



States' Biofuels Statutes

STATE OF VERMONT

This project was undertaken in partnership with the USDA Office of the Chief Economist, The Office of Energy Policy and New Uses. For information on the full project, visit [States' Biofuels Statutory Citations](#).

Current through the 2014 Legislative Session of the Vermont State Legislature.

§ 4710. Vermont farm viability enhancement program

(a) The Vermont Farm Viability Enhancement Program is a voluntary program established in the Agency of Agriculture, Food and Markets to provide assistance to Vermont farmers to enhance the financial success and long-term viability of Vermont agriculture. In administering the Program, the Secretary shall:

(1) Collaborate with the Vermont housing and conservation board, state and federal agencies, private entities, and service groups to develop, coordinate, and provide technical and financial assistance to Vermont farmers.

(2) Include teams of experts to assist farmers in areas such as assessing farm resources and potential, diversifying, adopting new technologies, improving product quality, developing value-added products, and lowering costs of production for Vermont's agricultural sector. The teams may include farm business management specialists, University of Vermont extension service professionals, veterinarians, and other experts to deliver the informational and technological services.

(3) Encourage agricultural economic development through investing in improvements to essential infrastructure and the promotion of farm businesses in Vermont .

(4) Enter into agreements with private organizations or individuals or with any agency or instrumentality of the United States or of this state and employ technical experts to carry out the purposes of this section.

(b) The farm viability enhancement program shall be assisted by an advisory board consisting of ten members who shall include:

(1) The secretary of agriculture, food and markets. The secretary shall serve as chair of the board;

(2) The commissioner of economic development or designee;

(3) The manager of the Vermont economic development authority or designee;

(4) The director of the University of Vermont extension service or designee;

- (5) The executive director of the Vermont housing and conservation board or designee;
 - (6) Four Vermont farmers appointed by the secretary of agriculture, food and markets in consultation with the Vermont housing and conservation board. The four farmers shall serve two-year terms, except for the first year, two farmers chosen by the chair shall serve one-year terms; and
 - (7) A person who has expertise in agricultural economics, financing, or business planning appointed by the secretary.
- (c) Members of the advisory board established in subsection (b) of this section other than ex officio members shall be entitled to per diem expenses pursuant to 32 V.S.A. § 1010 for each day spent in the performance of their duties, and each such member shall be reimbursed from the fund created by this section for his or her reasonable expenses incurred in carrying out his or her duties under this section.
- (d) In consultation with the advisory board, the Secretary of Agriculture, Food and Markets and the Vermont Housing and Conservation Board shall establish grant criteria, performance goals, performance measures that demonstrate Program results, and other criteria to implement the Program. The grant criteria shall include at least the following requirements:
- (1) the application is developed in consultation with the producers who use or would use the program and will address their needs;
 - (2) the use of the funds is likely to succeed in improving the economic viability of the farm and the farm's producers;
 - (3) the producers are committed to participating in the program; and
 - (4) an evaluation shall be completed by enrolled farmers in conjunction with the teams.
- (e)(1) The farm viability enhancement program special fund is established in the state treasury and shall be administered by the secretary of agriculture, food and markets in accordance with the provisions of subchapter 5 of chapter 7 of Title 32, except that interest earned on the fund shall be retained in the fund. The fund shall be used only for the purpose of implementing and effectuating the farm viability enhancement program established by this section. There shall be deposited in such fund any monies appropriated by the general assembly to, or received by, the secretary of agriculture, food and markets from any other source, public or private. The fund shall be used only for the purposes of:
- (A) providing funds for the farm viability enhancement program as established in this section;
 - (B) providing funds to enrolled farmers;
 - (C) providing funds to service providers for administrative expenses of the program; and
 - (D) leveraging other competitive public and private funds, grants, and contributions for the farm viability enhancement program.

(2) The secretary of agriculture, food and markets and the Vermont housing and conservation board, separately or cooperatively, may solicit federal funds, grants, and private contributions for the farm viability enhancement program, but any Vermont housing and conservation board funds used for the farm viability enhancement program shall be administered in accordance with 10 V.S.A. § 312.

(f)(1) In collaboration with the Vermont Housing and Conservation Board, the Secretary of Agriculture, Food and Markets shall report in writing to the Senate Committee on Agriculture and the House Committee on Agriculture and Forest Products on or before January 31 of each year with a report on the activities and performance of the Farm Viability Enhancement Program. At a minimum, the report shall include an evaluation of the Program utilizing the performance goals and performance measures established in consultation with the advisory board. The report should assess potential demand for the Program over the succeeding three years.

(2) The Agency of Agriculture, Food and Markets and the Vermont Housing and Conservation Board shall describe in their annual budget submissions plans to develop adequate State, federal, and private funds to carry out this initiative.

(g)(1) The agricultural economic development special account is established as a dedicated sub-account of the Vermont farm viability enhancement program special fund. There shall be deposited in such account any monies:

(A) Appropriated by the general assembly to the account; and

(B) Received by the state or the secretary of agriculture, food and markets from any source, public or private, for use for any of the purposes for which the account was established.

(2) The fund shall only be used for the purposes of:

(A) Encouraging private investment in the economic initiative; and

(B) Providing incentives for technology businesses, determined by the agency of agriculture, food and markets to provide critical technological solutions for the growth of Vermont's agricultural economy.

(3) Assistance from the agricultural economic development special account shall be available in order to produce agricultural energy, harvest biomass, convert biomass into energy, or enable installation and usage of wind, solar, or other technology that relies on a resource that is being consumed at a harvest rate at or below its natural regeneration rate pursuant to 30 V.S.A. § 8002(17), including:

(A) Business and technical assistance for research and planning to aid a farmer or a group of farmers in developing business enterprises;

(B) Cost-effective implementation assistance to leverage other sources of capital to assist a farmer or group of farmers in purchasing equipment, technology, or other assistance; and

(C) Business, technical, and implementation assistance to persons that are not farmers for the development and implementation of technology or development of facilities designed to produce agricultural energy, harvest biomass, convert biomass into energy, provided that the person is working

in consultation with a Vermont farm, is creating an enterprise that utilizes Vermont resources, and provides Vermont a significant return on investment and meets any financial and technical criteria established by the secretary by procedure.

Credits 2003, Adj. Sess., No. 143, § 1; 2005, No. 77, § 2; 2005, Adj. Sess., No. 201, § 1; 2007, Adj. Sess., No. 92, § 3, eff. July 1, 2008; 2011, Adj. Sess., No. 170, § 10, eff. July 1, 2012; 2015, No. 11, § 6, eff. July 1, 2015.