

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on Agriculture, Food Resiliency, and Forestry to which was  
3 referred Senate Bill No. 60 entitled “An act relating to establishing the Farm  
4 Security Special Fund to provide grants for farm losses due to weather  
5 conditions” respectfully reports that it has considered the same and  
6 recommends that the House propose to the Senate that the bill be amended by  
7 striking out all after the enacting clause and inserting in lieu thereof the  
8 following:

9 Sec. 1. FINDINGS

10 The General Assembly finds that:

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

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

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

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

12 \* \* \*

14            § 4631. DEFINITIONS

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

21                    (C) extreme heat;

- 1           (D) abnormal freeze conditions;  
2           (E) a forest fire or wild fire event;  
3           (F) hail;  
4           (G) drought; or  
5           (H) any other severe weather or growing conditions impacting  
6           agricultural or forestry operations income, as determined by the Review Board.

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

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

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

15           (5) “Forestry operation” has the same meaning as in 10 V.S.A. § 2602.

16           § 4632. FARM AND FORESTRY OPERATIONS SECURITY SPECIAL  
17           FUND

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

- 1           (1) funds transferred by the General Assembly;  
2           (2) funds from public and private sources that the Secretary accepts for  
3           the Fund; and  
4           (3) funds from federal government aid for State support of farmers  
5           suffering income loss due to weather conditions.

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

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

11          § 4633. FARM AND FORESTRY OPERATIONS SECURITY SPECIAL  
12          FUND; PAYMENTS

13          (a) The Secretary, after consultation with the Review Board, shall award  
14          payments from the Farm and Forestry Operations Security Special Fund to  
15          persons owning farms and forestry operations that have incurred financial  
16          losses or expenses due to an eligible weather condition.

17          (1) Payments from the Fund shall be in an amount that reimburses a  
18          farm or forestry operation for up to 50 percent of the unreimbursed, uninsured,  
19          or otherwise uncovered losses due to eligible weather conditions, up to a  
20          maximum annual award of five percent of the undesignated and unreserved  
21          funds in the Farm and Forestry Operations Security Special Fund, provided

1 that the award shall not exceed \$150,000.00 per qualified applicant farm or  
2 forestry operation per year.

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

6 (3) The Secretary may verify the occurrence of an eligible weather  
7 condition claimed under this section through a site visit or through use of  
8 available data from the National Oceanic and Atmospheric Administration,  
9 from other federal or State certified weather data sources, or from other public  
10 or private weather or satellite data or models.

11 (4) Losses reimbursable by a payment under this section include:

12 (A) wages or compensation;

13 (B) replacement of lost income from destroyed crops, impacted  
14 livestock, or timber;

15 (C) debt payments or other ongoing expenses;

16 (D) costs of replanting;

17 (E) livestock feed replacement costs;

18 (F) infrastructure or equipment repair and replacement;

19 (G) repair of farm roads, roads necessary to access farms, or logging  
20 roads; or

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

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

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

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

7                 (3) an estimate of losses; and

8                 (4) a year-end report of farm or forestry operation income and expenses.

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

12           (d) Applications for an award under this section shall be processed in the  
13           order received for each quarter, but an application shall not be ready for  
14           evaluation until the Secretary determines that the application is  
15           administratively complete and includes all documentation required by the  
16           Secretary.

17           (e) All administratively complete applications shall be evaluated by the  
18           Review Board. Within 15 days following receipt of an administratively  
19           complete application, the Review Board by majority vote shall recommend to  
20           the Secretary whether to issue a payment to the applicant. If the Review Board

1 recommends an award under this section, the Secretary shall issue the award  
2 within 15 days following the date of the Review Board's recommendation.

3 § 4634. FARM AND FORESTRY OPERATIONS SECURITY SPECIAL  
4 FUND REVIEW BOARD

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

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

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

11 (2) the Commissioner of Forests, Parks and Recreation or designee;

12 (3) the State Chief Recovery Officer or designee;

13 (4) representatives of three agricultural organizations who can  
14 demonstrate expertise in dealing with all sizes and types of farms in Vermont,  
15 whether through granting funds, offering technical assistance, or advocacy, and  
16 who have a proven track record of working with farmers, appointed by the  
17 Secretary of Agriculture, Food and Markets;

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

20 (6) two forestry operators, appointed by the Secretary of Agriculture,  
21 Food and Markets.

1        (c) Member terms; conflict.

2            (1) The members designated in subdivision (b)(3) of this section shall be  
3        appointed to initial terms of two years. Thereafter, each appointed member  
4        shall serve a term of three years or until the member's earlier resignation or  
5        removal. The members designated in subdivision (b)(4) of this section shall be  
6        appointed to initial terms of one year. The members designated in subdivision  
7        (b)(5) of this section shall be appointed to initial terms of two years.  
8        Thereafter, each appointed member shall serve a term of three years or until  
9        the member's earlier resignation or removal. A vacancy shall be filled by the  
10       appointing authority for the remainder of the unexpired term. An appointed  
11       member shall not serve more than three consecutive three-year terms.

12           (2) If a Board member has a conflict of interest, as that term is defined  
13        by 3 V.S.A. § 1201, regarding review of any application for a payment under  
14        this section, the Secretary of Agriculture, Food and Markets may appoint an  
15        alternate member to maintain a quorum of the Board to review an application  
16        and recommend whether payment should be awarded.

17        (d) Powers.

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



1           (2) The Board annually shall report to the House Committee on  
2           Agriculture, Food Resiliency, and Forestry and the Senate Committee on  
3           Agriculture the total documented Vermont farm and forestry operations  
4           financial losses from eligible weather conditions averaged over the previous  
5           three calendar years.

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

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

16           (f) Quorum; meetings; voting. A majority of the sitting members shall  
17           constitute a quorum, and action taken by the Board may be authorized by a  
18           majority of the members present and voting at any regular or special meeting at  
19           which a quorum is present. The Board may meet as an advisory body under 1  
20           V.S.A. chapter 5, subchapter 2.

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

6        Sec. 3. EFFECTIVE DATE

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

8        and that after passage the title of the bill be amended to read: “An act  
9        relating to establishing the Farm and Forestry Operations Security Special  
10       Fund to provide **payments** for farm losses due to weather conditions”

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16       (Committee vote: \_\_\_\_\_)

17       \_\_\_\_\_

18       Representative \_\_\_\_\_

19       FOR THE COMMITTEE