



House of Representatives

General Assembly

File No. 472

February Session, 2022

Substitute House Bill No. 5295

House of Representatives, April 13, 2022

The Committee on Environment reported through REP. GRESKO of the 121st Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING AGRICULTURE DEVELOPMENT AND INNOVATION.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 22-11c of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2022*):

3 (a) As used in sections 22-11d to 22-11f, inclusive, "aquaculture"
4 means the controlled rearing, cultivation and harvest of aquatic plants
5 and animals in land-based and marine-based culture systems, tanks,
6 containers, impoundments, floating or submerged nets, longlines or
7 pens and ponds.

8 (b) For purposes of this chapter "agriculture", as defined in subsection
9 (q) of section 1-1, shall include aquaculture.

10 Sec. 2. Section 22-26e of the general statutes is repealed and the
11 following is substituted in lieu thereof (*Effective October 1, 2022*):

12 (a) There is hereby established a Governor's Council for Agricultural

13 [Development for advisory] Development and Innovation within the
14 Department of Agriculture for administrative purposes only, consisting
15 of the following members: (1) The Commissioner of Agriculture, who
16 shall serve as the chairperson of the council, (2) the dean of the College
17 of Agriculture and Natural Resources at The University of Connecticut,
18 or the dean's designee, who shall serve as co-vice-chairperson, (3) the
19 chairperson of the Connecticut [Milk Promotion Board] Farm Bureau,
20 or the chairperson's designee, (4) six members appointed by the
21 Governor, [who shall each be actively engaged in agricultural
22 production,] (5) one member appointed by the speaker of the House of
23 Representatives, [who shall be engaged in agricultural processing,] (6)
24 one member appointed by the president pro tempore of the Senate,
25 [who shall be engaged in agricultural marketing,] (7) one member
26 appointed by the majority leader of the House of Representatives, [who
27 shall be engaged in agricultural sales,] (8) one member appointed by the
28 majority leader of the Senate, [who shall be from a trade association,] (9)
29 one member appointed by the minority leader of the House of
30 Representatives, [who shall be from the green industry, and] (10) one
31 member appointed by the minority leader of the Senate, [who shall be
32 actively engaged in agricultural education] and (11) the director of the
33 Connecticut Agricultural Experiment Station, who shall serve as the co-
34 vice-chairperson.

35 (b) The council shall make recommendations to the Department of
36 Agriculture on ways to increase [the percentage of consumer dollars
37 spent on Connecticut-grown fresh produce and farm products,
38 including, but not limited to, ways to increase the amount of money
39 spent by residents of the state on locally-grown farm products, by 2020,
40 to not less than five per cent of all money spent by such residents on
41 food] agriculture in the state by developing innovative market
42 opportunities including, but not limited to, urban agriculture,
43 integration and adoption of new technologies, controlled environment
44 agriculture, and diversification of products and opportunities. The
45 council shall also make recommendations concerning the development,
46 diversification and promotion of [agricultural products, programs and
47 enterprises] agriculture in this state and shall provide for an interchange

48 of ideas from the various commodity groups and organizations
49 represented.

50 (c) The council shall meet not less than once per calendar quarter and
51 (1) as often as deemed necessary by the chairperson, or (2) upon a call
52 for such a meeting by a quorum of the membership of the council. Any
53 vacancy in the membership of the council shall be filled by the
54 [Governor] applicable appointing authority. The members shall serve
55 without compensation or reimbursement for expenses. Any member
56 absent from more than two meetings in a calendar year shall be deemed
57 to have resigned.

58 Sec. 3. Section 22-61d of the general statutes is amended by adding
59 subsection (d) as follows (*Effective July 1, 2022*):

60 (NEW) (d) (1) No person shall sell, offer for sale, expose for sale or
61 transport for sale any agricultural or vegetable seed or seed used for
62 lawn or turf purposes that is not labeled in accordance with the
63 provisions of section 22-61c.

64 (2) Any such labeling described in subdivision (1) of this subsection
65 shall be performed by a person who is registered with the
66 Commissioner of Agriculture.

67 (3) Any person who labels seed pursuant to subdivision (2) of this
68 subsection shall register annually with the Commissioner of
69 Agriculture. The application for a seed labeler registration shall be
70 submitted to the commissioner in a manner and on a form prescribed
71 by the commissioner. The application shall be accompanied by a fee of
72 one hundred dollars. All seed labeler registrations shall expire on March
73 thirty-first of each year.

74 Sec. 4. Subsection (d) of section 26-57a of the general statutes is
75 repealed and the following is substituted in lieu thereof (*Effective October*
76 *1, 2022*):

77 (d) Until such time as regulations are adopted pursuant to subsection
78 (a) of this section, any person may import one or more reindeer into the

79 state during the period commencing on Thanksgiving Day of each year
80 and ending on the immediately following New Year's Day, or for a
81 period of time not to exceed seven days, provided (1) any reindeer so
82 imported pursuant to this subsection is subsequently exported from the
83 state no later than a week following the end of such period, and (2) such
84 importation complies with the following requirements: Each reindeer so
85 imported (A) is individually identified by a permanent metal ear tag,
86 legible tattoo or microchip, (B) possesses a certified veterinary report of
87 inspection documenting an inspection that occurred at least one day and
88 not more than thirty days prior to entry into the state, (C) possesses
89 documentation that verifies such reindeer (i) comes from a herd that is
90 free of both tuberculosis and brucellosis, or (ii) tested negative for
91 tuberculosis and brucellosis at least one day and not more than thirty
92 days prior to entry into the state, and (D) possesses documentation that
93 the originating herd participated in a state chronic wasting disease
94 monitoring program (i) not less than the prior three years if from a state
95 or province not known to have chronic wasting disease, or (ii) not less
96 than the prior five years if from a state or province known to have
97 chronic wasting disease outbreaks.

98 Sec. 5. Section 22-345 of the general statutes is repealed and the
99 following is substituted in lieu thereof (*Effective October 1, 2022*):

100 Any [blind, deaf or mobility impaired] person with a disability who
101 is the owner or keeper of a dog which [has been trained and educated
102 to guide and assist such person in traveling upon the public streets or
103 highways or otherwise] is a service animal for such person, is in training
104 to become a service animal or is enrolled in a program described in
105 section 17a-22ee shall receive a license and tag for such dog from the
106 town clerk of the town where such dog is owned or kept. Such license
107 and tag shall be issued in accordance with the provisions of section 22-
108 340, and no fee shall be required of the owner or keeper of any such dog.
109 When any such dog has not been previously licensed, by the town clerk
110 to whom application is being made, such town clerk shall not license
111 such dog or issue to the owner a license and tag unless [written evidence
112 is exhibited to such clerk that the dog is trained and educated and

113 intended in fact to perform such guide service for such applicant] such
114 person provides confirmation to the town clerk that such dog is a service
115 animal, is in training to become a service animal or is enrolled in a
116 program described in section 17a-22ee. Any person who has a dog
117 placed with such person temporarily, including for breeding purposes,
118 by a nonprofit organization established for the purpose of training or
119 educating guide dogs to so assist [blind, deaf or mobility impaired]
120 persons with disabilities shall receive a license and tag for such dog from
121 the town clerk of the town where such dog is kept. Such license and tag
122 shall be issued in accordance with the provisions of section 22-340, and
123 no fee shall be required for such license and tag, provided such person
124 presents [written evidence] confirmation that such dog was placed with
125 such person by such organization. [As used in this section and section
126 46a-44, "deaf person" means a person who cannot readily understand
127 spoken language through hearing alone and who may also have a
128 speech defect which renders such person's speech unintelligible to most
129 people with normal hearing.]

130 Sec. 6. (*Effective from passage*) The Commissioner of Agriculture shall
131 convene a working group with the Connecticut Town Clerks
132 Association for the purpose of developing a plan to create a state-wide
133 online dog licensing portal. The commissioner shall serve as the
134 chairperson of such working group and shall convene the first meeting
135 of such working group not later than ninety days after the effective date
136 of this section. Such working group shall consist of representatives of
137 the Department of Agriculture and members of the Connecticut Town
138 Clerks Association and any other person or organization deemed
139 necessary by the commissioner. Such plan shall include, but not be
140 limited to, provisions for the pre-use testing of the portal described in
141 this section by each category of intended users of such portal and a
142 recommendation for a date to implement the use of such portal on a
143 state-wide basis. Not later than January 1, 2023, the commissioner shall
144 submit such plan to the joint standing committee of the General
145 Assembly having cognizance of matters relating to the environment in
146 addition to any requisite legislative proposals that are consistent with
147 the components of such plan.

148 Sec. 7. Sections 22-11e and 26-192m of the general statutes are
149 repealed. (*Effective from passage*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2022</i>	22-11c
Sec. 2	<i>October 1, 2022</i>	22-26e
Sec. 3	<i>July 1, 2022</i>	22-61d
Sec. 4	<i>October 1, 2022</i>	26-57a(d)
Sec. 5	<i>October 1, 2022</i>	22-345
Sec. 6	<i>from passage</i>	New section
Sec. 7	<i>from passage</i>	Repealer section

ENV Joint Favorable Subst.

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 23 \$	FY 24 \$
Department of Agriculture	GF - Revenue Impact	Potential Minimal	Potential Minimal

Note: GF=General Fund

Municipal Impact:

Municipalities	Effect	FY 23 \$	FY 24 \$
Various Municipalities	Revenue Loss	Less than \$100	Less than \$100

Explanation

The bill makes various changes to agriculture-related laws.

Section 3 prohibits anyone from selling any agricultural, vegetable, lawn, or turf seed unless it is labeled under current laws. Existing law currently prohibits the sale of unlabeled seeds. It requires seed labelers to register annually with DoAg and sets the registration fee at \$100. A violation of this provision is subject to a fine of \$100 for the first offense and \$200 for each subsequent offense. The bill could result in a minimal revenue gain to the resources of the General Fund associated with new registrations and to the extent violations occur.

Current law requires town clerks to provide free dog licenses and tags for dogs that belong to anyone who is blind, deaf, or mobility-impaired and that have been trained to guide their owner. Currently, \$1 of each dog license flows to municipalities, and \$5 flows to the general fund. **Section 5** of the bill expands eligibility for free municipal dog licenses if the dog is a therapy animal enrolled in the Animal

Assistance Intervention Program administered by the Department of Children and Families (DCF). There are 12 dogs currently enrolled in the DCF program.

The bill makes other changes that are not anticipated to result in a fiscal impact on the state or municipalities.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to the number of new seed registrations, any violations, and the number of dogs enrolled in the DCF program.

OLR Bill Analysis

sHB 5295

AN ACT CONCERNING AGRICULTURE DEVELOPMENT AND INNOVATION.

SUMMARY

This bill makes a variety of changes in agriculture-related statutes.

The bill reconstitutes the Governor's Council for Agricultural Development. It renames it the Governor's Council for Agricultural Development and Innovation; places it within the Department of Agriculture (DoAg) for administrative purposes only; changes its membership, including by eliminating the specified qualifications for appointees; and revises its purposes.

Additionally, the bill does the following:

1. prohibits anyone from selling or transporting for sale, any agricultural, vegetable, lawn, or turf seed unless it is labeled in accordance with state law by a seed labeler, who must register annually with DoAg;
2. allows people to import reindeer into the state anytime of the year, for up to seven days at a time, instead of only between Thanksgiving and New Year's Day;
3. requires town clerks to provide a person with a disability a license and tag, at no cost, for his or her dog that is a service animal, animal in training to become a service animal, or therapy animal enrolled in the Department of Children and Families (DCF) Animal Assistance Intervention Program;
4. requires the DoAg commissioner to convene a working group with the Connecticut Town Clerks Association to develop a plan

for a statewide online dog licensing portal; and

5. repeals the Interagency Aquaculture Coordinating Committee and the Aquaculture Advisory Council.

Lastly, the bill makes other minor and technical changes.

EFFECTIVE DATE: October 1, 2022, except the seed law provisions are effective July 1, 2022, and the provisions establishing a dog licensing working group and repealing the aquaculture committee and council are effective upon passage.

§ 1 — AQUACULTURE INCLUDES LONGLINES

The bill expands the definition of aquaculture to include longlines (long, heavy fishing lines, often with hooks). Thus, aquaculture operations may use longlines when rearing, cultivating, or harvesting aquatic plants or animals. By law, (1) they may already use other equipment (e.g., tanks, containers, nets) and (2) “agriculture” includes “aquaculture” for purposes of various DoAg statutes.

§ 2 — COUNCIL FOR AGRICULTURAL DEVELOPMENT AND INNOVATION

The bill renames the Governor’s Council for Agricultural Development as the Governor’s Council for Agricultural Development and Innovation, places it within DoAg for administrative purposes only, and revises its purposes.

Under current law, the council makes recommendations to DoAg on ways to increase the amount spent on CT-Grown products. The bill instead requires that the council’s recommendations be about ways to increase agriculture in the state by developing innovative market opportunities (e.g., urban agriculture, controlled agriculture, adopting new technologies, diversifying products).

As under existing law, the council must meet at least quarterly. The bill also requires it to meet as often as the chairperson (i.e., the DoAg commissioner) deems necessary or whenever a membership quorum requests to meet.

Membership

The bill changes the council's membership by (1) adding the Connecticut Agricultural Experiment Station (CAES) director as the 16th member and (2) replacing the Milk Promotion Board chairperson with the Farm Bureau's chairperson. It names the CAES director and UConn's College of Agriculture and Natural Resources dean (or the dean's designee) co-vice-chairpersons.

The bill also eliminates the specified qualifications for the six gubernatorial and six legislative appointees. Current law generally requires appointees to have experience in agricultural production, processing, marketing, sales, or education.

The bill requires that the applicable appointing authorities, rather than only the governor, fill vacancies.

§ 3 — SEEDS AND SEED LABELERS

The bill prohibits anyone from selling, or offering, exposing, or transporting for sale, any agricultural, vegetable, lawn, or turf seed unless it is labeled in accordance with state law by a registered seed labeler. (Existing law already prohibits the sale of unlabeled seeds, and exempts some seeds from the labeling requirements, in certain circumstances (CGS §§ 22-61d(a) & -61f).)

The bill requires seed labelers to register annually with the DoAg commissioner. It sets the registration fee at \$100 and specifies that registrations expire each March 31.

A violation of the above provisions is subject to a fine of \$100 for the first offense and \$200 for each subsequent offense (CGS § 22-61j). Among other enforcement provisions, existing law also allows seed control officers to issue "stop sale" orders for seeds that do not comply with the law's labeling and other requirements (CGS §§ 22-61g to -61i).

§ 4 — REINDEER IMPORTATION

Existing law allows people to import reindeer into the state between Thanksgiving and New Year's Day. The bill additionally allows people

to do so for up to seven days at a time anytime of the year. The importation must comply with state law requirements (e.g., reindeer identification, veterinary reports, health documentation for the originating herd).

§ 5 — LICENSES FOR SERVICE AND THERAPY ANIMALS

Current law requires town clerks to provide a license and tag, at no cost, for any dog that (1) belongs to or is kept by any person who is blind, deaf, or mobility-impaired and (2) has been trained and educated to guide and assist the person with traveling on public streets. The bill instead requires town clerks to provide a person with a disability a license and tag, at no cost, for his or her dog that is (1) a service animal, (2) animal in training to become a service animal, or (3) therapy animal enrolled in DCF's Animal Assistance Intervention Program.

Under DCF's program, a "therapy animal" is trained to provide comfort to individuals who (1) experienced mental, physical, or emotional trauma; (2) witnessed, or have been a victim of, an act of violence; or (3) have behavioral health care needs (CGS § 17a-22ee). The bill does not define "service animal," but presumably it means a dog that is individually trained to do work or perform tasks to benefit an individual with a disability, which is the federal definition (28 C.F.R. § 35.104).

Current law prohibits town clerks from licensing dogs in this manner if they have not been licensed before without written evidence that the dog is trained, educated, and intended to perform guide service for the applicant. The bill instead requires the applicant, in cases where the dog has not been licensed before, to provide the town clerk with confirmation that the dog is a service animal, in training to become a service animal, or enrolled in DCF's program.

§ 6 — DOG LICENSING WORKGROUP

The bill requires the DoAg commissioner to convene a working group with the Connecticut Town Clerks Association, and other people or organizations the commissioner deems necessary, to develop a plan

for a statewide online dog licensing portal. The commissioner must serve as the chairperson and convene the first meeting within 90 days after the bill's passage.

Under the bill, the plan must provide for (1) pre-use testing of the portal by each category of intended users and (2) a statewide implementation date. The commissioner must submit the plan and related legislative proposals to the Environment Committee by January 1, 2023.

§ 7 — PROVISIONS REPEALED

The bill repeals both the Interagency Aquaculture Coordinating Committee (CGS § 22-11e) and the Aquaculture Advisory Council (CGS § 26-192m).

By law, the interagency committee is (1) comprised of DoAg, the Department of Energy and Environmental Protection, and the Department of Economic and Community Development and (2) required to develop and enhance aquaculture in the state. The advisory council is required to, among other things, (1) develop a plan to expand the shellfish industry in the state, (2) review the state's shellfish leasing process and make recommendations about it, and (3) provide recommendations on DoAg's Bureau of Aquaculture policies. In practice, the committee has not been active for several years and the council never convened.

BACKGROUND

Related Bill

sHB 5232 (File 81), favorably reported by the Human Services Committee, broadens the applicability of protections and provisions related to guide dogs or assistance dogs by replacing references to these throughout the general statutes with the federally defined term "service animal." It also applies certain existing provisions to service animals in training. (It modifies a dog licensing law differently than this bill.)

COMMITTEE ACTION

Environment Committee

Joint Favorable Substitute

Yea 20 Nay 11 (03/29/2022)