
This act summary is provided for the convenience of the public and members of the General Assembly. It is intended to provide a general summary of the act and may not be exhaustive. It has been prepared by the staff of the Office of Legislative Council without input from members of the General Assembly. It is not intended to aid in the interpretation of legislation or to serve as a source of legislative intent.

Act No. 64 (H.525). Agriculture; agricultural seed; raw milk; farm-to-school; water quality; wetlands permitting

An act relating to miscellaneous agricultural subjects

This act requires the Agency of Agriculture, Food and Markets (AAFM) to review new genetically engineered seed prior to sale, distribution, or use in the State. After consultation with a review committee, AAFM may approve, deny, or condition the use of a new genetically engineered seed. The reporting deadline for manufacturers of genetically engineered seed would be changed from January 15 to February 15 of each year. The act requires seed manufacturers to report the quantity of treated and untreated seed sold in the State in the previous calendar year.

The act allows sales of raw milk at farmer's markets and eliminates the requirement that raw milk be pre-ordered before delivery. The act revises the content of the required label on raw milk products and amends the content and size requirements for the sign required on a farm or at a farmer's market. When raw milk is sold at a farmer's market, the vendor shall be required to verbally inform the customer of the need to keep the milk refrigerated. The act establishes standards for the sale of commercial animal feed manufactured with raw milk.

The act clarifies that technical service providers are eligible for assistance from the Farm-to-School grant program. It amends the maximum grant from the Farm-to-School program to change the maximum award from \$15,000.00 to 20 percent of the total amount of available grant money, except that AAFM can award grants that exceed the cap for awards to technical service providers or to school districts that merged under one of three merger bills, provided that the grant is used to expand Farm-to-School projects to additional schools in the new district.

The act defines what is "good standing" for the purposes of participation in agricultural water programs. The act amends the required agricultural practices (RAPs) to remove obsolete dates and clarify that the AAFM has authority under the RAPs to establish standards for areas of land that are excluded from the definition of wetlands. The act authorizes AAFM to establish agricultural water quality financing programs. The act amends the existing Capital Equipment Assistance Program to clarify eligible recipients and clarify the priority system for allocation of grants.

The act removes dates by which AAFM is required to adopt rules for the certification of nutrient management technical service providers. The date when

nutrient management plans will be required to be created by a certified nutrient management technical service provider is amended to be 45 days after the effective date of the rules for technical service providers. The act requires the audit of the Clean Water Fund to assess the capacity of the Department of Environmental Conservation to effectively administer and enforce agricultural water quality requirements on farms.

The act creates an Environmental Stewardship Program to enhance the economic viability of farms, improve soil health and productivity, encourage regenerative farming practices, and reduce agricultural waste entering waters. The act creates a Conservation Reserve Enhancement Program at AAFM to provide financial assistance for alternative nutrient reduction practices. The act creates the Agricultural Environmental Management Program at AAFM to provide financial assistance for alternative nutrient reduction practices. The act amends AAFM's emergency public health authority to allow it to spend up to \$25,000.00 from available funds to prevent public health hazards or protect the environment.

The act requires commercial slaughterhouses to retain records for three years pertaining to the number of animals slaughtered at the facility, the origin of each animal, the date of slaughter of each animal, and official identification numbers of slaughtered animals. The act authorizes the Agency of Natural Resources (ANR) to approve the use of a sewage pumpout tanks for buildings that will not be used to host events on more than 28 days in a year.

The act creates a legislative study committee to clarify State wetlands statutes and permitting. The act sets a maximum fee for a wetlands permit at \$200.00 for water quality improvement projects in Class II wetlands or buffers. The maximum fee for construction of a permanent farming structure would be capped at \$5,000.00, provided that the fee for a waste storage facility or bunk silo shall be \$200.00 when constructed according to specified standards. The act also requires ANR to commence a study of approaches to licensing and certifying wetlands scientists.

Multiple effective dates, beginning on June 17, 2019