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HOUSE BILL NO. 1750

AMENDMENT IN THE NATURE OF A SUBSTITUTE

(Proposed by the House Committee on Appropriations
on January 29, 2021)

(Patron Prior to Substitute—Delegate Gooditis)

A BILL to amend the Code of Virginia by adding in Title 3.2 a chapter numbered 33.1, consisting of sections numbered 3.2-3304 through 3.2-3307, relating to Dairy Producer Margin Coverage Premium Assistance Program; report.

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Title 3.2 a chapter numbered 33.1, consisting of sections numbered 3.2-3304 through 3.2-3307, as follows:

CHAPTER 33.1.

DAIRY PRODUCER MARGIN COVERAGE PREMIUM ASSISTANCE PROGRAM.

§ 3.2-3304. Definitions.

For the purposes of this chapter, unless the context requires a different meaning:

"DCR" means the Department of Conservation and Recreation.

"Farm Act" means the federal Agriculture Improvement Act of 2018, P.L. 115-334.

"Federal coverage program" means the federal margin coverage program for dairy producers as contained in the Farm Act.

"Program" means the Dairy Producer Margin Coverage Premium Assistance Program created pursuant to this chapter.

§ 3.2-3305. Dairy Producer Margin Coverage Premium Assistance Program.

A. The Commissioner shall establish and administer the Dairy Producer Margin Coverage Premium Assistance Program to assist dairy producers that participate in the federal coverage program. The Board shall adopt regulations to implement the Program.

B. Any dairy producer in the Commonwealth that participates in the federal coverage program at the first tier coverage level and (i) has a resource management plan and has been certified as having implemented such plan by, or is in the process of having such plan reviewed by, DCR or a local soil and water conservation district or (ii) has a nutrient management plan that has been approved by, or is currently being reviewed by, DCR shall be eligible to apply to participate in the Program. An eligible dairy producer shall apply to the Department by February 1 of each year to participate.

C. Any participating dairy producer that has paid an annual federal premium payment at the tier 1 level in accordance with the Farm Act and provides proof of such payment to the Department shall have the amount of such premium reimbursed by the Department. Such reimbursement shall be provided on a first-come, first-served basis and shall be subject to availability of funds expressly appropriated for the purposes set forth in this chapter.

§ 3.2-3306. Report.

The Commissioner shall submit an annual report no later than December 1 of each year to the House Committee on Agriculture, Chesapeake and Natural Resources and the Senate Committee on Agriculture, Conservation and Natural Resources assessing the effectiveness of the Program in preserving and assisting with the continued operation of dairy producers in the Commonwealth.

§ 3.2-3307. Expiration of chapter.

The provisions of this chapter shall expire on July 1, 2023.