



Agency Legislative Proposal – 2025 Session

Document Name: DoAg – Aquaculture

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Legislative Liaison	Kayleigh Royston Kayleigh.Royston@ct.gov
Division Requesting This Proposal	Bureau of Aquaculture
Drafter	Kayleigh Royston Carole Briggs- staff Attorney David Carey – Bureau Director, Bureau of Aquaculture

Title of Proposal	An Act Concerning Aquaculture
Statutory Reference, if any	26-192k, 26-212, 26-213, 26-232, 26-207, 26-209, 26-215, 26-192l
Brief Summary and Statement of Purpose	The Department of Agriculture Bureau of Aquaculture is seeking to amend their statutory purview, revise the oyster harvest season to support growth and maturity of oysters prior to harvest, and repeal language regarding a shellfish recovery vessel no longer owned by the state.
How does this proposal relate to the agency's mission?	



SECTION-BY-SECTION SUMMARY

Summarize sections in groups where appropriate

Section 1 (C.G.S. 26-192k) Removes unnecessary language as the combined Shellfish Harvest and Relay License allows market activity which must occur and be concluded prior to any movement or relay of contaminated fish. Removes impermissible restriction on harvest tag information.

Sections 2-4 (C.G.S. 26-212, 26-213, 26-232) revises the oyster harvest season. The Long Island Sound ecosystem has changed and the historic oyster spawning season which led to the natural bed closure period of July 20th to September 20th is no longer adequate to protect spawning oyster recruitment. Based on the this changed spawning season, oyster larvae need additional time to free swim before settling and physically attaching to a preferred surface. Once settled, the oyster must reach a metamorphose stage of curling, until such occurrence the shell substrate should be minimally disturbed. In recent years oysters have spawned earlier, throughout June, requiring this change to ensure the sustainability of the natural oyster seed bed ecosystem and the seed sources important to state shell fishermen who rely on the natural beds for most of their oyster seed. This change provides 35 additional days of non-disturbance to spawning and recruiting larvae has received industry support and will support the growth of the aquaculture industry.

Section 5 (C.G.S. 26-207) includes additional language that requires shellfish grounds owners and franchise holders to provide confirmation of business and shellfish related state tax filings to the Department of Agriculture to operate.

Section 6 (C.G.S. 26-209) includes additional language that grants appeal rights for reversions of franchises and ownership of shellfish beds occurring pursuant to C.G.S. 26-207.

Section 7 (C.G.S. 26-215) updates the current dredge limit from 30 to 60 pounds, which is compatible with the current 1.5 bushel capacity limit and is industry standard. This statute was previously amended in 1967 to add a limitation to the



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capacity of the dredge without adjusting the weight limit, this revision conforms with current industry practices.

Section 8 (C.G.S. 26-192I) repeals language regarding a shellfish recovery vessel, the John Volk, as the Department has sold this vessel due to an absence of annual maintenance funding the agency budget. This expense rose from ten to thirty thousand dollars. This vessel was sold to a Connecticut shellfish operation, who will retrofit the vessel into a modern shellfish vessel and retain the name.

BACKGROUND

Origin of Proposal

☒ New Proposal

☐ Resubmission

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Please consider the following, if applicable:

Have there been changes in federal/state laws or regulations that make this legislation necessary?	
Has this proposal or a similar proposal been implemented in other states? If	Section 1- The National Shellfish Sanitation Program Model Ordinance (NSSP MO) no longer allows the use of confidential harvest tag information (described in subsection b), the harvest location is the basis used nationally and internationally to trace illnesses back to growing areas. Enabling the Shellfish Authority to close only those shellfish beds attributing to the illnesses. The Bureau of Aquaculture



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yes, to what result?	with DoAg has never allowed the use of confidential harvest licenses.
Have certain constituencies called for this proposal?	

INTERAGENCY IMPACT

List each affected agency. Copy the table as needed.

[X] Check here if this proposal does NOT impact other agencies

1. Agency Name	
Agency Contact (name, title)	
Date Contacted	
Status	[] Approved [] Talks Ongoing
Open Issues, if any	

FISCAL IMPACT

Include the section number(s) responsible for the fiscal impact and the anticipated impact

[X] Check here if this proposal does NOT have a fiscal impact

State	
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Municipal (Include any municipal mandate that can be found within legislation)	
Federal	
Additional notes	

MONITORING & EVALUATION PLAN

If applicable, please describe the anticipated measurable outcomes and the data that will be used to track those outcomes. Include the section number(s) responsible for those outcomes

[X] Check here if this proposal does NOT lead to any measurable outcomes

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ANYTHING ELSE WE SHOULD KNOW?

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INSERT FULLY DRAFTED BILL HERE

Section 1 Sec. 26-192k. Shellfish relay from restricted relay grounds. Tag identification information confidential. Code re harvest location.

Section 26-192k of the general statutes is repealed, and the following is substituted in lieu thereof (*Effective upon passage*):

(a) The Department of Agriculture shall allow the relay of shellfish from shellfish grounds classified as restricted relay to other grounds in accordance with the National Shellfish Sanitation Program Model Ordinance, as amended from time to time, regarding restricted shellfish relay. [The department shall allow the harvest of shellfish from shellfish grounds classified as approved for market on the same day using the same vessel, provided the harvester first harvests the approved market product and lands the product to shore. A harvester shall not begin the relay of shellfish from shellfish grounds classified as restricted relay until all shellfish harvested first from approved market grounds, in market quantities, have been removed from the vessel. Such harvester shall not begin such relay until after the harvester has notified the Department of Energy and Environmental Protection of such relay. The harvester shall provide all information required by the Department of Agriculture regarding shellfish relays to the Department of Energy and Environmental Protection at the time of such notification. For the remainder of the day, the harvester shall not harvest approved market shellfish after beginning such relay.]

(b) All tag identification information regarding shellfish harvest locations shall be confidential, provided the harvester of the shellfish marks the tag with a unique code corresponding to the shellfish harvest location. The Department of Agriculture shall provide such harvester and the Department of Energy and Environmental Protection with a written code key detailing the harvest location and corresponding code to be used by the harvester.]

Section 2 Sec. 26-212. Licensing and numbering of shellfish vessels. Fee

Section 26-212 of the general statutes is repealed, and the following is substituted in lieu thereof (*Effective upon passage*):



No person shall take or gather for commercial purposes oysters, clams, mussels or other molluscan shellfish from any natural shellfish bed in the state in any boat or vessel unless it is licensed and numbered in the manner provided in this section. Any person desiring to use any boat or vessel for such purpose may make written application to the Commissioner of Agriculture, stating the name, owner, rig, general description and tonnage of such boat or vessel and the place where it is owned, and the commissioner shall issue to the owner of such boat or vessel a license to take and gather for commercial purposes oysters, clams, mussels or other molluscan shellfish from the natural shellfish beds in the state for the term expiring on the next succeeding **[twentieth day of July]** thirtieth day of June, unless sooner revoked, upon the payment of thirty dollars; provided, before such license is granted, the owner or master shall prove to the satisfaction of the commissioner that such boat or vessel may legally be used on work on the public beds of the state and that the dredges and other contrivances do not weigh more than thirty pounds. Each boat or vessel so licensed shall, while at work upon any of the natural shellfish beds of the state, display the number of such license in black figures not less than one foot in length. No such license may be transferred. The sale of any boat so licensed shall operate as a forfeiture and revocation of the license, and the license certificate shall be surrendered to the commissioner.

Section 3 Sec. 26-213. License to work on natural beds.

Section 26-213 of the general statutes is repealed, and the following is substituted in lieu thereof (*Effective upon passage*):

No person shall take or gather for commercial purposes oysters, clams, mussels or other molluscan shellfish from any natural shellfish bed in the state and no person shall be permitted upon any boat, licensed pursuant to the provisions of section 26-212, while the boat is being used for such taking or gathering until the person has been licensed in the manner provided in this section. The person shall apply in writing, to the Commissioner of Agriculture upon blanks to be furnished by the commissioner, stating his name, residence and post-office address and such other information as may be required by said commissioner, and said commissioner, upon payment of a fee of twenty dollars, shall issue to the person a license for such purpose. All licenses so issued shall be revocable at any time by the commissioner and shall expire on the **[twentieth day of July]** thirtieth day of June in each year. The commissioner shall account to the



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Treasurer for all moneys received for licenses under the provisions of this section. Any person who violates any of the provisions of this section relating to licensing shall be guilty of a class D misdemeanor.

Section 4 Sec. 26-232. Taking oysters from natural beds or the Housatonic or Saugatuck Rivers.

Section 26-232 of the general statutes is repealed, and the following is substituted in lieu thereof (*Effective upon passage*):

(a) Any person who (1) between the **[twentieth day of July]** fifteenth day of June and the twentieth day of September, gathers or takes any oysters or shells from any natural oyster bed specified in section 26-193 other than any such bed in the Housatonic River, (2) between the **[twentieth day of July]** fifteenth day of June and the twentieth day of September in any year, gathers or takes any oysters or shells in the Saugatuck River, or (3) between the **[twentieth day of July]** fifteenth day of June and the twentieth day of October in any year, gathers or takes any oysters or shells in the Housatonic River shall be fined not more than two hundred fifty dollars; provided nothing in this section shall be construed to prohibit the gathering or taking of shells or mussels by the use of tongs in said Housatonic River below a line drawn from a stake on the west bank of said river, at Quimber's Neck Point, so called, and running thence in a northeasterly direction to a stake on the east side of said river. Said stakes shall be located and maintained at said points by the selectmen of the town of Stratford, and a certificate of such location by said selectmen shall be recorded in the office of the town clerk of said town of Stratford. Nothing in this chapter or in chapter 492 shall be construed as prohibiting the excavation of material in deepening the channels of navigable waters by work authorized by the United States government.

(b) The Commissioner of Agriculture, upon application of the Stratford Shellfish Commission, may, at any time, close the season for the taking of any shellfish in the Housatonic River for purposes of conserving the resource.

Section 5 Sec. 26-207. Taxation of shellfish grounds.

Section 26-207 of the general statutes is repealed, and the following is substituted in lieu thereof (*Effective upon passage*):



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Any owner of shellfish grounds, franchise or franchises lying within the exclusive jurisdiction of the state, on or before the first day of July, annually, shall deliver to the Commissioner of Agriculture a statement under oath of such franchise or franchises or grounds belonging to such owner on the first day of June next preceding. Such statement shall specify the lot or lots owned by such owner by numbers as appear upon the last official map published by said commissioner, or, if granted since the publication of such map, according to such number as may be furnished by said commissioner, and the location and number of acres of each lot. Blanks for such statement shall be prepared by said commissioner and furnished to each owner, but failure to receive such blanks shall not relieve any person from the obligation to furnish the statement herein provided for. The commissioner may issue subpoenas to compel the attendance of any person before him, with books of account, documents and maps, and may administer oaths to and examine any person for the purpose of ascertaining the amount and value of such property. Any person who fails to respond to any such subpoena or who, having responded, refuses to testify or who fails to produce any such book or books of account, documents or maps, upon application of said commissioner to the superior court for any judicial district bordering on the waters of Long Island Sound, may be punished for contempt. Said commissioner may exercise the authority of assessors of towns and add ten per cent of the value of the property as a penalty for failure to give in a list. Any person who discloses any information obtained from any such witness or from the books or records of any such owner provided for under the provisions of this section, otherwise than in carrying out the provisions hereof, shall be fined not more than five hundred dollars. [Any owner of shellfish grounds, franchise or franchises lying within the exclusive jurisdiction of the state shall certify, in a format determined by the Commissioner of the Department of Agriculture, that the owner has completed all required business and shellfish related state tax filings for the preceding year.](#)

Section 6 Sec. 26-209. Appeal. Section 26-209 of the general statutes is repealed, and the following is substituted in lieu thereof (*Effective upon passage*):

Any person aggrieved by the action of the Commissioner of Agriculture under [section 26-207](#) [or](#) section 26-208 shall have the same right of appeal to the Superior Court as is provided by law for appeals to said court from boards of assessment appeals of towns, except as otherwise provided. Each such appeal shall be taken to the judicial district where the franchise or ground in question is situated or to the judicial district where the owner appealing resides, and said court shall have such powers therein as in appeals from boards of assessment appeals of towns.



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Section 7 Sec. 26-215. Power dredges. Local shellfish commissions. Use of power dredges to restore shellfish beds.

Section 26-215 of the general statutes is repealed, and the following is substituted in lieu thereof (*Effective upon passage*):

(a) There shall not be used on any licensed boat any device operated otherwise than by hand power, for hoisting or operating dredges or other implements for gathering oysters, clams, mussels or other shellfish or oyster shells. Except as provided in subsection (b) of this section, no person shall use any dredge or other contrivance weighing more than ~~thirty~~ sixty pounds, exclusive of the net or bag, or with a capacity of more than one and one-half bushels in taking up or dredging for oysters, clams, mussels or other shellfish or oyster shells in any of the waters of the state, except upon private designated grounds. Nothing in this section shall be construed to prevent the use of power in taking up or dredging for oysters, clams, mussels or other shellfish or shells on private designated grounds by the owners thereof, or to prevent the use of excavators for deepening the water in places where there are no natural oyster or clam beds, or where such beds have not existed within ten years, by digging or removing the material, permission to use excavators being first given by the Commissioner of Agriculture, which permission shall not be given until after a public notice of at least two weeks of the time when and place where he will hear all parties desiring to be heard upon such application, which notice shall be posted in the office of the town clerk of the town where such grounds are located.

(b) A local shellfish commission established pursuant to section 26-257a may allow limited and supervised use of a power dredge or other contrivance with a capacity of not more than three bushels, for the purpose of cultivation, enhancement or restoration of natural shellfish beds located within the jurisdiction of said commission. The use of a power dredge or other contrivance pursuant to this subsection shall not be extended to the harvesting or removal of oysters. Such shellfish commission shall administer such dredging pursuant to section 26-257a.

Section 8 Sec. 26-192l. Department of Agriculture's shellfish research and survey vessel.

Section 26-192l of the general statutes is repealed (*Effective upon passage*):

~~[The Department of Agriculture's dedicated vessel, used for the research and survey of shellfish populations in Long Island Sound and docked at the Bureau of Aquaculture office in~~



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Milford, shall be named the “John H. Volk” for a period of no less than twenty years. If said vessel is removed from state service, the next most prominent vessel by size and use docked at the Bureau of Aquaculture in Milford shall be named the “John H. Volk” until such time that a larger and more prominent research vessel is acquired for such research and survey purposes.]



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Legislative Liaison	Kayleigh Royston Kayleigh.Royston@ct.gov
Division Requesting This Proposal	Bureau of Regulatory Services Bureau of Agricultural Development and Resource Conservation
Drafter	Kayleigh Royston– Director of Government Affairs Carole Briggs– Staff Attorney

Title of Proposal	An Act Concerning Programming at the Department of Agriculture
Statutory Reference, if any	22-26f, 22-111c, 22-111bb, 22-341
Brief Summary and Statement of Purpose	Streamline services within the Department of Agriculture and increase access to state services.
How does this proposal relate to the agency's mission?	The mission of the Department of Agriculture is to foster a healthy economic, environmental, and social climate for agriculture by developing, promoting, and regulating agricultural businesses; protecting agricultural and aquacultural resources; enforcing laws pertaining to domestic animals; and promoting an understanding among the state's citizens of the diversity of Connecticut agriculture, its cultural heritage and its contribution to the state's economy.



SECTION-BY-SECTION SUMMARY

Summarize sections in groups where appropriate

Section 1 (C.G.S. 22-26f) removes the provision that an additional person only be designated to fulfill the responsibilities of the State Veterinarian in the absence of the State Veterinarian. There have been recent instances where additional support has been needed to address animal and human public health concerns.

Section 2 (C.G.S. 22-111c) removes unnecessary language regarding regs as fees are set previously in the statute.

Section 3 (C.G.S. 22-111bb) Includes a fee for soil amendment registration, to be in line with fertilizer registration fees in 22-111c.

Section 4 (C.G.S. 22-341) amends the cost per dog tag furnished to the town from 5 cents, to the actual cost. The current cost per tag has increased beyond the current 5 cents in statute and should be commiserate with cost to DoAg. Currently, DoAg absorbs the cost differential.

Section 5 (new) establishes a harvest season in Connecticut, which would allow transporters to take advantage of the agricultural exemption to the hours of service and electronic logging device restrictions for the transportation of agricultural commodities within a 150 mile air-radius of the source of commodities.

BACKGROUND

Origin of Proposal

☒ New Proposal

☐ Resubmission



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Please consider the following, if applicable:

Have there been changes in federal/state laws or regulations that make this legislation necessary?	Section 5, previously in PA. 24-100, Sec. 4, as a study for the Department of Agriculture to study the need to establish an annual harvest season for the purpose of any vehicle that transports agricultural products. Recommendations are to be submitted to the ENV committee by Jan 1, 2025.
Has this proposal or a similar proposal been implemented in other states? If yes, to what result?	<p>Section 1- 48 other states employ at least 2 state veterinarians, and also allow for additional designations to be made to meet public health needs.</p> <p>Section 5 (Annual Harvest Season) has been implemented in other states and is supported by 49 CFR 395.1(k)(1). It results in additional transport time for haulers of agricultural products, which typically have a volatile shelf life and therefore limited lifespan.</p>
Have certain constituencies called for this proposal?	<p>Section 4- this has been discussed with the CT Town Clerks Association, who recognize that DoAg is absorbing the costs per dog tag.</p> <p>Section 5 has been called for by the greenhouse and nursery industry, as it would allow them additional time to complete trips within a one-day span, as opposed to splitting them into a second day. Since other states, including Massachusetts and New York, have a year-round harvest season, this is an issue that impacts them disproportionately when working in Connecticut.</p>



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INTERAGENCY IMPACT

List each affected agency. Copy the table as needed.

[X] Check here if this proposal does NOT impact other agencies

1. Agency Name	
Agency Contact (name, title)	
Date Contacted	
Status	[] Approved [] Talks Ongoing
Open Issues, if any	

FISCAL IMPACT

Include the section number(s) responsible for the fiscal impact and the anticipated impact

[] Check here if this proposal does NOT have a fiscal impact

State	<p>Sec. 3 Potential state revenue as it imposes a \$75 registration fee for soil amendments – currently, there are 330 soil amendment registrations within DoAg.</p> <p>Sec. 4- Savings to the Department of Agriculture as DoAg currently absorbs the price differential per dog tag- current statutory language allows DoAg to be reimbursed 5 cents per dog tag, which actually cost 7 cents per tag in FY 23, in FY 23 there were just over 200,000 dogs licensed in the state. The cost will increase to 8 cents next year.</p>
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Municipal (Include any municipal mandate that can be found within legislation)	
Federal	
Additional notes	

MONITORING & EVALUATION PLAN

If applicable, please describe the anticipated measurable outcomes and the data that will be used to track those outcomes. Include the section number(s) responsible for those outcomes

[] Check here if this proposal does NOT lead to any measurable outcomes

Section 3 will have quantifiable data on number of soil amendment registrations and revenue to the general fund.

Section 4 can be tracked by the number of dog tags ordered and issued in the state each year. Annual dog tag licensure occurs in the month of June.

ANYTHING ELSE WE SHOULD KNOW?

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INSERT FULLY DRAFTED BILL HERE

Section 1 Sec. 22-26f. State Veterinarian

Section 22-26f of the general statutes is repealed and the following is substituted in lieu thereof (*Effective upon passage*):

(a) There shall be a State Veterinarian who shall be an employee of the Department of Agriculture and shall serve as the state animal health official for the state. The Commissioner of Agriculture may temporarily designate one or more veterinarians to exercise all or part of the authority, powers and duties of the State Veterinarian should the designated State Veterinarian be unable to perform state or federally required activities due to quarantine requirements **[in the absence of the State Veterinarian]**. Any veterinarian designated by the commissioner pursuant to this subsection shall meet the requirements of subsection (b) of this section. Any emergency or temporary appointments must be utilized within existing resources and be consistent with the requirements of subsection (c) of section 5-235.

Section 2 C.G.S. 22-111c. Registration of brands and grades.

Section 22-111c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective upon passage*):

(a) Each brand and grade of fertilizer shall be registered in the name of the person whose name appears on the label for such fertilizer before being distributed in this state. The application for registration shall be submitted to the commissioner on a form furnished by the commissioner and shall be accompanied by a fee of seventy-five dollars. **[On and after January 1, 2010, said fee shall be established]** Said fee may be increased by the commissioner by regulations adopted in accordance with the provisions of section 22-111j. The application shall include the following information: (1) The net weight; (2) the brand and grade; (3) the guaranteed analysis; and (4) the name and address of the registrant. Upon approval of the application by the commissioner, a copy of the registration shall be furnished to the applicant. All registrations shall expire on June thirtieth of each year.



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(b) A distributor shall not be required to register any fertilizer which is already registered under this chapter by another person, provided the label for such exempted fertilizer does not differ in any material respect to such previously registered fertilizer.

(c) A distributor shall not be required to register fertilizer formulated according to specifications which are furnished by a consumer prior to mixing; but shall be required to label such fertilizer as provided in subsection (c) of section 22-111d.

Section 3 C.G.S. 22-111bb. Registration

Section 22-111bb of the general statutes is repealed and the following is substituted in lieu thereof (*Effective upon passage*):

(a) No person may distribute a soil amendment unless it has been registered with the commissioner in accordance with the provisions of this section. An application for registration shall be submitted annually to the commissioner on the form furnished or approved by the commissioner and shall be accompanied by a fee of seventy-five dollars. Said fee may be increased by the commissioner by regulations adopted in accordance with the provisions of section 22-111ll. Upon approval of the application by the commissioner, a copy of the registration shall be furnished to the applicant. Such registration shall expire on September thirtieth of the following year. Each distributor shall submit to the commissioner a copy of labels and any advertising literature for each soil amendment with the registration application.

(b) A distributor shall not be required to register any brand of soil amendment that is already registered under this section by another person, providing the label does not differ in any respect.

(c) Before registering any soil amendment, the commissioner may require evidence to substantiate the claims made for the soil amendment and proof of the value and usefulness of the soil amendment.

Section 4 C.G.S. 22-341. Tag or plate to be attached to dog collar or harness. Cost.

Section 22-341 of the general statutes is repealed and the following is substituted in lieu



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thereof (*Effective June 1, 2026*):

(a) Each owner or keeper of a licensed dog shall keep around its neck or body a collar or harness of leather or other suitable material, to which shall be securely attached a tag or plate issued to such person by the town clerk. If any such tag or plate is lost, the owner or keeper of such dog shall forthwith secure a substitute tag or plate from the town clerk, at a cost of fifty cents.

(b) The town clerk of each town shall order a sufficient number of such tags or plates from the commissioner, who shall furnish the same at **[a cost of five cents each]** the actual costs incurred to procure and distribute tags, which cost shall be paid by the town on the approval of the town clerk. **[Any balance of the moneys received by the commissioner after deducting the cost of the tags, the expenses incidental to their distribution to the town clerks and the expenses incidental to the enforcement of the provisions of this chapter, shall be accounted for by the commissioner to the Comptroller.]** The design and the shape of such tags or plates shall be changed each year, and such tags or plates for each year shall be of uniform design and material throughout the state. Any dog found roaming at large upon any public highway or common or upon the premises of any person other than its owner, without a tag as provided in this section, shall be presumed to be an unlicensed dog.

Section 5 (New section) (Effective upon passage):

The annual harvest season for the purpose of vehicles transporting agricultural products shall be year-round.