

1 H.942

2 Introduced by Committee on Agriculture, Food Resiliency, and Forestry

3 Date:

4 Subject: Agriculture; municipal and county government; Vermont agricultural  
5 products; water quality; product grades, standards, and labeling; unit  
6 pricing

7 Statement of purpose of bill as introduced: This bill proposes to make water  
8 quality practices training for farmers optional instead of required. This bill  
9 also would require any person transporting or arranging for the transport of  
10 non-sewage waste or waste materials to a farm to obtain approval from the  
11 Secretary of Agriculture, Food and Markets. The Secretary may require  
12 individuals transporting or arranging for the transport of such waste to provide  
13 information related to its composition, nutrients and contaminants, and the  
14 volume of the waste. This bill would amend unit pricing standards to require  
15 uniform price disclosures for any food or commodity sold by some retail  
16 establishments, except for made-to-order food sold by a restaurant or  
17 prescription drugs.

18 An act relating to miscellaneous agricultural subjects

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

2 \* \* \* Water Quality Training \* \* \*

3 Sec. 1. 6 V.S.A. § 4981 is amended to read:

4 § 4981. AGRICULTURAL WATER QUALITY TRAINING

5 (a) ~~On or before July 1, 2016, as part of the revisions of the Required~~  
6 ~~Agricultural Practices, the~~ The Secretary of Agriculture, Food and Markets  
7 shall may adopt by rule requirements for training classes or programs for  
8 owners or operators of small farms, medium farms, or large farms certified or  
9 permitted under this chapter regarding:

10 (1) the prevention of discharges, as that term is defined in 10 V.S.A.  
11 § 1251(3); and

12 (2) the mitigation and management of stormwater runoff, as that term is  
13 defined in 10 V.S.A. § 1264, from farms.

14 (b) Any training ~~required~~ under this section shall may address:

15 (1) the existing statutory and regulatory requirements for operation of a  
16 large, medium, or small farm in the State;

17 (2) the management practices and technical and financial resources  
18 available to assist in compliance with statutory or regulatory agricultural  
19 requirements;

20 (3) the land application of manure or nutrients, methods or techniques to  
21 minimize the runoff of land-applied manure or nutrients to waters of the State,

1 and identification of weather or soil conditions that increase the risk of runoff  
2 of land-applied manure or nutrients to waters of the State; ~~and~~

3 (4) standards required for nutrient management, including nutrient  
4 management planning; or

5 (5) best management practices and other techniques for improving farm  
6 practices or water quality.

7 (c) The Secretary ~~shall~~ may include the training ~~required by this section~~  
8 requirements as a condition of a large farm permit, medium farm permit, or  
9 small farm certification required under this chapter, or may require any farm  
10 operator or owner to participate in assigned training when the Secretary  
11 determines additional water quality education is appropriate. ~~The Secretary~~  
12 ~~may phase in training requirements under this section based on farm size,~~  
13 ~~permit or certification category, or available staffing. On or before July 1,~~  
14 ~~2017, the Secretary shall establish a schedule by which all owners or operators~~  
15 ~~of small farms, medium farms, or large farms shall complete the training~~  
16 ~~required by this section.~~

17 (d) The Secretary may approve or authorize ~~the training required by this~~  
18 ~~section to be conducted by other entities, including the University of Vermont~~  
19 ~~Extension Service and the natural resources conservation districts,~~ to perform  
20 any training described in this section.

1 (e) The Secretary shall not charge the owner or operator of a large,  
2 medium, or small farm for ~~the any training required by this section~~ the  
3 Secretary requires. The Secretary shall provide or pay for the any training  
4 required under this section from funds available to the Agency of Agriculture,  
5 Food and Markets for water quality initiatives.

6 (f) As of July 1, 2026, the mandatory water quality training requirements  
7 in the Required Agricultural Practices Rule are repealed, and the Secretary  
8 may prospectively determine appropriate training requirements as described by  
9 this section.

10 \* \* \* Managing Non-Sewage Waste \* \* \*

11 Sec. 2. 6 V.S.A. § 4817 is amended to read:

12 § 4817. MANAGEMENT OF NON-SEWAGE WASTE

13 (a) As used in this section:

14 (1) “Non-sewage waste” means any waste other than sewage that may  
15 contain organisms pathogenic to human beings but does not mean stormwater  
16 runoff.

17 (2) “Sewage” means waste containing human fecal coliform and other  
18 potential pathogenic organisms from sanitary waste and used water from any  
19 building, including carriage water and shower and wash water. “Sewage” does  
20 not mean stormwater runoff as that term is defined in 10 V.S.A. § 1264.

1           (3) “Waste materials” means non-sewage solid or liquid digestates from  
2           certified solid waste facilities or materials approved by the Secretary of the  
3           Agency of Natural Resources for acceptable use under the Solid Waste Rules.

4           (b)(1) ~~The Secretary may require~~ This section shall apply to a person  
5           transporting or arranging for the transport of the following:

6                   (A) non-sewage waste to a farm for deposit in a manure pit or for use  
7                   as an input in a methane digester; or

8                   (B) waste materials to a farm for storage, land application, deposit in  
9                   a manure pit, or use in a methane digester.

10           (2) ~~to~~ A person subject to this section shall obtain approval from the  
11           Secretary prior to transporting ~~the non-sewage waste or waste materials to the~~  
12           any farm. The Secretary may require a person to ~~report to the Secretary at a~~  
13           designated time one or more of the following provide the following  
14           information to evaluate a request to transport the described materials to a farm:

15                   (1)(A) ~~the composition of the material transported proposed for~~  
16                   transport to the a farm, including the source of the material; and

17                   (B) laboratory test results for every nutrient or contaminant that the  
18                   Secretary requires the applicant to identify in the material; and

19                   (2)(C) ~~the volume of the material transported proposed for transport to a~~  
20                   farm.



1     § 680. PURPOSE

2           The purpose of this chapter is to promote and facilitate the following  
3     objectives:

4           (1) protect consumers, promote accuracy, and encourage constructive  
5     and useful competition in the sale of consumer commodities when an  
6     individual is physically present to complete transactions;

7           (2) encourage the development and use of consumer commodity pricing  
8     that facilitates informed consumer choices when purchasing consumer  
9     commodities;

10          (3) prohibit misleading or deceptive consumer commodity pricing  
11     practices; and

12          (4) promote a level playing field for retail businesses by providing clear  
13     rules for businesses to follow while ensuring informed consumer choices.

14     § 681. DEFINITIONS

15           As used in this chapter:

16          (1) “Secretary” means the Secretary of Agriculture, Food and Markets.

17          (2) “Consumer commodity” means any ~~food, drug, device, or cosmetic~~  
18     ~~and other article, product, or commodity of any other kind or class, except for~~  
19     ~~drugs sold only by prescription or food sold by a restaurant or made-to-order,~~  
20     including:

1           (A) ~~that are customarily produced for sale to retail sales agencies or~~  
2 ~~instrumentalities~~ items retail establishments customarily sell to individuals for  
3 ~~consumption by individuals, for or use by individuals for purposes of for~~  
4 ~~personal care, or in the performance of to perform~~ services ordinarily that are  
5 often rendered in or around the household; and

6           (B) that usually are consumed or expended ~~in the course of such~~  
7 during consumption or use.

8           (3) “Unit price” means the total selling price of a consumer commodity  
9 ~~means the retail price of a consumer commodity expressed in terms of the~~  
10 ~~retail price of such commodity per such~~ by the price per standard unit of  
11 ~~weight, measure, or count as the Secretary designates, computed to the nearest~~  
12 ~~whole cent or fraction thereof as the Secretary designates, area, or length as~~  
13 adopted by the National Council on Weights and Measures and published by  
14 the National Institute of Standards and Technology in Handbook 130, *Uniform*  
15 *Laws and Regulations in the Areas of Legal Metrology and Fuel Quality.*

(4) “Convenience store” means a type of retail establishment that sells a  
limited number of everyday items such as motor fuel, tobacco products, made-  
to-order food, snacks, and beverages that serve as a quick, accessible retail  
option for consumers who typically purchase a small number of products, and  
that does not offer a sufficient quantity of consumer commodities to make unit  
pricing as useful to consumers. “Convenience store” does not include a

*grocery store, drug store, dollar store, or any other type of store. The Secretary has the discretion to determine whether a retail establishment is a convenience store.*

1           ~~(4)~~(5) “Electronic shelf label” is an electronic display that retailers can  
2           use to present a product’s name, price, unit price, and other information on a  
3           small wired or wireless panel, usually on the edge of a store shelf.

4           ~~(5)~~(6) “Individual” means any person, partnership, company,  
5           corporation, association, or society.

6           ~~(6)~~(7) “Limited time” or “limited-time” means a period of not more than  
7           60 days.

8           ~~(7)~~(8) “Made-to-order” means food prepared at the time of order or sold  
9           from retail cases displaying product in bulk or in servings prepared on the  
10          premises. Made-to-order foods may be sold by weight, measure, or count,  
11          including piece, portion, or serving. Made-to-order food does not include  
12          ready-to-eat foods that are prepackaged for an individual to select.

13          ~~(8)~~(9) “Real-time dynamic pricing” means a pricing strategy that allows  
14          prices to change immediately based on evolving market trends and demand.

15          ~~(9)~~(10) “Retail establishment” means a store that sells consumer  
16          commodities to individuals when they are physically present to inspect, select,  
17          and purchase product, except when a store is primarily engaged in selling food  
18          for consumption on the premises, or is primarily engaged in a specialty trade

1 that the Secretary determines would be unreasonable to regulate as a retail  
2 establishment.

3 ~~(10)~~(11) “Retail space” means an area that a retail establishment  
4 operates or controls where individuals may inspect and select consumer  
5 commodities for purchase.

6 ~~(11)~~(12) “Total selling price” means the price assigned to a consumer  
7 commodity and at which said consumer commodity is to be, and is, sold to an  
8 individual.

9 § 682. CONSUMER INFORMATION REQUIRED

10 (a) ~~Every person who~~ retail establishment that sells, offers for sale, or  
11 exposes any consumer commodity for sale at retail ~~any aluminum foil, bread,~~  
12 ~~carbonated soft drinks, cereals, cooking oils, dog or cat food, facial tissues,~~  
13 ~~fish, fowl, fruits, grains, meats, napkins, plastic food wrapping, vegetables,~~  
14 ~~waxed paper, or other consumer commodity designated by the Secretary shall~~  
15 ~~disclose to the consumer the unit price of the consumer commodity as~~  
16 ~~provided in this chapter~~ individuals the accurate total selling price of that  
17 commodity.

18 (b) ~~Every person who~~ retail establishment that sells, offers for sale, or  
19 exposes for sale at retail any consumer commodity shall disclose to ~~the~~  
20 ~~consumer~~ individuals the total price of the consumer accurate unit price of that  
21 ~~commodity as provided in this chapter.~~

1 § 683. MEANS OF DISCLOSURE

2 ~~Persons subject to the requirements of section 682 of this title shall disclose~~  
3 ~~the unit price and total price to consumers in one or more of the following~~  
4 ~~appropriate ways:~~

5 ~~(1) if the consumer commodity is so located that it is not conspicuously~~  
6 ~~visible to the consumer, or if the consumer commodity is so located that the~~  
7 ~~price information if displayed in accordance with subdivision (2) of this~~  
8 ~~section would not be conspicuously visible to the consumer, by a sign or list~~  
9 ~~bearing the price information, conspicuously placed near the point of~~  
10 ~~procurement;~~

11 ~~(2) by attachment of a stamp, tag, or label directly adjacent to the~~  
12 ~~consumer commodity, on the shelf on which the commodity is displayed, or by~~  
13 ~~stamping or affixing the price information on the commodity itself; or~~

14 ~~(3) in accord with rules adopted by the Secretary.~~

15 (a) Every retail establishment shall disclose the total selling price and unit  
16 price in compliance with the standards adopted and amended by the National  
17 Council on Weights and Measures and published by the National Institute of  
18 Standards and Technology in Handbook 130, *Uniform Laws and Regulations*  
19 *in the Areas of Legal Metrology and Fuel Quality.*

20 (b) The words “Unit Price” shall appear adjacent to the displayed unit  
21 price.

1        (c) The total selling price and unit price information shall include a  
2        description of the commodity, and size, and be physically located on the  
3        commodity, or as close as practical to it while clearly identifying the  
4        applicable commodity.

5        (d) The total selling price and unit price information shall be presented  
6        boldly, clearly, and conspicuously and shall be as large as practical and not  
7        smaller than 7/32 inch in height.

8        (e) The total selling price and unit price information shall exclude any  
9        deposit as part of the price but shall indicate that a deposit is required when a  
10       deposit is required.

11       (f) The total selling price shall be simultaneously displayed to individuals  
12       at each check-out location as consumer commodities are processed at the point  
13       of sale to allow consumers an opportunity to assess prices and inquire about all  
14       prices that may be inaccurate.

15       (g) The use of electronic shelf labels to increase prices or otherwise use  
16       real-time dynamic pricing to increase prices when a retail establishment is  
17       open to the public is prohibited. Retail establishments may only increase  
18       prices on electronic shelf labels during business hours to correct genuine and  
19       documented pricing errors and shall inform individuals present in the store of  
20       the price correction.



1           (3) ~~Designate by regulation whether the unit price of each consumer~~  
2           ~~commodity subject to the provisions of subsection 682(a) of this title shall be~~  
3           ~~expressed to the nearest whole cent or to an appropriate fraction thereof.~~

4           (4) ~~Exempt by regulation classes exempt any class of retail~~  
5           ~~establishments from any or all requirements of this chapter upon a~~  
6           ~~determination that, because sales if the Secretary determines that the sale of~~  
7           ~~consumer commodities regulated by this chapter are purely is incidental to the~~  
8           ~~business of such classes class of retail establishments establishments' business,~~  
9           ~~or that compliance with this chapter is impracticable unreasonable and~~  
10           ~~unnecessary for adequate protection of consumers. to adequately protect~~  
11           ~~individuals; and~~

12           (5) ~~Prescribe by regulation means for the disclosure of price information~~  
13           ~~upon determination that they are more effective than those prescribed in~~  
14           ~~section 683 of this title.~~

15           (6)(2) ~~Adopt any other adopt rules necessary to effectuate the provisions~~  
16           ~~of this chapter, in accordance with the best interests of consumers.~~

17           (7) ~~Adopt rules addressing the method of price disclosure in the sale of~~  
18           ~~home food service plans, including not only the price of the commodities sold~~  
19           ~~but the service costs or membership fees associated with such a purchase.~~

20           ~~These rules shall take precedence over any uniform regulation adopted by the~~

1 National Conference on Weights and Measures and published by the National  
2 Institute of Standards and Technology.

3 § 686. EXCEPTIONS EXEMPTIONS

4 ~~(a) The unit price requirements of this chapter shall not apply to sales of~~  
5 ~~consumer commodities commodity sales as follows:~~

6 (1) At a retail store with less than 7,000 square feet of floor space  
7 dedicated to the sale of consumer commodities. This ~~exception~~ exemption  
8 shall not apply to ~~the sales agencies or instrumentalities~~ retail establishments  
9 of a company having two or more sales ~~agencies or instrumentalities~~ locations  
10 as parts of that company.

11 (2) ~~For use or consumption on the premises where sold~~ When different  
12 brands or products are commingled in one receptacle for a limited-time one-  
13 priced sale.

14 (3) When commodities are individually marked with a clearance or sale  
15 tag and are located in a clearance or limited-time sale section of the store.  
16 Clearance or limited-time sale sections may be on a shelf or multiple shelves,  
17 or in another defined area of the store.

18 (4) When the unit price is identical to the total selling price.

19 (5) When the item falls into one of the following categories:

20 ~~(A) seasonal decorations, or~~

1  
2

~~(D) beverages subject to the Federal Alcoholic Administration Act  
packaging and labeling requirements.~~

*(a) The unit price requirements of this chapter shall not apply to sales of consumer commodities commodity sales as follows:*

*(1) At a retail store with less than 7,000 square feet of floor space dedicated to the sale of consumer commodities. This ~~exception~~ exemption shall not apply to ~~the sales agencies or instrumentalities~~ retail establishments of a company having two or more sales ~~agencies or instrumentalities~~ locations as parts of that company.*

*(2) For ~~use or consumption on the premises where sold~~ Convenience stores.*

*(3) When different brands or products are commingled in one receptacle for a limited-time one-priced sale.*

*(4) When commodities are individually marked with a clearance or sale tag and are located in a clearance or limited-time sale section of the store. Clearance or limited-time sale sections may be on a shelf or multiple shelves, or in another defined area of the store.*

*(5) When the unit price is identical to the total selling price.*

*(6) When the item falls into one of the following categories:*

*(A) seasonal decorations; or*

(B) beverages subject to the Federal Alcohol Administration Act  
packing and labeling requirements.

1        (b) The total selling price requirements of this chapter shall not apply when  
2        all items in a retail establishment have the same total selling price.

3        § 687. PENALTY

4        A person who violates this chapter shall be fined not more than \$500.00  
5        retail establishment that violates this chapter is subject to the penalties and  
6        provisions in sections 15, 16, and 17 of this title.

7        ~~\*\*\* Effective Date \*\*\*~~

8        Sec. 4. EFFECTIVE DATE

9        ~~This act shall take effect on July 1, 2026.~~

*\*\*\* Equine Farming; Use Value Appraisal Recommendations \*\*\**

*Sec. 4. EQUINE FARMING AND USE VALUE APPRAISAL STUDY;  
REPORT*

*(a) The Commissioner of Taxes shall study and provide recommendations  
for including equine farming in the Use Value Appraisal Program. The  
Commissioner shall submit the recommendations to the House Committees on  
Agriculture, Food Resiliency, and Forestry and on Ways and Means and the  
Senate Committees on Agriculture and on Finance on or before December 15,  
2026. The Commissioner's recommendations shall include an analysis of the*

potential fiscal impact of permitting agricultural land and farm buildings that are used for equine farming to enroll in the Use Value Appraisal Program.

(b) As used in this section:

(1) "Agricultural land" has the same meaning as in 32 V.S.A. § 3752(1).

(2) "Equine farming" means the raising, feeding, or management of four or more equines owned or boarded by a farmer for gain or profit, including training, showing, and providing instruction and lessons in riding, training, and the management of equines.

(3) "Farm buildings" has the same meaning as in 32 V.S.A. § 3752(14).

(4) "Farmer" has the same meaning as in 32 V.S.A. § 3752(7).

*\* \* \* Community Development Initiatives \* \* \**

*Sec. 5. 10 V.S.A. § 325m is amended to read:*

*§ 325m. RURAL ECONOMIC DEVELOPMENT INITIATIVE*

*(a) Definitions. As used in this subchapter:*

*(1) "Rural area" means a county of the State designated as "rural" or "mostly rural" by the U.S. Census Bureau in its most recent decennial census.*

*(2) "Small town" means a town in the State with a population of less than 5,000 at the date of the most recent U.S. Census Bureau decennial census.*

*(3) "Community development initiatives" means priority projects located throughout the State that support agriculture, historic preservation,*

outdoor recreation, and other critical economic development needs, which may be supported when State resources or staffing assistance is not available.

(b) *Establishment.* *There is created the Rural Economic Development Initiative to be administered by the Vermont Housing and Conservation Board for the purpose of promoting and facilitating community economic development in the small towns and rural areas of the State, and supporting community development initiatives.* *The Rural Economic Development Initiative shall collaborate with municipalities, businesses, regional development corporations, regional planning commissions, and other appropriate entities to access funding and other assistance available to small towns and businesses primarily in rural areas of the State when existing State resources or staffing assistance is not available.*

(c) *Services; access to funding.* *The Rural Economic Development Initiative shall provide the following services to small towns and businesses primarily in rural areas:*

(1) *identification of grant or other funding opportunities that facilitate business development, infrastructure development, or other economic development opportunities; or*

(2) *technical assistance in writing grants, accessing other funding, coordination with providers of grants or other funding, strategic planning for the implementation or timing of activities funded by grants or other funding,*

*and compliance with the requirements of grant awards or awards of other funding.*

*(d) Priority. In providing services under this section, the Rural Economic Development Initiative shall give first priority to projects that have received necessary State or municipal approval and that are ready for construction or implementation.*

*(e) Priority projects. The Rural Economic Development Initiative shall ~~seek to assist~~ include the following priority types of projects:*

*(1) milk plants, milk handlers, or dairy products, as those terms are defined in 6 V.S.A. § 2672;*

*(2) outdoor recreation and equipment enterprises;*

*(3) value-added food and forest products enterprises;*

*(4) farm operations, including phosphorus removal technology for farm operations;*

*(5) coworking or business generator and accelerator spaces;*

*(6) commercial composting facilities; and*

*(7) restoration and rehabilitation of historic buildings in community centers.*

*(f) Coordination. In providing services under this section, the Rural Economic Development Initiative shall coordinate with the Secretary of*

*Commerce and Community Development, regional development corporations, and regional planning commissions.*

*(g) Report. Beginning on January 31, 2019, and annually thereafter, the Rural Economic Development Initiative shall submit to the Senate Committees on Agriculture and on Economic Development, Housing and General Affairs and the House Committees on Agriculture, Food Resiliency, and Forestry and on Commerce and Economic Development a report regarding the activities and progress of the Initiative as part of the report of the Vermont Farm and Forest Viability Program. The report shall summarize the Initiative's activities in the preceding year; evaluate the effectiveness of the services provided by the Initiative; provide an accounting of the grants or other funding that the Initiative facilitated or helped secure; and recommend any changes to the program to further economic development in small towns and rural areas of the State.*

*\* \* \* Farm and Forestry Operations Security Special Fund \* \* \**

*Sec. 6. 6 V.S.A. § 4643(e) is amended to read:*

*(e) All administratively complete applications shall be evaluated by the Review Board. Within 15 days following receipt of an administratively complete application, the Review Board by majority vote shall recommend to the Secretary whether to issue a payment to the applicant. ~~If the Review Board recommends an award under this section, the~~ The Secretary shall issue the*

~~award~~ *make a final award determination within 15 days following the date of the Review Board's recommendation.*

*\* \* \* Effective Date \* \* \**

*Sec. 7. EFFECTIVE DATE*

*This act shall take effect on July 1, 2026.*