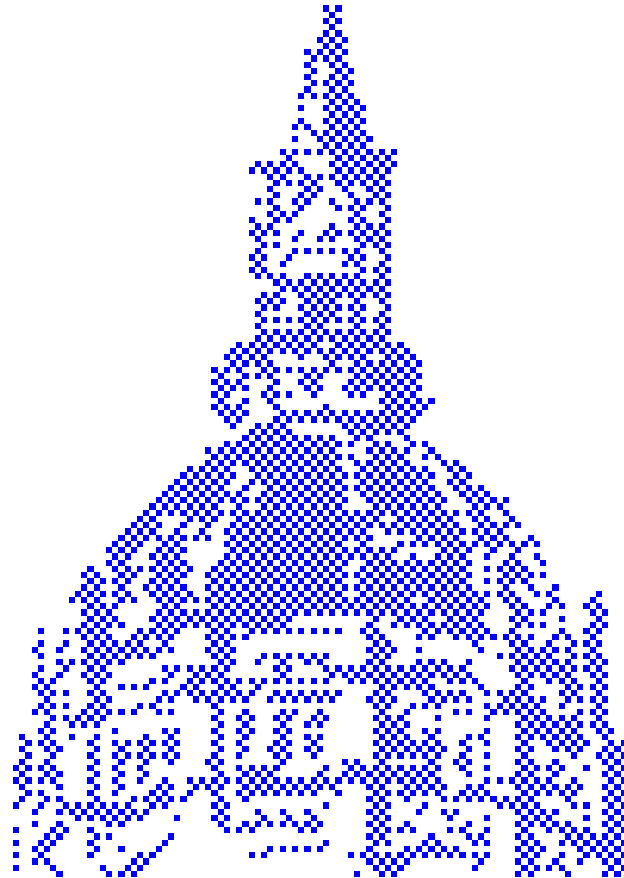




ACTS AFFECTING AGRICULTURE AND ANIMALS



2016-R-0114

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NOTICE TO READERS

This report provides highlights of new laws (public acts) affecting agriculture and animals enacted during the 2016 regular legislative session. In each summary, we indicate the public act (PA) number.

Not all provisions of the acts are included here. Complete summaries of all 2016 public acts are available on OLR's webpage:

<https://www.cga.ct.gov/olr/olrsums.asp>

Readers are encouraged to obtain the full text of acts that interest them from the Connecticut State Library, the House Clerk's Office, or the General Assembly's website: <http://www.cga.ct.gov>.

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AGRICULTURAL NOISE MAKING DEVICES

A new law makes changes to the laws on agricultural noisemaking devices used to deter wildlife from damaging crops. Under existing law, the Department of Agriculture (DoAg) commissioner issues permits for people to use these devices. He may deny or cancel a permit if a municipal legislative body adopts a resolution asking him to do so and he determines that a device causes or will cause undue hardship to nearby residents. The new law defines "undue hardship" as causing significant injury to the health and comfort of a person while on his or her property. It also allows the DoAg commissioner to institute a "best practical use procedure" at a municipality's request, instead of denying or cancelling a permit, if he determines it is feasible to limit excessive use of the device while allowing it to be effective ([PA 16-89](#), § 10, effective on passage).

AGRICULTURAL VIRTUAL NET METERING

Virtual net metering allows certain customers to (1) receive a billing credit for excess power they generate using clean energy sources and (2) share their excess credits with certain other designated electric accounts. A new law broadens eligibility for virtual net metering by allowing agricultural customers that lease or have a long-term contract for an agricultural virtual net metering facility to participate. Prior

law limited participation to agricultural customers who own such a system ([PA 16-46](#), effective July 1, 2016).

ANIMAL CRUELTY PENALTY

A new law increases the penalty for a subsequent offense of malicious and intentional animal cruelty (i.e., maliciously or intentionally maiming, mutilating, torturing, wounding, or killing an animal) by classifying it as a class C felony, instead of a class D felony. Under existing law, unchanged by the act, a first offense remains a class D felony ([PA 16-96](#), effective October 1, 2016).

BED BUG INFESTATION GUIDELINES

A new law requires the Connecticut Agricultural Experiment Station (CAES) to develop and publish guidelines and best practices identifying the most effective and least burdensome ways to investigate and treat bed bug infestations. CAES must do this within available appropriations and in consultation with the public health and energy and environmental protection departments ([PA 16-51](#), § 3, effective October 1, 2016).

COMMERCIAL FEED

A new law modifies the state's statutory commercial feed requirements to align them with DoAg's cooperative agreement with the U.S. Food and Drug Administration on animal feed. "Commercial feed" is generally any feed

used for pets and other animals. Among its provisions, the new law (1) requires in-state commercial feed manufacturers to register with DoAg annually, instead of once, and pay an annual registration fee; (2) establishes statutory fines for violating the commercial feed requirements; (3) eliminates a requirement for DoAg to provide a commercial feed facility owner or operator written notice of an inspection; (4) requires DoAg to apply to the Superior Court for a warrant when a facility owner refuses an inspector entry; and (5) exempts manufacturers with less than \$25,000 in annual commercial feed sales from registration and inspection requirements ([PA 16-102](#), §§ 1-3, effective October 1, 2016).

CONNECTICUT MARKETING AUTHORITY

A new law expands the Connecticut Marketing Authority's administrative powers to include the leasing, permitting, and licensing of property under its control. Prior law allowed it to lease, but not permit or license, its land or markets. The authority is a board within DoAg that oversees the operation and planning of the Hartford Regional Market, a wholesale farmers market ([PA 16-161](#), effective on passage).

FARM LINK PROGRAM AND FARM VIABILITY GRANTS

A new law requires DoAg to expand the Farm Link program, which links farmers and agricultural land owners

who want to sell their farm or land with people who want to start or expand an agricultural business. The new law opens the program to farmers and agricultural land owners who want to lease or transfer their farm or land. It also requires DoAg to conduct outreach to farmers and land owners and perform on-site investigations of land enrolled in the program. In addition, the new law expands the purposes for which DoAg's farm viability matching grants may be used to include developing and implementing programs and services to promote farm and farmland access and farm transfers. Farm viability grants are available to nonprofit agricultural organizations, municipalities, groups of municipalities, and regional councils of government ([PA 16-107](#), effective on passage).

FARM TO SCHOOL PROGRAM

Connecticut's farm to school program encourages the use of Connecticut-grown farm products in school cafeterias. A new law requires food service management companies to include in their response to a board of education's request for proposal or bid solicitation for a school nutrition program a description of how the proposal or bid is consistent with the program and how it facilitates the purchase of products from local farmers. When a board is awarding a contract, it must give preference to the proposal or bid that promotes the purchase of local farm products, all other factors being equal. The new law

also requires the State Board of Education to amend its regulations on nutrition standards for school breakfasts and lunches to facilitate purchases by boards of education from local farmers ([PA 16-37](#), effective October 1, 2016, except the regulations requirement is effective on passage).

FARM WINERIES

New laws extend the hours certain alcoholic liquor permittees may sell or dispense alcohol. They generally allow manufacturer permittees for a farm winery to sell and dispense alcohol (1) an hour earlier on Sundays, starting at 10:00 a.m. instead of 11:00 a.m. and (2) two hours earlier on Monday through Saturday, starting at 8:00 a.m. instead of 10:00 a.m. Also, a new law allows farm wineries to offer free wine tastings at a farmers' market if the wine was manufactured at the winery ([PA 16-103](#), §§ 3 & 4, and [PA 16-117](#), § 6, effective on passage).

HOUSATONIC RIVER DESIGNATION

A new law designates the northern section of the Housatonic River as a wild and scenic river to preserve it under the federal Wild and Scenic Rivers Act. The designation does not affect authorized agricultural activity along the river as long as no federal Army Corps of Engineers permit is required ([PA 16-38](#), effective on passage).

INTERNATIONAL TRADE AND INVESTMENT CORPORATIONS

A new law authorizes the banking commissioner to issue licenses to international trade and investment corporations but does not require them to be licensed. These corporations are business entities or government agencies approved or seeking approval from the U.S. Export-Import Bank (EXIM), Overseas Private Investment Corporation (OPIC), or U.S. Department of Agriculture (USDA) as a lender under a financing guarantee program. These programs include EXIM loan guarantees for U.S. exporters, OPIC loan guarantees for investment projects in developing countries and emerging markets, and USDA loan guarantees for rural businesses. The new law imposes licensing requirements, fees, and recordkeeping requirements ([PA 16-65](#), §§ 65-71, effective on passage).

LICENSE AND REGISTRATION TERMS AND FEES

A new law makes certain licenses and registrations DoAg issues subject to biennial, instead of annual, renewal and adjusts their associated fees to reflect the longer term. Affected people and entities include milk dealers; cheese, dry milk, or yogurt manufacturers; milk-selling stores; commercial kennels and pet shops; animal grooming or training facilities; and animal importers ([PA 16-102](#), §§ 4-7, effective October 1, 2016).

MEDICAL MARIJUANA RESEARCH

A new law allows the consumer protection commissioner to approve medical marijuana research programs. If the research will involve animals, the program must have an institutional animal care and use committee (i.e., a committee overseeing the program to ensure compliance with federal policies, guidelines, and principles on animal research) ([PA 16-23](#), effective October 1, 2016).

POLLINATOR HEALTH AND HABITAT

Pollinators are organisms that spread pollen between flowers, such as bees and butterflies. A new law establishes numerous requirements related to their health and habitat. Among its provisions, the new law (1) generally bans applying neonicotinoid pesticide labeled for treating plants to plants with blossoms and allows the DoAg commissioner to enforce the ban; (2) includes model pollinator habitat in any conservation plan DoAg requires as part of its farm preservation programs; (3) requires the DoAg commissioner to develop best practices for minimizing the release of neonicotinoid insecticide dust from treated seeds; and (4) requires the CAES to compile a guide for model pollinator habitat ([PA 16-17](#), effective on passage).

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