



PA 22-54—sHB 5295
Environment Committee

AN ACT CONCERNING AGRICULTURE DEVELOPMENT AND INNOVATION

SUMMARY: This act makes a variety of changes in agriculture-related statutes.

The act 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, and revises its purposes.

Additionally, the act 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 trained service animal, training to become a service animal, or a 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 act makes other minor and technical changes, including adding longlines to the state’s definition of aquaculture.

EFFECTIVE DATE: October 1, 2022, except the provisions (1) on seeds are effective July 1, 2022; (2) related to service animals are effective June 1, 2023; and (3) creating a dog licensing working group and repealing the aquaculture committee and council are effective upon passage.

§ 1 — AQUACULTURE INCLUDES LONGLINES

The act expands the definition of aquaculture to include longlines (long, heavy fishing lines, often with hooks). This allows aquaculture operations to 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.

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§ 2 — COUNCIL FOR AGRICULTURAL DEVELOPMENT AND INNOVATION

The act 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 prior law, the council made recommendations to DoAg on ways to increase the amount spent on CT-Grown products. The act 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 environment agriculture, adopting new technologies, and diversifying products).

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

Membership

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

Additionally, the act modifies the specified qualifications for some of the gubernatorial and legislative appointees, as shown in the below table. It also (1) requires that the applicable appointing authorities, rather than only the governor, fill vacancies and (2) sets a three-year term for appointed members.

Appointee Qualifications Under Prior Law and the Act

<i>Appointing Authority</i>	<i>Qualifications Under Prior Law</i>	<i>Qualifications Under the Act</i>
Governor (6)	All must be actively engaged in agriculture production	All must be actively engaged in agriculture or aquaculture production, with at least one being socially disadvantaged (as defined by USDA) and at least one engaged in aquaculture production
House speaker (1)	Engaged in agricultural processing	Engaged in urban agricultural production
Senate president pro tempore (1)	Engaged in agricultural marketing	Engaged in agricultural marketing
House majority leader (1)	Engaged in agricultural sales	A new and beginning farmer (as defined by USDA)
Senate majority leader (1)	From a trade association	From a trade association

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Appointing Authority	Qualifications Under Prior Law	Qualifications Under the Act
House minority leader (1)	From the green industry	From the green industry
Senate minority leader (1)	Actively engaged in agricultural education	Actively engaged in agricultural education

§ 3 — SEEDS AND SEED LABELERS

The act 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 act 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 act 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

Prior law required town clerks to provide a license and tag, at no cost, for any dog that (1) belongs to or is kept by a 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 act instead requires town clerks to provide a person with a disability (i.e., an intellectual, physical, mental, or learning disability) a license and tag, at no cost, for his or her dog that is (1) a trained service animal, (2) in training to become a service animal, or (3) a 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 were a victim of, an act of violence; or (3) have behavioral health care needs (CGS § 17a-22ee). The act defines “service animal” as in federal law (i.e., a dog that is individually trained to do work or perform tasks to benefit a person with a disability) and includes a service animal in training.

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Prior law prohibited town clerks from licensing dogs in this manner, if they were not licensed before, without written evidence that the dog is trained, educated, and intended to perform guide service for the applicant. The act instead allows a town clerk, in cases where the dog was not licensed before and it is not obvious that the dog is a service animal, to ask the applicant if the dog is a service animal needed due to a disability and what tasks it is trained to perform.

§ 6 — DOG LICENSING WORKGROUP

The act requires the DoAg commissioner to convene a working group with the Connecticut Town Clerks Association (“association”) to develop a plan for a statewide online dog licensing portal. The commissioner and association president, or their designees, must serve as the co-chairpersons and convene the first meeting by June 22, 2022 (i.e., within 30 days after the act’s passage).

The working group must include DoAg representatives, association members, a Connecticut Conference of Municipalities representative, a Council of Small Towns representative, and other people or organizations the co-chairpersons deem necessary.

Under the act, 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 co-chairpersons must submit the plan and related legislative proposals to the Environment Committee by January 1, 2023.

§ 7 — PROVISIONS REPEALED

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

Under prior law, the interagency committee was (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 was 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 been inactive for several years and the council never convened.