed to be present in person at the meeting.

3 (g) Compensation. Private sector members shall be entitled to per diem  
4 compensation authorized under 32 V.S.A. § 1010(b) for each day spent in the  
5 performance of their duties, and each member shall be reimbursed from the  
6 Fund for the member's actual and necessary expenses incurred in carrying out  
7 the member's duties.

8 Sec. 3. FUNDING INTENT; REPORT ON FUTURE APPROPRIATIONS

9 (a) It is the intent of the General Assembly that the Farm and Forestry  
10 Operations Security Special Fund receive an annual appropriation equal to 50  
11 percent of the average documented farm losses from eligible weather  
12 conditions, as defined in 6 V.S.A. chapter 207, subchapter 4, averaged over  
13 previous years.

14 (b) To determine the appropriate funds for deposit to the Farm and Forestry  
15 Operations Security Special Fund, the Secretary of Agriculture, Food and  
16 Markets shall recommend to the Farm and Forestry Operations Security  
17 Special Fund Review Board on or before December 15, 2025, an amount to be  
18 appropriated to the Farm and Forestry Operations Security Special Fund based  
19 on the farm losses from eligible weather conditions averaged over the previous  
20 three calendar years. On or before January 15, 2026, the Farm and Forestry  
21 Operations Security Special Fund Review Board shall submit to the Senate

1 Committees on Agriculture and on Appropriations and the House Committees  
2 on Agriculture, Food Resiliency, and Forestry and on Appropriations a  
3 recommended appropriation to the Farm and Forestry Operations Security  
4 Special Fund.

5 Sec. 4. EFFECTIVE DATE

6 This act shall take effect on July 1, 2025.