

1

S.60

2 An act relating to establishing the Farm Security Special Fund to provide
3 grants for farm losses due to weather conditions

4 The House proposes to the Senate to amend the bill by striking out all after

5 the enacting clause and inserting in lieu thereof the following:

6 Sec. 1. FINDINGS

7 The General Assembly finds that:

8 (1) In 2023 and 2024, Vermont experienced extreme flooding and other
9 weather-based disasters that devastated farms and other working lands
10 businesses across the State.

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

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

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 4644 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 § 4642. 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 or
5 forestry operations 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 § 4643. 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 at the

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

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

8 (3) Losses reimbursable by a payment under this section include:

9 (A) wages or compensation;

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

12 (C) debt payments or other ongoing expenses;

13 (D) costs of replanting;

14 (E) livestock feed replacement costs;

15 (F) infrastructure or equipment repair and replacement;

16 (G) repair of farm roads, roads necessary to access farms, repair of
17 washed out or otherwise damaged logging roads;

18 (H) inability to access harvested timber due to flooding or other
19 weather conditions; and

20 (I) other losses as determined by the Secretary after consultation with
21 the Review Board.

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

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

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

5 (3) a list of any State grants or loans received for the purposes of the
6 farm or forestry operation business in the past five years, to include amount,
7 source, and purposes of the funding received;

8 (4) an estimate of losses; and

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

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

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

18 (e) All administratively complete applications shall be evaluated by the
19 Review Board. Within 15 days following receipt of an administratively
20 complete application, the Review Board by majority vote shall recommend to
21 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 (f) The Secretary of Agriculture, Food and Markets may pay reasonable
4 administrative expenses from the Fund for purposes of administering the
5 requirements of this subchapter.

6 § 4644. FARM AND FORESTRY OPERATIONS SECURITY SPECIAL

7 FUND REVIEW BOARD

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

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

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

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

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

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

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

3 (6) two forestry operators, appointed by the Commissioner of Forests,
4 Parks and Recreation.

5 (c) Member terms; conflict.

6 (1) The members designated in subdivision (b)(4) of this section shall be
7 appointed to initial terms of two years. Thereafter, each appointed member
8 shall serve a term of three years or until the member's earlier resignation or
9 removal. The members designated in subdivision (b)(5) of this section shall be
10 appointed to initial terms of one year. The members designated in subdivision
11 (b)(6) of this section shall be appointed to initial terms of two years.

12 Thereafter, each appointed member shall serve a term of three years or until
13 the member's earlier resignation or removal. A vacancy shall be filled by the
14 appointing authority for the remainder of the unexpired term. An appointed
15 member shall not serve more than three consecutive three-year terms.

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

1 (d) Powers.

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

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

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

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

20 (f) Quorum; meetings; voting. A majority of the sitting members shall
21 constitute a quorum, and action taken by the Board may be authorized by a

1 majority of the members present and voting at any regular or special meeting at
2 which a quorum is present. The Board may meet as an advisory body under 1
3 V.S.A. chapter 5, subchapter 2.

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

9 Sec. 2a. CONTINGENCY OF FUNDING

10 The duty to implement Sec. 2 of this act (Farm and Forestry Operations
11 Security Special Fund) is contingent upon an appropriation of funds in fiscal
12 year 2027 or subsequent fiscal years from the General Fund to the Agency of
13 Agriculture, Food and Markets for the specific purposes described in Sec. 2 of
14 this act.

15 Sec. 3. EFFECTIVE DATE

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

17 and that after passage the title of the bill be amended to read: “An act
18 relating to establishing the Farm and Forestry Operations Security Special
19 Fund to provide payments for farm and forestry operation losses due to
20 weather conditions”