



Agency Legislative Proposal - 2019 Session

Document Name (e.g. OPM1015Budget.doc; OTG1015Policy.doc): Hemp PILOT program

(If submitting electronically, please label with date, agency, and title of proposal – 092611_SDE_TechRevisions)

State Agency: Connecticut Department of Agriculture

Liaison: Jason E. Bowsza

Phone: 860-713-2526

E-mail: Jason.bowsza@ct.gov

Lead agency division requesting this proposal: Office of the Commissioner

Agency Analyst/Drafter of Proposal: Jason E. Bowsza/Carole Briggs, esq.

Title of Proposal: AAC an Industrial Hemp Pilot Program

Statutory Reference: [Click here to enter text.](#)

Proposal Summary:

This proposal seeks to establish an industrial hemp pilot program, in accordance with federal law.

PROPOSAL BACKGROUND

◇ **Reason for Proposal**

Please consider the following, if applicable:

- (1) *Have there been changes in federal/state/local laws and regulations that make this legislation necessary? The 2014 Farm Bill allows state departments of agriculture to establish industrial hemp pilot programs. Currently, Connecticut has no such program. Other states continue to explore the viability of industrial hemp and develop new markets for the product, while Connecticut is left behind.*
- (2) *Has this proposal or something similar been implemented in other states? If yes, what is the outcome(s)? Similar proposals have been adopted in more than two dozen other states. Those states are seeing significant increases in production of industrial hemp and associated products, as well as substantial tax revenue increases to the state.*
- (3) *Have certain constituencies called for this action? Yes. Farmers from across Connecticut routinely reach out to the department to determine how to engage in the cultivation of industrial hemp legally. We've also been asked to develop such a program by at least four members of Connecticut's Congressional Delegation*
- (4) *What would happen if this was not enacted in law this session? Other states would continue to outpace Connecticut in the expansion into this new market, and Connecticut would continue to lose out on potentially significant tax revenue.*

[Click here to enter text.](#)

◇ **Origin of Proposal**

New Proposal

Resubmission



If this is a resubmission, please share:

- (1) What was the reason this proposal did not pass, or if applicable, was not included in the Administration's package?
- (2) Have there been negotiations/discussions during or after the previous legislative session to improve this proposal?
- (3) Who were the major stakeholders/advocates/legislators involved in the previous work on this legislation?
- (4) What was the last action taken during the past legislative session?

[Click here to enter text.](#)

PROPOSAL IMPACT

◇ **AGENCIES AFFECTED** *(please list for each affected agency)*

Agency Name: [Click here to enter text.](#)

Agency Contact (name, title, phone): [Click here to enter text.](#)

Date Contacted: [Click here to enter text.](#)

Approve of Proposal YES NO Talks Ongoing

Summary of Affected Agency's Comments

[Click here to enter text.](#)

Will there need to be further negotiation? YES NO

◇ **FISCAL IMPACT** *(please include the proposal section that causes the fiscal impact and the anticipated impact)*

Municipal *(please include any municipal mandate that can be found within legislation)*

n/a

State

Potentially significant revenue gain

Federal

n/a

Additional notes on fiscal impact

[Click here to enter text.](#)



◇ **POLICY and PROGRAMMATIC IMPACTS** *(Please specify the proposal section associated with the impact)*

Section 1 establishes definitions for the pilot program. Section 2 establishes the program itself. Section 3 outlines what is and is not permissible. Section 4 establishes licensure and disciplinary criteria. Section 5 authorizes the department to adopt appropriate regulations to govern the program. Section 6 establishes audit, inspection and testing criteria. Section 7 allows for the discontinuation of the program under certain circumstances. Section 8 establishes a revolving fund to be used for enforcement of the program requirements. Section 9 states a prohibition that any aspects of the program, or anyone enrolled in the program, may violate federal law

Insert fully drafted bill here

Industrial Hemp Act

Section 1 (NEW) (Effective from passage) Definitions.

(a) As used in section 1 through 9, inclusive:

- (1) "Commissioner" means the Commissioner of the Connecticut Department of Agriculture;
- (2) "Cultivate" or "Cultivating" means planting, growing, and harvesting a plant or crop;
- (3) "Department" means the Connecticut Department of Agriculture;
- (4) "Handle" or "Handling" means possessing or storing industrial hemp for any period of time on premises owned, operated, or controlled by a person licensed to cultivate or process industrial hemp. "Handling" also includes possessing or storing industrial hemp in a vehicle for any period of time other than during its actual transport from the premises of a licensed person to cultivate or process industrial hemp to the premises of another licensed person;
- (5) "Hemp" or "Industrial hemp" has the same meaning as in 7 U.S.C. sec. 5940 as it currently exists or as it may be subsequently amended;
- (6) "Industrial hemp products" means products derived from, or made by, processing industrial hemp plants or plant parts;
- (7) "Licensee" means a person possessing a license issued by the Department under the authority of this chapter to cultivate, handle, process, or market industrial hemp or industrial hemp products;
- (8) "Market" or "Marketing" means promoting, distributing or selling a product within the State of Connecticut, in another state, or outside of the United States. "Marketing" includes efforts to advertise and gather information about the needs or preferences of potential consumers or suppliers;



(9) "Person" means a natural person;

(10) "Process" or "Processing" means using or converting an agricultural commodity for the purpose of creating a marketable form of the commodity;

(11) "Research pilot program" means a pilot program conducted by the Department in collaboration with one (1) or more licensees or universities to study methods of cultivating, processing, or marketing industrial hemp under the authority of 7 U.S.C. sec. 5940 as it currently exists or as it may be subsequently amended; and

(12) "University" means any land grant university located in the State of Connecticut.

Section 2 (NEW) (Effective October 1, 2019) Industrial hemp research pilot program. (a) The Commissioner is authorized to approve industrial hemp research pilot programs conducted by a university to enable the Department, and its licensees, to study methods of cultivating, processing, and marketing industrial hemp.

(b) Notwithstanding any other provision of law to the contrary, under an industrial hemp research pilot program approved by the Commissioner, any licensee, or his or her agent, may cultivate, handle, and process industrial hemp or industrial hemp products in the State of Connecticut.

Section 3 (NEW) (Effective October 1, 2019) Cultivation, processing, handling, marketing, research and possession; exemptions (a) Industrial hemp may be cultivated, processed, handled, marketed, researched, or possessed subject to section 1 through 9, inclusive. The cultivating, processing, handling, marketing, research or possession of industrial hemp shall be subject to the supervision and approval of the Department pursuant to section 1 through 9, inclusive.

(b) Industrial hemp shall only be used for the following: (a) research purposes; and (b) commercial purposes considered reasonable by the Commissioner, and not otherwise prohibited by the general statutes.

(c) A person cultivating, processing, handling, marketing, or possessing industrial hemp for research or commercial purposes shall: (i) be licensed by the Department pursuant to section 4; and (ii) only acquire hemp seeds from a source that provides written test results and documentation demonstrating that the seed meets the definition of industrial hemp.

(d) Notwithstanding any other provision of state law, sellers of industrial hemp products shall be exempt from licensing under state law, under the following circumstances: (i) retail sales where no further processing of the industrial hemp product occurs, and the industrial hemp products are acquired from a licensed processor, or marketer, or (ii) sales of industrial hemp products that are lawful under federal law.

Section 4 (NEW) (Effective October 1, 2019) Licensure, disciplinary sanctions for violations. (a)(1) No person shall cultivate, process, handle, market or research industrial hemp in the State of Connecticut unless the person holds an industrial hemp license issued by the Department, renewed annually.



- (2) An application for a license shall include, but not be limited to: (i) the name and address of any applicants; (ii) the name and address of the industrial hemp operation of the applicant; (iii) the global positioning system coordinates and legal description of the property used for the industrial hemp operation; (iv) the acreage size of the field where the industrial hemp will be cultivated, if applicable; (v) a written consent allowing the Department to conduct both scheduled and random inspections of and around the premises on which the industrial hemp is being sown, cultivated, harvested, stored and processed; (vi) a nonrefundable application fee of \$100; (vii) a license fee of \$300, renewed annually, and (viii) any other information as may be required by the Commissioner.
- (3) An applicant for a license issued by the Department shall submit to and pay for an annual criminal background check conducted by the Connecticut State Police or another state or federal law enforcement agency selected by the Department.
- (4) No person who has been convicted of any felony or any drug-related misdemeanor or violation in the previous ten (10) years from the date of application shall be eligible to obtain a license.
- (b) After receipt, review and approval of an application for licensure pursuant to section 4, the Commissioner may grant an annual license upon a finding that the requirements of section 4, have been satisfied.
- (c) The Commissioner shall deny an application for a license filed pursuant to section 4 if the applicant: (i) fails to satisfy the minimum qualifications for licensure pursuant to section 4, or (ii) for good cause shown.
- (d) The Department may temporarily suspend a license up to sixty (60) days if the licensee is alleged to have:
- (1) Violated any provision of section 1 through 9, inclusive, or a regulation promulgated under the authority of Section 1 through 9, inclusive;
 - (2) Made any false statement to the Department or its representatives;
 - (3) Pled guilty to, or been convicted of, any felony or drug-related misdemeanor or violation; or
 - (4) Failed to comply with an order from a representative of the department, representative of the Connecticut State Police, or any law enforcement officer.
- (e) The Department may temporarily suspend a license up to sixty (60) days without giving the licensee advance notice of the charge against him or her or an opportunity to be heard.
- (f) The Department shall not permanently revoke a license until the Department has notified the licensee of the charge against him or her and given the licensee an opportunity for a hearing before the Commissioner, or his or her designee.
- (g) The Department may permanently revoke a license if the licensee admits, or is found in a hearing, to have:



- (1) Violated any provision of section 1 through 9, inclusive, an administrative regulation promulgated under the authority of Section 1 through 9, inclusive;
- (2) Made any false statement to the Department or its representative;
- (3) Pled guilty to, or been convicted of, any felony or drug-related misdemeanor or violation, or
- (4) Failed to comply with any instruction or order from the department, a representative of the Connecticut State Police, or any law enforcement officer.

(h) The Department may impose a monetary civil penalty, not to exceed two thousand five hundred dollars per violation, and two hundred fifty dollars per day, on any person who violates section 1 through 9, inclusive, or an administrative regulation promulgated under the authority of section 1 through 9, inclusive.

(i) All documents included in an application for licensure submitted under section 4 except for the address of a licensee's cultivation or production facilities and any documents describing, depicting or otherwise outlining a licensee's security schematics or global positioning system coordinates, which are considered by the Department to be confidential in nature due to their public safety implications, shall be considered public records for the purposes of chapter 66.

Section 5 (NEW) (Effective from passage) Promulgation of regulations.

(a) The Department may adopt regulations, pursuant to Chapter 54, to implement the provisions of section 1 through 9, inclusive, including but not limited to:

- (1) Prescribe regulations for any industrial hemp research pilot program;
- (2) Conduct one (1) or more industrial hemp research pilot programs;
- (3) License persons who wish to participate in an industrial hemp research pilot program by cultivating, handling, processing, or marketing industrial hemp;
- (4) Prescribe regulations for a university's participation in any industrial hemp research pilot program;
- (5) License persons who wish to commercially cultivate, handle, process, or market industrial hemp;
- (6) Prescribe sampling and testing procedures to ensure that industrial hemp and industrial hemp products cultivated, processed, or marketed under the authority of this chapter do not exceed the concentration levels defined in 7 U.S.C. sec. 5940 as it currently exists or as it may be subsequently amended;
- (7) Define classes or categories of industrial hemp products that are eligible for sale, transfer, or distribution to members of the public, and



(8) Impose disciplinary sanctions, including suspension and revocation of licenses and the imposition of monetary fines.

Section 6 (NEW) (Effective from Passage) Audit, inspection, and testing. The Department may inspect and have access to the equipment, supplies, records, real property and other information deemed necessary to carry out the Department's duties under section 1 through 9, inclusive, from a person participating in the planting, cultivating, harvesting, possessing, processing, purchasing, selling or researching of industrial hemp. The Department may establish an inspection and testing program to determine delta-9 tetrahydrocannabinol levels and ensure compliance with the limits on delta-9 tetrahydrocannabinol concentration.

Section 7 (NEW) (effective from passage) Discontinuation of industrial hemp research pilot program; conditions and notice. (a) Notwithstanding any provision of law to the contrary, the Department may discontinue the industrial hemp research pilot program if the Commissioner finds that:

(1) A change in federal law makes continuation of the industrial hemp research pilot program impractical, impossible, or unnecessary;

(2) A change in federal law allows citizens of the State of Connecticut to cultivate, handle, or process industrial hemp and industrial hemp products without participating in a research pilot program conducted by the Department, or

(3) Insufficient funding is available to operate and administer the industrial hemp research pilot program.

(b) The Commissioner shall notify, in writing, the Governor, the Speaker of the House of Representatives, and the President of the Senate, that the industrial hemp research pilot program has been discontinued.

Section 8 (NEW) (Effective from passage) Industrial hemp program fund. (a) The industrial hemp program fund is hereby created as a separate, non-lapsing fund outside of the General Fund. The fund shall consist of amounts received from appropriations, and any other proceeds from gifts, grants, federal funds, application fees, or license fees provided by section 4, civil penalties as provided by section 4, and any other funds, both public and private, made available for purposes of sections section 1 through 9, inclusive. The industrial hemp program fund shall be administered by the Department.

(b) Amounts deposited in the industrial hemp program fund shall be used for the costs of personnel, program administration, testing, and any other costs incurred by the Department administering the industrial hemp program under section 1 through 9, inclusive.

(c) Moneys in the fund shall be used for the purposes set forth in this section 1 through 9, inclusive, and shall not be appropriated or transferred for any other purposes.

Section 9 (NEW) (Effective from passage) Violation of federal law. Nothing in this Act shall be construed to authorize any person to violate federal rules, regulations, or laws. If any part of this Act conflicts with a



provision of the federal laws regarding industrial hemp, the federal provisions shall control to the extent of the conflict.



Agency Legislative Proposal - 2019 Session

Document Name (e.g. OPM1015Budget.doc; OTG1015Policy.doc): Citations enforcement

(If submitting electronically, please label with date, agency, and title of proposal – 092611_SDE_TechRevisions)

State Agency: Connecticut Department of Agriculture
Liaison: Jason E. Bowsza Phone: 860-713-2526 E-mail: Jason.bowsza@ct.gov
Lead agency division requesting this proposal: Office of the Commissioner
Agency Analyst/Drafter of Proposal: Jason E. Bowsza/wayne kasacek

Title of Proposal: AAC Minor Changes to Statutes Pertaining to the Department of Agriculture
Statutory Reference: 22-4b
Proposal Summary: The proposal clarifies an omission in existing statute and allows the agency to issue citations for violations of existing statutes.

PROPOSAL BACKGROUND

◇ Reason for Proposal

Please consider the following, if applicable:

- (1) Have there been changes in federal/state/local laws and regulations that make this legislation necessary? No, but it corrects an unintentional omission
- (2) Has this proposal or something similar been implemented in other states? If yes, what is the outcome(s)? unknown, but CTDCP adopted very similar language in P.A. 18-141 to address the same issue.
- (3) Have certain constituencies called for this action? No
- (4) What would happen if this was not enacted in law this session? DoAg’s ability to enforce statutory violations would continue to be extremely handcuffed.

[Click here to enter text.](#)

◇ Origin of Proposal New Proposal Resubmission

If this is a resubmission, please share:

- (1) What was the reason this proposal did not pass, or if applicable, was not included in the Administration’s package? This was not a stand-alone legislative concept last session, but was brought to our attention as an existing omission in state law by the Office of the Attorney General in the waning days of the session. DoAg attempted to get amendment language adopted to address the omission, but was not successful
- (2) Have there been negotiations/discussions during or after the previous legislative session to improve this proposal? n/a
- (3) Who were the major stakeholders/advocates/legislators involved in the previous work on this legislation? None opposed
- (4) What was the last action taken during the past legislative session? Amendment language was drafted (by DoAg) but not filed



Click here to enter text.

PROPOSAL IMPACT

◇ **AGENCIES AFFECTED** *(please list for each affected agency)*

<p>Agency Name: Click here to enter text. Agency Contact (name, title, phone): Click here to enter text. Date Contacted: Click here to enter text.</p> <p>Approve of Proposal <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> Talks Ongoing</p>
<p>Summary of Affected Agency's Comments Click here to enter text.</p>
<p>Will there need to be further negotiation? <input type="checkbox"/> YES <input type="checkbox"/> NO</p>

◇ **FISCAL IMPACT** *(please include the proposal section that causes the fiscal impact and the anticipated impact)*

<p>Municipal <i>(please include any municipal mandate that can be found within legislation)</i> n/a</p>
<p>State Undetermined revenue gain</p>
<p>Federal n/a</p>
<p>Additional notes on fiscal impact Click here to enter text.</p>



◇ **POLICY and PROGRAMMATIC IMPACTS** *(Please specify the proposal section associated with the impact)*

The proposal gives the commissioner the authority to issue infractions for violations issued pertaining to statutes affecting the Department of Agriculture. In many cases, the department is currently omitted from C.G.S 51-164n

Insert fully drafted bill here

Sec. 22-4b. Designation of agents by commissioner. Designation of hearing officers by commissioner. The Commissioner of Agriculture may designate as an agent of the commissioner: (1) Any deputy commissioner or any employee of the department to exercise all or part of the authority, powers and duties of said commissioner in the absence of the commissioner, (2) any deputy commissioner or any employee, assistant or agent employed by the Department of Agriculture to exercise such authority of the Commissioner of Agriculture as the commissioner delegates for the administration or enforcement of any applicable statute, regulation, permit or order, (3) any deputy commissioner, employee, assistant or agent employed by the Department of Agriculture who is deemed qualified by the commissioner to act as a hearing officer in administrative hearings, (4) two or more qualified persons, one of whom shall be designated as the presiding officer to conduct administrative hearings, [and] (5) any qualified person to serve as a hearing officer for contested cases who may be compensated for such service. Any such hearing officer appointed by the commissioner shall render a proposed final decision or the final decision as directed by the commissioner except that the commissioner or deputy commissioner shall consider and make the final decision when modification or reconsideration of a contested case is requested by a party pursuant to section 4-181a[.], and (6) The commissioner and his or her deputy or assistants or agents shall have the authority to issue citations pursuant to section 51-164n for violations, for the purpose of enforcing such provisions.



Agency Legislative Proposal - 2019 Session

Document Name (e.g. OPM1015Budget.doc; OTG1015Policy.doc): Restraint and Disposal Orders, rabies statute fixes

(If submitting electronically, please label with date, agency, and title of proposal – 092611_SDE_TechRevisions)

State Agency: Connecticut Department of Agriculture

Liaison: Jason E. Bowsza

Phone: 860-713-2526

E-mail: Jason.bowsza@ct.gov

Lead agency division requesting this proposal: Department of Agriculture Bureau of Regulatory Services

Agency Analyst/Drafter of Proposal: Jason E. Bowsza

Title of Proposal: AAC the Control of Rabies

Statutory Reference: 22-358 and 22-359

Proposal Summary:

The proposal cleans up existing statutes pertaining to the quarantine and disposal of dogs doing damage, and pertaining to the control of rabies. These changes will make the two statutes more clear and simpler to enforce. The proposal removes rabies quarantine language from 22-358, the section that deals with animals that bite or attack, and moves that language to section 22-359, which is more appropriate. Moving the quarantine language from 22-358 to 22-359 clarifies that 22-358 deals with dangerous dogs and other animals, and that 22-359 deals with management and control of rabies.

PROPOSAL BACKGROUND

◇ Reason for Proposal

Please consider the following, if applicable:

- (1) Have there been changes in federal/state/local laws and regulations that make this legislation necessary? **No, but veterinary standards as determined by the Center for Disease Control have changed, and the proposal makes statutory changes to reflect those changing standards.**
- (2) Has this proposal or something similar been implemented in other states? If yes, what is the outcome(s)? **unknown**
- (3) Have certain constituencies called for this action? **No, but the changes will be a benefit for local animal control officers and animal owners.**
- (4) What would happen if this was not enacted in law this session? **The statutes will continue to be vague, outdated, and difficult to execute and enforce.**

[Click here to enter text.](#)



◇ **Origin of Proposal** **New Proposal** **Resubmission**

If this is a resubmission, please share:

- (1) *What was the reason this proposal did not pass, or if applicable, was not included in the Administration’s package?*
- (2) *Have there been negotiations/discussions during or after the previous legislative session to improve this proposal?*
- (3) *Who were the major stakeholders/advocates/legislators involved in the previous work on this legislation?*
- (4) *What was the last action taken during the past legislative session?*

N/A

PROPOSAL IMPACT

◇ **AGENCIES AFFECTED** *(please list for each affected agency)*

Agency Name: Click here to enter text.
Agency Contact (name, title, phone): Click here to enter text.
Date Contacted: Click here to enter text.

Approve of Proposal **YES** **NO** **Talks Ongoing**

Summary of Affected Agency’s Comments

Click here to enter text.

Will there need to be further negotiation? **YES** **NO**

◇ **FISCAL IMPACT** *(please include the proposal section that causes the fiscal impact and the anticipated impact)*

Municipal *(please include any municipal mandate that can be found within legislation)*

none

State

none

Federal

none

Additional notes on fiscal impact

Click here to enter text.



◇ **POLICY and PROGRAMMATIC IMPACTS** *(Please specify the proposal section associated with the impact)*

This will make the statutes pertaining to the control of rabies more clear. The proposal also updates the animal health standards to reflect new recommended standards for the quarantine of domestic animals potentially exposed to rabies.

Purpose:

C.G.S. § 22-358:

The concepts of disposal and restraint orders issued on an attacking or biting animal that has demonstrated a vicious propensity and the protection of public health by issuing quarantines to observe a biting animal for clinical signs of rabies have resulted in a confused C.G.S. § 22-358. This proposal removes rabies quarantine language from C.G.S. § 22-358 and places it in the control of rabies statute, C.G.S. § 22-359.

This proposal provides definitive guidance to Animal Control officers pertaining to the factors to be considered when determining the need for a disposal or restraint order on a dog which has demonstrated an aggressiveness and/or a vicious propensity by biting or attacking people or other animals.

Subsections (a) and (b), modernize language and provide more specific situations when a dog may be killed during and attack on people, livestock or other domestic animals.

Much of subsection (c) deals with mandatory quarantines for observation for clinical signs of rabies. We propose that C.G.S. § 22-359, which is the rabies control statute, is the more appropriate place for this language. What remains has been re-written for clarity and involves the issuance of restraint and disposal orders on attacking and biting dogs. The proposal requires animal control officers to consider the circumstances, nature of the attack(s) or bite(s), the viciousness of the attack(s) or bite(s), and the ability of owner's to control aggressive dogs in determining the type of order issued and conditions placed in restraint orders. It includes the provision for either the dog owner or keeper, or the victim to appeal the order. (new subsection (d))

New subsection (d) provides for the process to issue restraint or disposal orders, notification of rights to appeal, and provides for the holding of a dog during the appeal of a disposal order. Our goal in this subsection is to provide a more timely process for resolving disputes involving restraint or disposal orders. To accomplish this, the department proposes requiring the municipality and dog owner(s) to meet prior to initiating an appeal to the department. At this meeting the parties may resolve the issue. We have found that in many cases these matters can be resolved prior to a hearing. If the issue is not resolved at the pre-hearing meeting, then the appeal may be made to the department following the current procedures.



New subsection (f), formally subsection (e), is unchanged.

Original subsection (f) is transferred to C.G.S. § 22-359.

New subsection (g) originally subsection (h), concerns itself with dogs that attack other animals. This proposal rewrites the language of when an attacking dog may be subject to an order of restraint or disposal, and the opportunity to appeal, similar to the rationale for an attack on a person.

New subsection (h) exempts dogs owned by law enforcement, the blind and mobility impaired.

New subsection (i) of this proposal sends appeals that are on the department's docket as of the effective date of this proposal back to the municipality that issued the order to follow the process in this proposal for a pre-hearing meeting and appeal.

C.G.S. § 22-359 Concerns measures for the prevention and control of rabies in animals.

The provisions of this proposed legislation are consistent with nationally recognized and accepted guidelines and principals of animal rabies prevention and control.

Rabies is a fatal viral disease with serious public health implications. All mammals are believed to be susceptible to the disease, and for the purposes of this proposed legislation, use of the term animal refers to mammals. In Connecticut, rabies is considered endemic in certain species of wild animals including but not limited to raccoons, skunks, bats, fox and coyotes which serve as a reservoir for the virus.

The rabies virus is usually transmitted from animal to animal through bites. The incubation period is highly variable. In domestic animals, it is generally 3 to 12 weeks, but can range from several days to months, rarely exceeding 6 months. Rabies is communicable during the period of salivary shedding of rabies virus. Experimental and historic evidence documents that dogs, cats, and ferrets shed the virus for a few days prior to the onset of clinical signs of infection. The duration of viral shedding in species other than dogs, cats, and ferrets has not been determined.

Because pets and other domestic animals can be infected when they are bitten by rabid wild animals, prevention and control of rabies in these animals is a guiding principle in reducing the risk of human rabies. In addition to vaccination against rabies, post-exposure vaccination and management of domestic animals is essential in controlling spread of the virus among domestic animals and to humans. The proposed legislation provides the enforcement authority necessary to accomplish this.

The rabies vaccines currently available are labeled and approved for use only in dogs, cats, ferrets, cattle, sheep and horses. There are currently no known effective rabies antiviral drugs.

This proposal removes rabies quarantine language from section 22-358, the section that deals with animals that bite or attack and moves that language to section 22-359 which is more appropriate.



Moving the quarantine language from C.G.S. § 22-358 to C.G.S. § 22-359, clarifies that C.G.S. § 22-358 as a statute that deals with dangerous dogs and other animals and that C.G.S. § 22-359 deals with management and control of rabies.

This proposal splits subsection (a) into separate subsections for clarity.

Subsection (a) contains some minor language changes. Local directors of health are authorized to order the humane euthanasia of unowned animals when a public health threat due to rabies is detected.

Subsection (b), which was extracted from subsection (a), provides for the quarantine of animals which are bitten by or have been exposed to potentially rabid animals. Subsection (b) of this proposal provides for the state veterinarian to determine the quarantine and management of animals bitten by or exposed to potentially rabid animals. The care and management of animals which have been bitten by or exposed to potentially rabid animals varies considerably among the different species. The care and management of these animals must undergo a risk analysis based on several factors including but not limited to: the rabies vaccination status of the biting and bitten animal; evidence of a wound; the nature of the incident whether blood or saliva may have been introduced into a wound; the outcome of the mandatory quarantine of the biting animal if quarantined; whether the biting animal is available for diagnostic testing and the results of those tests. The state veterinarian conducts the risk analysis. Based on the risk and using recommendations from public health authorities such as those published in the Compendium of Animal Rabies Prevention and Control by the National Association of State Public Health Veterinarians, the state veterinarian can determine the quarantine period for these animals.

Subsection (c) provides for the mandatory quarantine of biting dogs, cats and ferrets for the purpose of observation for the clinical signs of rabies. This section was originally found in C.G.S. § 22-358.

This proposal shortens the mandatory quarantine of biting dogs, cats and ferrets from fourteen (14) days (in C.G.S. § 22-358) to ten (10) days, the length of time currently recommended by the National Association of State Public Health Veterinarians and the CDC.

Subsection (d) provides for the management of biting animals other than dogs, cats, and ferrets. The management of these biting animals depends on the species, the circumstances of the exposure, the epidemiology of rabies in the area, the exposing animal's history and current health status, and the animal's potential for exposure to rabies. The shedding period for rabies virus is undetermined for most species.

Subsections (e) through (i) ((b) through (f) in the original statute) were reworded with modern language. It also made adoption of regulations permissive (note regulations re: rabies in public settings are on the books).



Subsection (j) was extracted from the original subsection (a) and requires reporting confirmed rabies cases to the state veterinarian.

Subsection (k) was extracted from original subsection (a). The language increases the fine for failure to comply with this section from \$100 to \$250. It added a procedure for seizing an animal when the owner fails to cooperate to ensure it is properly quarantined.

Subsection (l) provides exemptions for dogs and other animals owned by law enforcement and the blind provided they are under their control, currently vaccinated for rabies and subject to routine veterinary care.

Insert fully drafted bill here

Sec. 22-358. Killing of dogs, cats or other animals doing damage. Biting or attacking dogs, cats or other animals. [Quarantine of biting dogs, cats or other animals. Notice. Seizure. Euthanasia and examination of potentially rabid animals.] Complaints by persons sustaining damage by a dog, cat or other animal to their poultry, ratite, domestic rabbit, [companion] domestic animal or livestock. Orders. Appeals. (a) Any owner or keeper, or the agent of any owner of any domestic animal, domestic animal or poultry, or the Chief Animal Control Officer, any animal control officer, any municipal animal control officer, any regional animal control officer or any police officer or state policeman, may kill any dog, cat or other animal [which he observes] while it is in the act of biting or attacking, pursuing or worrying any such domestic animal, domestic animal or poultry. Such owner or keeper who kills such biting or attacking dog, cat or other animal shall make complaint concerning the circumstances of the attack to any state, municipal or regional animal control officer or any police officer of the town where such attack occurred. Any such officer to whom such complaint is made shall investigate such complaint.

(b) Any person who is [bitten, or who shows visible evidence of attack] protecting themselves or another person from physical harm during an attack or who is bitten or attacked by a dog, cat or other animal when such person is not upon the premises of the owner or keeper of such dog, cat or other animal may kill such dog, cat or other animal during such attack. Such person shall make complaint concerning the circumstances of the attack to the Chief Animal Control Officer, any animal control officer or the municipal animal control officer or regional animal control officer or any police officer of the town [wherein such dog, cat or other animal is owned or kept.] where such bite or attack occurred. Any such officer to whom such complaint is made shall immediately make an investigation of such complaint. Any state, municipal or regional animal control officer or any police officer may kill any biting or attacking dog, cat or other animal to protect themselves or another person from physical harm.

(c) [If such officer finds that the complainant has been bitten or attacked by such dog, cat or other animal when the complainant was not upon the premises of the owner or keeper of such dog, cat or other animal the officer shall quarantine such dog, cat or other animal in a public pound or order the owner or keeper to quarantine it in a veterinary hospital, kennel or other building or enclosure approved by the commissioner for such purpose. When any dog, cat or other animal has bitten a person on the premises of the owner or keeper of such dog, cat or other animal, the Chief Animal Control Officer, any animal control officer, any municipal



animal control officer or any regional animal control officer may quarantine such dog, cat or other animal on the premises of the owner or keeper of such dog, cat or other animal. The commissioner, the Chief Animal Control Officer, any animal control officer, any municipal animal control officer or any regional animal control officer may make any order concerning the restraint or disposal of any biting dog, cat or other animal as the commissioner or such officer deems necessary. Notice of any such order shall be given to the person bitten by such dog, cat or other animal within twenty-four hours. The owner of such animal shall pay all fees as set forth in section 22-333. On the fourteenth day of such quarantine the dog, cat or other animal shall be examined by the commissioner or someone designated by the commissioner to determine whether such quarantine shall be continued or removed. Whenever any quarantine is ordered under the provisions of this section, notice thereof shall be given to the commissioner and to the person bitten or attacked by such dog, cat or other animal within twenty-four hours. Any owner or keeper of such dog, cat or other animal who fails to comply with such order shall be guilty of a class D misdemeanor. If an owner or keeper fails to comply with a quarantine or restraining order made pursuant to this subsection, the Chief Animal Control Officer, any animal control officer, any municipal animal control officer or any regional animal control officer may seize the dog, cat or other animal to ensure such compliance and the owner or keeper shall be responsible for any expenses resulting from such seizure. Any person aggrieved by an order of any municipal animal control officer, the Chief Animal Control Officer, any animal control officer or any regional animal control officer may request a hearing before the commissioner within fourteen days of the issuance of such order. Any order issued pursuant to this section that requires the restraint of an animal shall be effective upon its issuance and shall remain in effect during any appeal of such order to the commissioner. After such hearing, the commissioner may affirm, modify or revoke such order as the commissioner deems proper. Any dog owned by a police agency of the state or any of its political subdivisions is exempt from the provisions of this subsection when such dog is under the direct supervision, care and control of an assigned police officer, is currently vaccinated and is subject to routine veterinary care. Any guide dog owned or in the custody and control of a blind person or a person with a mobility impairment is exempt from the provisions of this subsection when such guide dog is under the direct supervision, care and control of such person, is currently vaccinated and is subject to routine veterinary care.] In the interest of public safety, if after investigation, any state animal control officer or any municipal or regional animal control officer in the municipality or region in which a dog, cat or other animal bite or attack occurs determines that a person has been bitten or attacked by a dog, cat or other animal, such officer may make any order concerning the restraint or disposal of such biting or attacking dog, cat or other animal as is reasonably necessary to protect public health and safety. In determining the type of order issued or conditions of restraint imposed, such animal control officer shall consider, as applicable, at least the following: the ability of the owner or keeper to control the dog, cat or other animal; the severity of injury inflicted by the biting or attacking dog, cat or other animal; the viciousness of the bite or attack; past bite or attack history of the dog, cat or other animal; whether the bite or attack took place off of the property of the owner or keeper of the biting dog, cat or other animal; whether the biting or attacking dog, cat or other animal was improperly provoked; and whether the biting or attacking dog, cat or other animal was in the act of protecting its owner or keeper from physical harm. Any owner or keeper of a dog, cat or other animal subject to an order issued pursuant to this subsection, or the bite or attack victim may appeal such order pursuant to subsection (d) of this section.

(d) The following shall apply to any order issued pursuant to this section:



- (1) In the interest of public safety, whenever an order issued pursuant to this section requires the restraint of a dog, cat or other animal, the order shall be effective upon its issuance and shall remain in effect during any appeal of such order;
- (2) In the interest of public safety, whenever an order issued pursuant to this section requires the disposal of a dog, cat or other animal, the issuing officer shall take physical custody and retain possession of the dog, cat or other animal subject to the order during any appeal of such order;
- (3) Within twenty-four hours of issuance of any order issued pursuant to this section, a copy of the order shall be given to the person bitten or attacked, or to the owner or keeper of an animal which has been bitten or attacked;
- (4) Within thirty days of issuing an order the municipality in which the attack occurred shall schedule and hold a pre-hearing meeting with the owner or keeper of the dog, cat or other animal subject to the order to determine if the order is in dispute. At such meeting the owner or keeper of the dog, cat or other animal subject to the order and their legal counsel if so accompanied, the animal control officer issuing the order and the animal control officer's appointing authority or their designee may stipulate to an alternate order to resolve the matter.;
- (5) Any order issued pursuant to this section shall include the date, time and place where the pre-hearing meeting shall occur and a statement informing the owner or keeper of the dog, cat or other animal, the victim or the owner or keeper of an animal which has been bitten or attacked of their right to appeal following the pre-hearing meeting;
- (6) The results of the pre-hearing meeting, including the date of the pre-hearing meeting, and whether and how the matter was resolved, shall be signed by all parties and provided to the commissioner within ten days of the date of the pre-hearing meeting;
- (7) After the pre-hearing meeting is held and concluded any owner or keeper of a dog, cat or other animal, or the victim of a bite or attack who is aggrieved by an order issued by any state, municipal or regional animal control officer pursuant to this section may request a hearing before the commissioner. Such request for a hearing shall be in writing and made within fourteen days of the date the pre-hearing meeting is held and concluded
- (8) Any such hearing held pursuant to this section shall be conducted pursuant to Chapter 54 and the regulations of the Connecticut Department of Agriculture. After such hearing, the commissioner may affirm, modify or revoke such order;
- (9) The owner or keeper of dog, cat or other animal subject to an order issued pursuant to this section shall pay all fees as set forth in section 22-333. If an owner or keeper of a dog, cat or other animal subject to an order issued pursuant to this section fails to comply with the order any state, municipal or regional animal control officer may seize the dog, cat or other animal prior to or during the pendency of the pre-hearing meeting or appeal and after the completion of the appeal of such order to ensure such compliance and the owner shall be responsible for any expenses resulting from such seizure; and
- (10) Any owner or keeper of a dog, cat or other animal subject to an order issued pursuant to this section who fails to comply with the order shall be guilty of a class D misdemeanor.

[(d)](e) Any dog, cat or other animal, while [actually] biting, attacking, worrying or pursuing deer, may be killed by the Chief Animal Control Officer or an animal control officer or by a conservation officer or special conservation officer appointed by the Commissioner of Energy and Environmental Protection, or by any police officer or state policeman. The owner or keeper of any dog, cat or other animal found biting, attacking, worrying or pursuing a deer shall be guilty of a class D misdemeanor.



[(e)](f) Any person who kills any dog, cat or other animal in accordance with the provisions of this section shall not be held criminally or civilly liable therefor.

[(f) The owner of any dog, cat or other animal which has bitten or attacked a person and has been quarantined pursuant to subsection (c) of this section may authorize the humane euthanization of such dog, cat or other animal by a licensed veterinarian at any time before the end of the fourteenth day of such quarantine. Any such dog, cat or other animal so euthanized before the end of the fourteenth day of quarantine shall be examined for rabies by the Connecticut Department of Public Health virology laboratory or any other laboratory authorized by the Department of Public Health to perform rabies examinations. The veterinarian performing the euthanasia shall be responsible for ensuring that the head of the euthanized animal is delivered by him or his designated agent within forty-eight hours to an appropriate laboratory designated by said department for rabies examination.

(g) Repealed by P.A. 05-175, S. 24.]

[(h)](g) A person who sustains damage or physical injury [by a dog] to such person's poultry, ratite, domestic rabbit, [companion] domestic animal or livestock as defined in section 22-278 by a biting or attacking dog, cat or other animal shall make complaint concerning circumstances of the bite or attack by such dog, cat or other animal on any such animal or livestock to the Chief Animal Control Officer, any animal control officer or the municipal animal control officer or regional animal control officer of the town in which [such dog is owned or kept.] the bite or attack occurred. An officer to whom such complaint is made shall immediately investigate such complaint. [If such officer finds that the complainant's animal has been bitten or attacked by a dog when the attacked animal was not on the premises of the owner or keeper of the attacking dog and provided the complainant's animal was under the control of the complainant or on the complainant's property, such officer, the commissioner, the Chief Animal Control Officer or any animal control officer may make any order concerning the restraint or disposal of such attacking dog as the commissioner or such officer deems necessary. An owner or keeper of such dog who fails to comply with such order shall be guilty of a class D misdemeanor. If the owner or keeper of such dog fails to comply with an order made pursuant to this subsection, the Chief Animal Control Officer or any animal control officer, municipal animal control officer or regional animal control officer may seize the dog to ensure such compliance, and the owner or keeper of such dog shall be responsible for any expenses resulting from such seizure. A person aggrieved by an order of the Chief Animal Control Officer or any animal control officer, municipal animal control officer or regional animal control officer made pursuant to this subsection may request a hearing before the commissioner not later than fourteen days after the issuance of such order. After such hearing, the commissioner may affirm, modify or revoke such order as the commissioner deems proper. A dog owned by a police agency of the state or any of its political subdivisions is exempt from the provisions of this section when such dog is under the direct supervision, care and control of an assigned police officer, has been vaccinated annually and is subject to routine veterinary care.] In the interest of public safety or the safety of other animals, if after investigation such animal control officer finds the bitten or attacked animal was under the control of the owner or keeper or the owner's competent agent or was on the property of the owner or keeper, such officer may issue any order requiring the restraint or disposal of such biting or attacking dog, cat or other animal as is reasonably necessary to protect public health and safety. In determining the type of order issued or conditions of restraint imposed, such animal control



officer shall consider at least the following: the ability of the owner or keeper to control the biting or attacking dog, cat or other animal, the severity of injury inflicted by the attacking dog, cat or other animal, the viciousness of the attack, past bite or attack history of the dog, cat or other animal, whether the biting or attacking dog, cat or other animal was improperly provoked, and whether the biting or attacking dog, cat or other animal was in the act of protecting its owner or keeper from physical harm. Any owner or keeper of a dog, cat or other animal subject to an order issued pursuant to this subsection or the owner or keeper of the bitten or attacked animal may appeal such order pursuant to subsection (d) of this section.

(h) Any dog, cat or other animal or other animal owned by the United States military, a law enforcement agency of the United States or a law enforcement agency of this state or any of its political subdivisions shall be exempt from the provisions of this section when such dog, cat or other animal or other animal is owned by or in the custody and control of such agency and under the direct supervision, care and control of an assigned handler. Any service animal owned by or in the custody and control of a person with a disability shall be exempt from the provisions of this section when such service animal is under the direct supervision, care and control of such person.

Sec. 22-359. Control of rabies. Regulations. (a) The commissioner or the commissioner's designee may make such orders for the adequate confinement, quarantine, control, humane euthanasia, testing for rabies or destruction of any dog, cat or other animal as [he deems] is deemed necessary to prevent the spread of rabies and to protect the public therefrom. [provided, notwithstanding the provisions of section 22-358, a] A local director of health may order the [destruction] humane euthanasia of any unowned animal which is not currently vaccinated for rabies for the purpose of rabies testing if the director finds that the animal has bitten a person and the health or life of such person may be threatened. [Any person who fails to comply with any order made under the provisions of this section shall be fined not more than one hundred dollars. The commissioner, the Chief Animal Control Officer, any animal control officer or any municipal animal control officer may quarantine any animal in a public pound, veterinary hospital, kennel or other building or enclosure approved by the commissioner for such purpose, if in the determination of the commissioner or such officer, such animal is rabid or is suspected of being rabid, or has been bitten by, or may have been bitten by, or has been in contact with or exposed to, a rabid animal or an animal suspected of carrying rabies or any wild animal as defined in subsection (d) of this section. The length of such quarantine period shall be determined by the commissioner or the State Veterinarian who shall take into account the age, general health and vaccination history of the animal as well as current accepted veterinary practices. Any suspected or confirmed case of rabies shall be reported to the commissioner by a local director of health or board of health or any veterinarian within twenty-four hours of receipt of such information.]

(b) Any state, municipal or regional animal control officer may quarantine or order the confinement of any dog, cat or other animal in a public pound, veterinary hospital, kennel or other building or enclosure adequate for the confinement of such animal and approved by the state veterinarian for such purpose, if in the determination of such animal control officer, such dog, cat or other animal is rabid or is suspected of being rabid, or has been bitten by, or may have been bitten by, or has been in contact with or exposed to a rabid animal or an animal suspected of being infected with rabies or any wild animal as defined in subsection (g) of this section. The length of such quarantine or confinement period shall be determined by the state veterinarian who



shall take into account the age, general health, rabies vaccination status of the animal and current national recommendations for the prevention and control of rabies.

(c) Whenever a person, or domestic animal has been bitten or attacked by a dog, cat or ferret, any state, municipal or regional animal control officer shall quarantine such biting or attacking dog, cat or ferret for ten (10) days. During such quarantine such biting or attacking dog, cat or ferret shall be observed for clinical signs of rabies. On the tenth day of such quarantine the dog, cat or ferret shall be examined by the state veterinarian or a person designated by the state veterinarian to determine whether such quarantine shall be continued or removed. The quarantine of a biting dog, cat or ferret shall conform to one of the following: (1) when the bitten or attacked person, domestic animal or other animal was not upon the premises of the owner or keeper of the biting or attacking dog, cat or ferret, the biting or attacking dog, cat or ferret shall be quarantined in a public pound or in a veterinary hospital or in a commercial kennel approved by the state veterinarian for such purpose, or (2) when the bitten or attacked person, domestic animal or other animal was on the premises of the owner or keeper of the biting or attacking dog, cat or ferret the biting or attacking dog, cat or ferret shall be quarantined in a public pound or in a veterinary hospital or in a commercial kennel approved by the state veterinarian for such purpose, or the dog, cat or ferret may be quarantined or confined on the premises of the owner or keeper of the biting or attacking dog, cat or ferret when such place, pen or building is adequate for the confinement of such animal and acceptable to the municipality or agency issuing the quarantine order.

(d) The management, confinement, quarantine or disposition of biting or attacking animals other than dogs, cats or ferrets shall be determined by the state veterinarian who shall take into account the age, general health, rabies vaccination status of the biting or attacking animal and current national recommendations for the prevention and control of rabies.

[(b)](e) Any dog, cat or other animal held in quarantine which is clinically diagnosed as rabid by [two licensed veterinarians, at least one of whom shall be engaged in private practice] two licensed and practicing veterinarians or the state veterinarian shall be humanely euthanized immediately without prior notice to the owner or keeper of same. No person who [kills] humanely euthanizes any animal in accordance with this subsection shall be held criminally or civilly liable therefor. The owner or keeper of any biting animal which has been quarantined or confined pursuant to this section may authorize the humane euthanasia of such animal by a licensed veterinarian at any time before the end of the quarantine or confinement period for the purpose of testing such animal for rabies. Any animal so euthanized shall be examined for rabies by the Connecticut Department of Public Health virology laboratory or any laboratory authorized by the Connecticut Department of Public Health. The veterinarian performing the euthanasia shall be responsible for ensuring that the head of the euthanized animal is delivered to the appropriate laboratory for rabies examination within forty-eight hours of being euthanized. The costs of quarantine, veterinary examination, rabies vaccination, euthanasia and rabies testing shall be the responsibility of the owner or keeper of any animal quarantined or confined pursuant to this section.

[(c)](f) Any animal, other than a dog, which is quarantined pursuant to this section which is not claimed by its owner or keeper within five days after the expiration [within the period] of such quarantine may be sold or given away by the municipal or regional animal control officer, [if he finds] provided that the animal is in good health. The animal may only be sold or given away as a pet to a person who satisfies [the] such officer that the



animal will be given a good home and proper care. The municipal or regional animal control officer may retain possession of such animal for such additional period of time [as he may deem] as deemed advisable in order to place such animal. Any animal, other than a dog, which is quarantined pursuant to this section which is not claimed by its owner or keeper within five days after the expiration of such quarantine and which is not sold or given away by the municipal or regional animal control officer, [within five days of the expiration of such quarantine,] may be disposed of at the direction of the [State Veterinarian] state veterinarian. No person who disposes of any animal in accordance with this subsection shall be held criminally or civilly liable therefor.

[(d)](g) [The commissioner, any animal control officer] Any state, municipal or regional animal control officer, or any state or municipal police officer may immediately kill any wild animal which is displaying behavior which causes the commissioner, the state veterinarian, or such animal control officer to reasonably conclude that such animal is rabid. For purposes of this [subsection,] section "wild animal" means any mammal which is ferae naturae or wild by nature.

[(e)](h) The commissioner shall institute such measures as the commissioner deems necessary to prevent the transmission of rabies associated with animals in public settings, including, but not limited to, fairs, shows, exhibitions, petting zoos, riding stables, farm tours, pet shops and educational exhibits.

[(f)](i) The commissioner [shall] may adopt regulations, in accordance with chapter 54, to implement the provisions of [subsection (e) of this section.] this section. Such regulations may include quarantine or confinement requirements for animals exposed to or potentially exposed to rabies, requirements for the vaccination of animals against rabies, identification of animals, identification of owners or keepers of such animals, animal enclosures, posting of public advisories, reporting of rabies exposure incidents, records deemed necessary and proper relating to the vaccination of animals against rabies, and any other methods determined by the commissioner to prevent the transmission of rabies. Such regulations may consider the species of animal, the characteristics of the public settings and the nature and type of contact the public may have with animals.

(j) Any suspected or confirmed case of rabies shall be reported to the state veterinarian by the testing diagnostic laboratory or a local director of health or any licensed veterinarian within twenty-four hours of receipt of such information.

(k) Any person who fails to comply with any quarantine or confinement order issued pursuant to this section shall be fined two hundred fifty dollars. Any dog, cat or other animal subject to a quarantine or confinement order issued pursuant to this section whose owner or keeper fails to comply with such quarantine order may be seized by any state, municipal or regional animal control officer and held in quarantine until such quarantine is complete and the dog, cat or other animal is examined by a licensed veterinarian. All costs associated with a failure to comply with a quarantine or confinement order issued pursuant to this section, including but not limited to the costs of seizure, care, handling, veterinary examination and rabies vaccination shall be paid by the owner or keeper of such animal prior to releasing such animal.

(l) Any dog or other animal owned by the United States military, a law enforcement agency of the United States or a law enforcement agency of this state or any of its political subdivisions shall be exempt from the provisions of this section when such dog or other animal owned by or in the custody and control of such agency and is



currently vaccinated for rabies and is subject to routine veterinary care. Any service animal owned by or in the custody and control of a person with a disability shall be exempt from the provisions of this section when such service animal is currently vaccinated for rabies and is subject to routine veterinary care.



Agency Legislative Proposal - 2019 Session

Document Name (e.g. OPM1015Budget.doc; OTG1015Policy.doc): [Click here to enter text.](#)

(If submitting electronically, please label with date, agency, and title of proposal – 092611_SDE_TechRevisions)

State Agency: Connecticut Department of Agriculture

Liaison: Jason E. Bowsza

Phone: 860-713-2526

E-mail: Jason.bowsza@ct.gov

Lead agency division requesting this proposal: Connecticut Department of Agriculture, bureau of regulatory services

Agency Analyst/Drafter of Proposal: Jason E. Bowsza/Mary Joaquin, MA, REHS/RS, RN

Title of Proposal: An Act Concerning the Connecticut One Health Initiative

Statutory Reference: [Click here to enter text.](#)

Proposal Summary:

The proposal establishes a One Health Initiative Planning Committee, which will seek to examine opportunities for data-sharing and collaboration between various state and local agencies, as well as make policy recommendations to increase public education and awareness concerning the benefits of a healthy population

PROPOSAL BACKGROUND

◇ **Reason for Proposal**

Please consider the following, if applicable:

- (1) *Have there been changes in federal/state/local laws and regulations that make this legislation necessary? No, although federal legislation is pending*
- (2) *Has this proposal or something similar been implemented in other states? If yes, what is the outcome(s)?*
- (3) *Have certain constituencies called for this action? USDA, CDC, and EPA strategic goals call for interdepartmental collaboration, transparency, and transdisciplinary approaches to agency goals and objectives.*
- (4) *What would happen if this was not enacted in law this session? Lack of interdisciplinary understanding approaches to public health problems has significant negative economic and social impacts.*

[Click here to enter text.](#)

◇ **Origin of Proposal**

New Proposal

Resubmission



If this is a resubmission, please share:

- (1) What was the reason this proposal did not pass, or if applicable, was not included in the Administration's package?
- (2) Have there been negotiations/discussions during or after the previous legislative session to improve this proposal?
- (3) Who were the major stakeholders/advocates/legislators involved in the previous work on this legislation?
- (4) What was the last action taken during the past legislative session?

[Click here to enter text.](#)

PROPOSAL IMPACT

◇ **AGENCIES AFFECTED** (please list for each affected agency)

Agency Name: Emergency Management and Homeland Security
Agency Contact (name, title, phone): [Click here to enter text.](#)
Date Contacted: [Click here to enter text.](#)

Approve of Proposal YES NO Talks Ongoing

Summary of Affected Agency's Comments

[Click here to enter text.](#)

Will there need to be further negotiation? YES NO

Agency Name: Department of Energy and Environmental Protection
Agency Contact (name, title, phone): [Click here to enter text.](#)
Date Contacted: [Click here to enter text.](#)

Approve of Proposal YES NO Talks Ongoing

Summary of Affected Agency's Comments

[Click here to enter text.](#)

Will there need to be further negotiation? YES NO



<p>Agency Name: Department of Public Health Agency Contact (<i>name, title, phone</i>): Click here to enter text. Date Contacted: Click here to enter text.</p> <p>Approve of Proposal <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> Talks Ongoing</p>
<p>Summary of Affected Agency's Comments Click here to enter text.</p>
<p>Will there need to be further negotiation? <input type="checkbox"/> YES <input type="checkbox"/> NO</p>

<p>Agency Name: Connecticut Agriculture Experiment Station Agency Contact (<i>name, title, phone</i>): Dr. Ted Andreadis Date Contacted: Click here to enter text.</p> <p>Approve of Proposal <input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> Talks Ongoing</p>
<p>Summary of Affected Agency's Comments Click here to enter text.</p>
<p>Will there need to be further negotiation? <input type="checkbox"/> YES <input type="checkbox"/> NO</p>

◇ **FISCAL IMPACT** *(please include the proposal section that causes the fiscal impact and the anticipated impact)*
The One Health Advisory Committee will be done with Agency Resources.

<p>Municipal <i>(please include any municipal mandate that can be found within legislation)</i> n/a</p>
<p>State n/a</p>
<p>Federal n/a</p>



Additional notes on fiscal impact

Click here to enter text.

◇ POLICY and PROGRAMMATIC IMPACTS *(Please specify the proposal section associated with the impact)*

Coordinated policy and programs, data sharing, systems mapping and diversion pathways will reduce negative impacts related to food borne illness, food safety on and off the farm, environmental health, emergency preparedness, and zoonotic disease. A coordinated collaborative approach to community health goals will maximize the existing workforce, eliminate duplicate research and program development, and allow for resource sharing. Interdisciplinary program development in response to social disparities, community goals and objectives, and industry needs will facilitate a multiagency coordinated approach allowing objectives related to reduction of morbidity and mortality related to health outcomes in healthy people 2020, helping to ease the fiscal responsibilities related to these objectives.

Insert fully drafted bill here

Copy and paste here.

Section 1. (NEW) (Effective July 1, 2019) (a) There is established a One Health Initiative Advisory Committee that shall assist the Commissioner of Agriculture with the drafting of One Health Initiative Plan, described in subsection (b) of this section. Such advisory committee shall consist of the following members: (1) The Commissioners of Agriculture, Emergency Management and Homeland Security, Energy and Environmental Protection, and Public Health, or said commissioners' designees, (2) the Secretary of the Office of Policy and Management, or their designee, (3) the director of the Connecticut Agriculture Experiment Station, or their designee; (4) a representative of the University of Connecticut Extension Service, appointed by the dean of the College of Agriculture, Health and Natural Resources; (5) a representative from a medical school located in Connecticut and who has a specialty in infectious disease, appointed by the Governor; (6) a member appointed by the governor, who shall be a representative from university located in Connecticut with expertise in public health; (7) a member appointed by the governor, who shall represent the Connecticut Conference of Municipalities; (8) a member appointed by the president pro tempore of the Senate, who shall be actively engaged in agriculture; (9) a member appointed by the speaker of the House of Representatives, who is knowledgeable in environmental health; (10) a member appointed by the minority leader of the Senate, who is knowledgeable in statewide food distribution programs to food banks; (11) a member appointed by the minority leader of the House of Representatives, who shall be a representative of the Connecticut Farm Bureau Association; (12) a member appointed by the majority leader of the Senate, who shall be a representative of local health districts; and (13) a member appointed by the majority leader of the House of Representatives, who shall represent local conservation districts. The Commissioner of Agriculture shall convene the first meeting of such advisory committee not later than sixty days after the effective date of this section and shall serve as the chairperson of such advisory committee to assist with administrative functions of the advisory committee, including but not limited to, convening and noticing meetings and drafting



assessments and reports. The advisory committee shall be located in the Department of Agriculture for administrative purposes only.

(b) The Commissioner of Agriculture, in conjunction with the One Health Initiative Advisory Committee, established pursuant to subsection (a) of this section, and within available resources, shall (1) coordinate the completion of a One Health Initiative assessment by identifying priorities that will advance the coordination and collaboration between state agencies to foster more healthy lifestyles and the efficient delivery of state services to at-risk populations; (2) examining the areas of mutual dependency between state and local agencies and strengthening interdepartmental cooperation; (3) examine disease surveillance plans aimed at containing zoonotic diseases, identify prevention strategies, and develop appropriate protocols for joint outbreak response; (4) create recommendations to address policy gaps pertaining to the One Health concept; current deficiencies in existing policy and programs; to identify areas where diversion program implementation may be appropriate; (5) facilitate the development of recommendations for regulations, policies and programs to promote food safety, while supporting community gardens, food share, food pantries, and farm to institution programs. In developing a final plan, the committee shall consider the economic impact of its policy recommendations. The final plan created by the committee shall identify strategies to address educational opportunities for state, local and industry-level partners, and strengthen transdisciplinary professional knowledge and skills, and identify unified means of communication and data-sharing pertaining to One Health.

(c) The One Health Initiative Advisory Committee shall hold not less than three public hearings in different municipalities of the state to receive comments and submissions from the public and interested persons and may provide for other public outreach and input measures, as appropriate, to assure sufficient stakeholder engagement and representation, provided one such public hearing shall be held in a municipality with a population over one hundred thousand residents, one public hearing shall be held in a municipality with a population between fifty thousand and one hundred thousand residents, and one public hearing shall be held in a municipality with a population below fifty thousand residents. The advisory committee shall assist the commission in completing a draft of the One Health Initiative Plan not later than March 1, 2021.

(d) Upon completion of the final draft of the One Health Initiative Plan, such plan shall be submitted to the joint standing committee of the General Assembly having cognizance of matters relating to the environment. Said committee, not less than forty-five days after the start of the next occurring legislative session following receipt of such plan, shall conduct a public hearing on the plan. Not later than forty-five days after such public hearing, said committee shall submit such plan, in conjunction with the committee's recommendation for approval or disapproval of such plan, to the General Assembly. Such plan shall become effective when approved by a majority vote of each chamber of the General Assembly. In the event that the General Assembly disapproves the plan, in whole or in part, such plan shall be deemed to be rejected and shall be returned to the advisory committee for revision.



Agency Legislative Proposal - 2019 Session

Document Name (e.g. OPM1015Budget.doc; OTG1015Policy.doc): Apple Marketing Board Assessment Adjustment

(If submitting electronically, please label with date, agency, and title of proposal – 092611_SDE_TechRevisions)

State Agency: Connecticut Department of Agriculture

Liaison: Jason E. Bowsza

Phone: 860-713-2526

E-mail: Jason.bowsza@gmail.com

Lead agency division requesting this proposal: Ag Development and Resources Conservation

Agency Analyst/Drafter of Proposal: Jason E. Bowsza/Rebecca Eddy

Title of Proposal: AAC Apple Assessments

Statutory Reference: 22-54r

Proposal Summary:

The bill seeks to adjust the assessments levied on apple producers in the State of Connecticut to ensure that all apple producers are paying at least a marginal payments to conduct a publicity program to maintain and enhance existing apple markets and create new markets.

PROPOSAL BACKGROUND

◇ **Reason for Proposal**

Please consider the following, if applicable:

- (1) Have there been changes in federal/state/local laws and regulations that make this legislation necessary? **No**
- (2) Has this proposal or something similar been implemented in other states? **If yes, what is the outcome(s)? unknown at this time**
- (3) Have certain constituencies called for this action? **Yes, wholesale apple producers and members of the Connecticut Apple Marketing Board.**
- (4) What would happen if this was not enacted in law this session? **Continued promotional efforts would be jeopardized.**

Click here to enter text.

◇ **Origin of Proposal**

New Proposal

Resubmission

If this is a resubmission, please share:

- (1) What was the reason this proposal did not pass, or if applicable, was not included in the Administration's package?
- (2) Have there been negotiations/discussions during or after the previous legislative session to improve this proposal?
- (3) Who were the major stakeholders/advocates/legislators involved in the previous work on this legislation?
- (4) What was the last action taken during the past legislative session?

Click here to enter text.



PROPOSAL IMPACT

◇ **AGENCIES AFFECTED** *(please list for each affected agency)*

Agency Name: Agency Contact (name, title, phone): Click here to enter text. Date Contacted: Click here to enter text. Approve of Proposal <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> Talks Ongoing
Summary of Affected Agency's Comments Click here to enter text.
Will there need to be further negotiation? <input type="checkbox"/> YES <input type="checkbox"/> NO

◇ **FISCAL IMPACT** *(please include the proposal section that causes the fiscal impact and the anticipated impact)*

Municipal <i>(please include any municipal mandate that can be found within legislation)</i> none
State none
Federal none
Additional notes on fiscal impact Because this is private revenue administered by the department on behalf of the board, there is no fiscal impact

◇ **POLICY and PROGRAMMATIC IMPACTS** *(Please specify the proposal section associated with the impact)*

22-54r(a). Requires each apple producer to contribute a minimum assessment amount of \$100. 22-54r(b). Establishes a minimum assessment amount of \$100 per producer.
--



Insert fully drafted bill here

Effective July 1, 2019

Sec. 22-54r. Assessment. Civil penalty. (a) There shall be paid by each apple producer to the Commissioner of Agriculture an assessment sufficient to cover the costs in the budget for implementation of the apple market order. The amount of the assessment shall be determined by the commissioner except that any assessment in excess of six cents per first sale unit shall be approved by a referendum conducted in accordance with the provisions of subsection (c) of section 22-54q. The initial one thousand first sale units of any apple producer in each market season shall be exempt from the assessment. In no case shall the assessment amount owed to the Department of Agriculture be less than \$100 per producer.

(b) Each apple producer subject to the assessment shall submit a return to the commissioner either annually on the fifteenth day of each November or quarterly on the fifteenth day of each November, February, May and August. The amount due shall be based on the number of apples sold or removed from storage on or before the last day of the month preceding the month the assessment is due, or be set at an amount of \$100, whichever is greater. If the apple producer elects to submit a return annually he shall calculate the amount due by considering seventy-five per cent of his total harvest to be first sale units. The commissioner may require a producer to submit additional documentation regarding the number of first sale units in order to ensure that the assessment is proper. Any apple producer who fails to pay the assessment required under this section may be assessed a civil penalty of not more than one thousand dollars for each day during which such nonpayment continues after receipt of an assessment under this subsection.

(c) Any revenues received during any marketing season and not expended may be paid by the commissioner at the end of the marketing season on a pro-rata basis to those apple producers who paid the assessment or may be carried over to the next marketing season as the commissioner deems necessary.

(d) Any broker, distributor or handler who, at the request of the producer, deducts the amount of the assessment due on the first sale units sold or transferred from storage, shall be liable for accounting and payment of such assessment.

(e) Any money collected by the commissioner pursuant to the provisions of this section shall not be deemed state funds and shall be deposited pursuant to section 4-33, in a qualified public depository in Connecticut. Such funds shall be expended by the commissioner for expenses incurred in administering the budget recommended by the board.



Agency Legislative Proposal - 2019 Session

Document Name: 092118_DoAg_LicenseSurcharge

(If submitting electronically, please label with date, agency, and title of proposal – 092611_SDE_TechRevisions)

State Agency: Connecticut Department of Agriculture

Liaison: Jason E. Bowsza

Phone: 860-713-2526

E-mail: Jason.bowsza@ct.gov

Lead agency division requesting this proposal: Department of Agriculture Bureau of Regulatory Services

Agency Analyst/Drafter of Proposal: Nathan Wilson/Jason Bowsza

Title of Proposal: AAC the dog license surcharge

Statutory Reference: 22-338; 22-380I

Proposal Summary:

The proposal increases the amount a person would pay to adopt a dog from a municipal pound. This increase allows a municipality to generate additional revenue to offset the rising costs of pound facilities.

PROPOSAL BACKGROUND

◇ **Reason for Proposal**

Please consider the following, if applicable:

- (1) Have there been changes in federal/state/local laws and regulations that make this legislation necessary? **No**
- (2) Has this proposal or something similar been implemented in other states? If yes, what is the outcome(s)? **No**
- (3) Have certain constituencies called for this action? **Yes, Connecticut Humane Society and other, similar animal groups.**
- (4) What would happen if this was not enacted in law this session? **APCP will continue to see a decrease in the number of participating veterinary clinics, lessening the efficiency of the program**

Click here to enter text.

◇ **Origin of Proposal**

New Proposal

Resubmission

If this is a resubmission, please share:

- (1) What was the reason this proposal did not pass, or if applicable, was not included in the Administration’s package?
- (2) Have there been negotiations/discussions during or after the previous legislative session to improve this proposal?
- (3) Who were the major stakeholders/advocates/legislators involved in the previous work on this legislation?
- (4) What was the last action taken during the past legislative session?

N/A



PROPOSAL IMPACT

◇ **AGENCIES AFFECTED** *(please list for each affected agency)*

<p>Agency Name: Click here to enter text.</p> <p>Agency Contact (<i>name, title, phone</i>): Click here to enter text.</p> <p>Date Contacted: Click here to enter text.</p> <p>Approve of Proposal <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> Talks Ongoing</p>
<p>Summary of Affected Agency's Comments</p> <p>Click here to enter text.</p>
<p>Will there need to be further negotiation? <input type="checkbox"/> YES <input type="checkbox"/> NO</p>

◇ **FISCAL IMPACT** *(please include the proposal section that causes the fiscal impact and the anticipated impact)*

<p>Municipal <i>(please include any municipal mandate that can be found within legislation)</i></p> <p>For every dog tag issued for an unsprayed or unneutered dog within a municipality, that municipality will see an extra \$1.00 in revenue. For every dog tag which is issued for a sprayed or neutered dog within a municipality, that municipality will see an extra \$2.00 in revenue. In addition, for each dog tag which is issued within a municipality, that municipality will see an additional \$1.00 dollar in revenue for the dog tag fee.</p>
<p>State</p> <p>For every dog tag issued for an unsprayed or unneutered dog within a municipality, that municipality will see an extra \$2.00 in revenue for the APCP. For every dog tag issued for a sprayed or neutered dog within a municipality, that municipality will see an extra \$1.00 in revenue for the APCP.</p>
<p>Federal</p> <p>none</p>
<p>Additional notes on fiscal impact</p> <p>Click here to enter text.</p>

◇ **POLICY and PROGRAMMATIC IMPACTS** *(Please specify the proposal section associated with the impact)*

<p>Not allowing more revenue to flow to the Animal Population Control Program will impact participating veterinarians, making them less likely to participate in the program. If less vets are willing to participate, residents will be impacted by getting their animals vaccinated and/or sterilized.</p>
--



[Insert fully drafted bill here](#)

Sec. 22-338. Licensing of dogs. Fees. Rabies certificate. Exemptions. (a) Each owner or keeper of a dog of the age of six months or older, except dogs kept under a kennel license as provided in section 22-342, shall cause such dog to be licensed in the town clerk's office in the town where such dog is kept, on or before June thirtieth, annually, or at such time as such dog becomes six months old, and annually thereafter, on or before June thirtieth. The owner or keeper shall pay to such town clerk for such license the sum of [seven] ten dollars for each neutered male or spayed female dog and the sum of [twelve] fifteen dollars for each unneutered male dog and each unspayed female dog, and [one] two additional dollar in each case as the town clerk's fee for issuing a tag and license as provided in section 22-340. [Two] Three dollars from each license fee collected for a neutered or spayed dog shall be deposited into the animal population control account, established under section 22-380g. If an owner or keeper of a dog fails to procure a license as required by this section, such owner or keeper shall pay the appropriate license fee specified in this section, the town clerk's fee and a penalty of one dollar for each month or fraction thereof the dog remains unlicensed.

(b) Any owner or keeper applying for a license for a dog under subsection (a) of this section, except for those owners or keepers possessing a rabies vaccination exemption certificate, or a copy thereof, issued pursuant to section 22-339b, shall submit to the town clerk a rabies certificate signed by a licensed veterinarian, or a copy thereof, stating that such dog has been vaccinated against rabies, the date of the vaccination and the duration of the immunity provided by the vaccine. No license shall be issued unless the certificate indicates that the immunity provided by the vaccine is effective at the time of licensing.

(c) Any owner or keeper applying for a license for a dog pursuant to subsection (a) of this section that has been exempted from vaccination against rabies pursuant to section 22-339b shall submit to the town clerk a rabies vaccination exemption certificate issued by the department, or a copy thereof, in lieu of a rabies certificate.

(d) This section shall not apply to any dog which is imported into this state for exhibition purposes and which does not remain in this state for more than thirty days. Any person may import, from another state, any licensed dog with collar, tag and rabies vaccination certificate, and keep the same in this state for not more than thirty days, without complying with the provisions of this section.

Sec. 22-380/. Surcharge on licensure of unspayed or unneutered dogs. For each license issued pursuant to section 22-338 for an unspayed or unneutered dog, the town clerk shall collect a surcharge of [six] eight dollars which shall be deposited by such clerk into the animal population control account established pursuant to section 22-380g.



Agency Legislative Proposal - 2019 Session

Document Name (e.g. OPM1015Budget.doc; OTG1015Policy.doc): False representation as milk or milk products

(If submitting electronically, please label with date, agency, and title of proposal – 092611_SDE_TechRevisions)

State Agency: Connecticut Department of Agriculture

Liaison: Jason E. Bowsza

Phone: 860-713-2526

E-mail: Jason.bowsza@ct.gov

Lead agency division requesting this proposal: Commissioner's Office

Agency Analyst/Drafter of Proposal: Jason E. Bowsza

Title of Proposal: An Act Concerning Milk Substitute Products

Statutory Reference: 22-129

Proposal Summary:

The intention of the proposal is to prevent the false characterization of milk substitutes as dairy products. The practice of referring to products such as soy milk, almond milk, rice milk and muscle milk is misleading. Consumers should have a clear understanding of the product that they are purchasing. The legislation seeks to limit the designation of "milk" to only those products that meet the federal definition, as defined by 21 CFR 131.110.

PROPOSAL BACKGROUND

◇ Reason for Proposal

Please consider the following, if applicable:

- (1) **Have there been changes in federal/state/local laws and regulations that make this legislation necessary?** no
- (2) **Has this proposal or something similar been implemented in other states? If yes, what is the outcome(s)?** Yes. South Dakota has passed the Artificial Dairy Products Act. The purpose of the act is to protect the public from confusion, fraud, and deception and to prohibit practices inimical to the general welfare, and to promote the fair marketing of essential foods.
- (3) **Have certain constituencies called for this action?** Yes, this proposal is of particular concern to Connecticut Dairy Farm Families. Available space in the dairy case has a direct result on the marketing opportunity for Connecticut-produced milk. Connecticut dairy farmers are very interested in market expansion opportunities, including the reclamation of dairy case space in grocery stores that has been inappropriately provided to non-dairy products.
- (4) **What would happen if this was not enacted in law this session?** Connecticut dairy farmers would continue to be disadvantaged by non-dairy products misrepresented as dairy products and consuming limited dairy case space. Connecticut dairy farm families continue to struggle to make ends meet due to nearly unsustainably low federal milk prices.

[Click here to enter text.](#)



◇ **Origin of Proposal** **New Proposal** **Resubmission**

If this is a resubmission, please share:

- (1) What was the reason this proposal did not pass, or if applicable, was not included in the Administration’s package?
- (2) Have there been negotiations/discussions during or after the previous legislative session to improve this proposal?
- (3) Who were the major stakeholders/advocates/legislators involved in the previous work on this legislation?
- (4) What was the last action taken during the past legislative session?

Click here to enter text.

PROPOSAL IMPACT

◇ **AGENCIES AFFECTED** *(please list for each affected agency)*

Agency Name: Click here to enter text.

Agency Contact (name, title, phone): Click here to enter text.

Date Contacted: Click here to enter text.

Approve of Proposal **YES** **NO** **Talks Ongoing**

Summary of Affected Agency’s Comments

Click here to enter text.

Will there need to be further negotiation? **YES** **NO**

◇ **FISCAL IMPACT** *(please include the proposal section that causes the fiscal impact and the anticipated impact)*

Municipal *(please include any municipal mandate that can be found within legislation)*

n/a

State

n/a

Federal

n/a

Additional notes on fiscal impact



This proposal would not be a fiscal impact to the state, but it would create market opportunities for Connecticut dairy producers and local cooperative members.

◇ **POLICY and PROGRAMMATIC IMPACTS** *(Please specify the proposal section associated with the impact)*

The proposal outlined below would stop false representation of dairy-substitute products as being milk.

Insert fully drafted bill here

Sec. 22-129. Prohibitions on sale, offering for sale, barter, exchange, distribution or processing. Exceptions. Penalties. (a) The Commissioner of Agriculture or the commissioner's duly authorized agent shall prohibit the sale or offering for sale or distribution of any cheese, milk or other milk product which is insanitary or detrimental to health, and which has not been produced, processed, cared for or handled in the manner prescribed in this chapter and in chapter 431 and by the regulations of the Milk Regulation Board.

(b) The following are prohibited: (1) The sale, offering for sale or offering for barter or exchange any milk, milk product or cheese that is adulterated, (2) the adulteration of any milk, milk product or cheese, (3) the sale, offering for sale, offering for barter or exchange, manufacturing, distributing or processing any milk, milk product or cheese from any facility not licensed pursuant to section 22-229, [or] (4) the sale, offering for sale, distributing, offering for barter or exchange any milk for pasteurization, retail raw milk or retail raw milk cheese from any dairy farm not registered pursuant to section 22-172 or 22-173a; or (5) the misrepresentation of any liquid as "milk" or "milk product" that does not meet the definition as listed in Connecticut General Statutes 22-127(19), as amended. The provisions of this section shall not apply to: (1) The production of milk, milk products, raw milk or raw milk products and the manufacture of cheese for personal consumption or for consumption by immediate family members, or (2) the transfer or exchange of raw milk between persons who are parties to the same shared animal ownership agreement. For purposes of this subsection, "shared animal ownership agreement" means any contractual arrangement in which a person: (A) Acquires an ownership interest in a milk-producing animal, (B) agrees to pay or reimburse another person or otherwise accept financial responsibility for the care and boarding of such milk-producing animal, and (C) is entitled to receive a share of the raw milk produced by such milk-producing animal.



(d) Nothing in this section shall prevent the commissioner from seeking any other remedy provided by law.

(e) Any person who violates any order issued by the commissioner or the commissioner's duly authorized agent pursuant to this section shall, for a first violation, have committed an infraction and, for a second or subsequent violation committed within one year of a prior violation, be guilty of a class A misdemeanor.



Agency Legislative Proposal - 2019 Session

Document Name: 092118_DoAg_AdoptionFee

(If submitting electronically, please label with date, agency, and title of proposal – 092611_SDE_TechRevisions)

State Agency: Connecticut Department of Agriculture

Liaison: Jason E. Bowsza

Phone: 860-713-2526

E-mail: Jason.bowsza@ct.gov

Lead agency division requesting this proposal: Department of Agriculture Bureau of Regulatory Services

Agency Analyst/Drafter of Proposal: Nathan Wilson/Jason Bowsza

Title of Proposal: AAC the Adoption Fee for Pound Pets

Statutory Reference: 22-332

Proposal Summary:

The proposal increases the amount a person would pay to adopt a dog or cat from a municipal pound. This increase allows a municipality to generate additional revenue to offset the rising costs of pound facilities.

PROPOSAL BACKGROUND

◇ Reason for Proposal

Please consider the following, if applicable:

- (1) Have there been changes in federal/state/local laws and regulations that make this legislation necessary? **No**
- (2) Has this proposal or something similar been implemented in other states? If yes, what is the outcome(s)? **No**
- (3) Have certain constituencies called for this action? **Yes, Connecticut Humane Society and other animal groups.**
- (4) What would happen if this was not enacted in law this session? **Municipalities will continue to struggle with rising costs associated with their pounds and the animals they are required to house. This could lead to abandonment and neglect for pound pets.**

Click here to enter text.

◇ Origin of Proposal

New Proposal

Resubmission

If this is a resubmission, please share:

- (1) What was the reason this proposal did not pass, or if applicable, was not included in the Administration’s package?
- (2) Have there been negotiations/discussions during or after the previous legislative session to improve this proposal?
- (3) Who were the major stakeholders/advocates/legislators involved in the previous work on this legislation?
- (4) What was the last action taken during the past legislative session?

N/A



PROPOSAL IMPACT

◇ **AGENCIES AFFECTED** *(please list for each affected agency)*

<p>Agency Name: Click here to enter text.</p> <p>Agency Contact (name, title, phone): Click here to enter text.</p> <p>Date Contacted: Click here to enter text.</p> <p>Approve of Proposal <input type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> Talks Ongoing</p>
<p>Summary of Affected Agency's Comments</p> <p>Click here to enter text.</p>
<p>Will there need to be further negotiation? <input type="checkbox"/> YES <input type="checkbox"/> NO</p>

◇ **FISCAL IMPACT** *(please include the proposal section that causes the fiscal impact and the anticipated impact)*

<p>Municipal <i>(please include any municipal mandate that can be found within legislation)</i></p> <p>Yes, municipal pounds will not receive \$15.00 per domestic animal which they adopt out. Municipalities will see an increase of \$10.00 per dog they adopt out and an increase of \$15.00 per cat they adopt out.</p>
<p>State</p> <p>none</p>
<p>Federal</p> <p>none</p>
<p>Additional notes on fiscal impact</p> <p>Click here to enter text.</p>

◇ **POLICY and PROGRAMMATIC IMPACTS** *(Please specify the proposal section associated with the impact)*

<p>Not allowing more revenue to flow to municipalities and their pounds could lead to abandonment and neglect for pound pets.</p>



Insert fully drafted bill here

Sec. 22-332. Impoundment and disposition of roaming, injured or mistreated animals. Authority to spay or neuter unclaimed dog. Liability for provision of veterinary care to injured, sick or diseased impounded animal. (a) The Chief Animal Control Officer, any animal control officer or any municipal animal control officer shall be responsible for the enforcement of this chapter and shall make diligent search and inquiry for any violation of any of its provisions. Any such officer may take into custody (1) any dog found roaming in violation of the provisions of section 22-364, (2) any dog not having a tag or plate on a collar about its neck or on a harness on its body as provided by law or which is not confined or controlled in accordance with the provisions of any order or regulation relating to rabies issued by the commissioner in accordance with the provisions of this chapter, or (3) any dog or other domestic animal found injured on any highway, neglected, abandoned or cruelly treated. The officer shall impound such dog or other domestic animal at the pound serving the town where the dog or other domestic animal is taken unless, in the opinion of a licensed veterinarian, the dog or other domestic animal is so injured or diseased that it should be destroyed immediately, in which case the municipal animal control officer of such town may cause the dog or other domestic animal to be mercifully killed by a licensed veterinarian or disposed of as the State Veterinarian may direct. The municipal animal control officer shall immediately notify the owner or keeper of any dog or other domestic animal so taken, if known, of its impoundment. Such officer shall immediately notify the owner or keeper of any other domestic animal which is taken into custody, if such owner or keeper is known. If the owner or keeper of any such dog or other domestic animal is unknown, the officer shall immediately tag or employ such other suitable means of identification of the dog or other domestic animal as may be approved by the Chief Animal Control Officer and shall promptly cause (A) a description of such dog or other domestic animal to be published once in the lost and found column of a newspaper having a circulation in such town or that has a state-wide circulation, and (B) a photograph or description of such dog or other domestic animal and the date on which such dog or other domestic animal is no longer legally required to be impounded to be posted on a national pet adoption Internet web site or an Internet web site that is maintained or accessed by the animal control officer and that is accessible to the public through an Internet search, except such posting shall not be required if: (i) The dog or other domestic animal is held pending the resolution of civil or criminal litigation involving such dog or other domestic animal, (ii) the officer has a good faith belief that the dog or other domestic animal would be adopted by or transferred to a public or private nonprofit rescue organization for the purpose of placing such dog or other domestic animal in an adoptive home even in the absence of such posting, (iii) the dog or other domestic animal's safety will be placed at risk, or (iv) such animal control officer determines that such dog or other domestic animal is feral and not adoptable. If any animal control officer does not have the technological resources to post such information on an Internet web site as required by subparagraph (B) of this subdivision, such officer may contact a public or private animal rescue organization and request that such organization post such information, at such organization's expense, on an Internet web site that is accessible to the public through an Internet search. To the extent practicable, any such posting by an animal control officer or a public or private animal rescue organization shall remain posted for the duration of such dog's or other domestic animal's impoundment in the municipal or regional dog pound.

(b) If such dog or other domestic animal is not claimed by and released to the owner within seven days after the date of publication, the municipal animal control officer, upon finding such dog or other domestic animal to be in satisfactory health, may have a licensed veterinarian spay or neuter such dog and sell such dog or other



domestic animal to any person who satisfies such officer that such person is purchasing such dog or other domestic animal as a pet and that such person can give it a good home and proper care. The municipal animal control officer may retain possession of such dog or other domestic animal for such additional period of time as such animal control officer may deem advisable in order to place such dog or other domestic animal as a pet and may have a licensed veterinarian spay or neuter such dog. If, within such period, any dog or other domestic animal is not claimed by and released to the owner or keeper or purchased as a pet, the officer shall cause such dog or other domestic animal to be mercifully killed by a licensed veterinarian or disposed of as the State Veterinarian may direct. Any veterinarian who so destroys a dog shall be paid from the dog fund account. No person who so destroys a dog or other domestic animal shall be held criminally or civilly liable therefor nor shall any licensed veterinarian who spays or neuters a dog pursuant to this section be held civilly liable, including, but not limited to, liability for reconstructive neuteical implantation surgery.

(c) The town treasurer or other fiscal officer shall pay from the dog fund account the advertising expense incurred under the provisions of this section upon receipt of an itemized statement together with a copy of the advertisement as published. Any person who purchases a dog or other domestic animal from a municipal pound as a pet shall pay a fee of [five dollars] fifteen dollars to the municipal pound and procure a license and tag for such dog or other domestic animal from the town clerk, in accordance with the provisions of section 22-338. In addition to the [five-dollar] fifteen dollar fee, any person who purchases a dog or other domestic animal from a municipal pound as a pet may be charged the cost the municipality incurred, if any, to spay or neuter and vaccinate the dog, provided such charge shall not exceed one hundred fifty dollars.

(d) No regional or municipal dog pound facility, municipality, regional or municipal animal control officer or public or private nonprofit animal rescue organization that arranges for the provision of treatment by a licensed veterinarian to an injured, sick or diseased animal pursuant to a contract described in section 22-332e shall be held civilly liable for such actions unless such actions are performed in a wanton, reckless or malicious manner. No licensed veterinarian who provides treatment free of charge or for a reduced fee, to an injured, sick or diseased animal as a direct result of a contract described in section 22-332e shall be held civilly liable for the provision of such treatment unless such actions are performed in a willful, wanton or reckless manner.



Agency Legislative Proposal - 2019 Session

Document Name (e.g. OPM1015Budget.doc; OTG1015Policy.doc): **HERD SHARES**

(If submitting electronically, please label with date, agency, and title of proposal – 092611_SDE_TechRevisions)

State Agency: **Connecticut Department of Agriculture**

Liaison: Jason E. Bowsza

Phone: 860-713-2526

E-mail: Jason.Bowsza@ct.gov

Lead agency division requesting this proposal: **Bureau of Regulatory Services**

Agency Analyst/Drafter of Proposal: **Jason E. Bowsza**

Title of Proposal: AN ACT REPEALING HERD SHARES WITHIN THE PRODUCTION OF MILK AND RAW MILK PRODUCTS

Statutory Reference: Sec. 22-129 Prohibitions on sale offering for sale, barter, exchange, distribution or processing. (Milk and Milk Products)

Proposal Summary: This proposal will eliminate the exemption that allows for the exchange or transfer of raw milk among people engaged in an animal ownership arrangement. (PA-15-101)

[Click here to enter text.](#)

PROPOSAL BACKGROUND

◇ Reason for Proposal

Please consider the following, if applicable:

- (1) *Have there been changes in federal/state/local laws and regulations that make this legislation necessary? **No.***
- (2) *Has this proposal or something similar been implemented in other states? If yes, what is the outcome(s)? **Yes. Data from those states indicate an increase in foodborne illness related to the consumption of raw milk from herd sharing programs (MI, TN).***
- (3) *Have certain constituencies called for this action? **No.***
- (4) *What would happen if this was not enacted in law this session? **A public health threat will remain in place.***

[Click here to enter text.](#)

◇ Origin of Proposal

New Proposal

Resubmission

If this is a resubmission, please share:

- (1) *What was the reason this proposal did not pass, or if applicable, was not included in the Administration's package? **We are attempting to reverse the bill that passed unanimously in the 2015 session.***
- (2) *Have there been negotiations/discussions during or after the previous legislative session to improve this proposal? **No. Public Act 15-101 should be eliminated.***
- (3) *Who were the major stakeholders/advocates/legislators involved in the previous work on this legislation? **Former Sen. Clark Chapin.***



(4) What was the last action taken during the past legislative session? *The Environment Committee did not raise the concept. This continues to be a significant public health concern.*

Click here to enter text.

PROPOSAL IMPACT

◇ **AGENCIES AFFECTED** *(please list for each affected agency)*

Agency Name: None

Agency Contact (name, title, phone): Click here to enter text.

Date Contacted: Click here to enter text.

Approve of Proposal YES NO Talks Ongoing

Summary of Affected Agency's Comments

N/A

Will there need to be further negotiation? YES NO

◇ **FISCAL IMPACT** *(please include the proposal section that causes the fiscal impact and the anticipated impact)*

Municipal *(please include any municipal mandate that can be found within legislation)*

NONE

State

NONE

Federal

NONE

Additional notes on fiscal impact

Click here to enter text.



◇ **POLICY and PROGRAMMATIC IMPACTS** *(Please specify the proposal section associated with the impact)*

None

Insert fully drafted bill here

Sec. 22-129. Prohibitions on sale, offering for sale, barter, exchange, distribution or processing. Exceptions. Penalties. (a) The Commissioner of Agriculture or the commissioner's duly authorized agent shall prohibit the sale or offering for sale or distribution of any cheese, milk or other milk product which is insanitary or detrimental to health, and which has not been produced, processed, cared for or handled in the manner prescribed in this chapter and in chapter 431 and by the regulations of the Milk Regulation Board.

(b) The following are prohibited: (1) The sale, offering for sale or offering for barter or exchange any milk, milk product or cheese that is adulterated, (2) the adulteration of any milk, milk product or cheese, (3) the sale, offering for sale, offering for barter or exchange, manufacturing, distributing or processing any milk, milk product or cheese from any facility not licensed pursuant to section 22-229, or (4) the sale, offering for sale, distributing, offering for barter or exchange any milk for pasteurization, retail raw milk or retail raw milk cheese from any dairy farm not registered pursuant to section 22-172 or 22-173a.

(c) The provisions of this section shall not apply to: (1) The production of milk, milk products, raw milk or raw milk products and the manufacture of cheese for personal consumption or for consumption by immediate family members, or (2) the transfer or exchange of raw milk between persons who are parties to the same shared animal ownership agreement. For purposes of this subsection, "shared animal ownership agreement" means any contractual arrangement in which a person: (A) Acquires an ownership interest in a milk-producing animal, (B) agrees to pay or reimburse another person or otherwise accept financial responsibility for the care and boarding of such milk-producing animal, and (C) is entitled to receive a share of the raw milk produced by such milk-producing animal.

(d) Nothing in this section shall prevent the commissioner from seeking any other remedy provided by law.

(e) Any person who violates any order issued by the commissioner or the commissioner's duly authorized agent pursuant to this section shall, for a first violation, have committed an infraction and, for a second or subsequent violation committed within one year of a prior violation, be guilty of a class A misdemeanor.