

OUR PUBLIC AFFAIRS REVIEW FOR FARM, FOREST AND RURAL INTEREST.  
PUBLISHED WEEKLY DURING THE LEGISLATIVE SESSION AND MONTHLY THEREAFTER BY NHFBF.  
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NEW HAMPSHIRE FARM BUREAU FEDERATION • JEFFREY HOLMES, PRESIDENT

## In This Issue:

- House Disposes of *HB 110 and HB 660*
- NH House Committee Public Hearings Schedule for the Week
- Senate Committee Report – *SB 141, Granite State Farm to Plate Food Policy Principles*
- FDAs Proposed FSMA - Animal Feed Rule Comment Period Extended
- FMCSA Extends Paper Medical Card Requirement
- American Farm Bureau Federation, *Executive Newswatch*
- FDAs Proposed FSMA - Animal Feed Rule Comment Period to be Extended

## House Disposes of *HB 110 and HB 660*

*HB 110*, requiring persons who record cruelty to livestock to report such cruelty and submit such recordings to a law enforcement agency was **tabled** on a vote of 329-15. **Farm Bureau supported the tabling motion.** The bill is expected to remain on the table and is effectively dead for the session.

*HB 660-FN*, requiring the labeling of genetically engineered foods and agricultural commodities was voted **Inexpedient to Legislate** on a vote of 185-162. **Farm Bureau supported the ITL vote.**

## NH House & Senate Committee Public Hearings – Week of January 26th

The following public hearings on proposed bills of interest have been scheduled:

### Tuesday, January 28

#### Environment and Agriculture, Room 303, Legislative Office Building (LOB)

10:00 a.m. *HB 1221-FN*, declaring New Hampshire fruit and vegetables exempt from the FDA

Food Safety and Modernization Act.\*

10:15 a.m. *HB 1270-FN*, exempting meat and meat products from New Hampshire livestock from the FDA Food Safety and Modernization Act.\*

10:30 a.m. *HB 1273-FN*, exempting New Hampshire dairy products from the FDA Food Safety and Modernization Act.\*

10:45 a.m. *HB 1582-FN*, declaring New Hampshire poultry and poultry products exempt from the FDA Food Safety and Modernization Act.\*

11:00 a.m. *HB 1583-FN*, exempting New Hampshire apian products from the FDA Food Safety and Modernization Act.\*

11:30 a.m. *HB 1263*, relative to exempting maple syrup products produced and sold in state from federal regulation. Declares maple syrup products sold in state exempt from federal regulation. **Farm Bureau Opposes.**

1:00 p.m. *HB 1138*, relative to homestead food producers selling food products at farm stands, farmers markets, or at the homestead residence where they are produced. Raises the maximum annual gross sales for homestead food operations exempt

from licensure from \$10,000/yr. to \$20,000/yr. **Farm Bureau Supports.**

1:30 p.m. *HB 1464-FN*, exempting New Hampshire agricultural products produced, sold, and consumed in New Hampshire from the FDA Food Safety and Modernization Act.\*

\*Farm Bureau policy opposes the Food and Drug Administration (FDA) Food Safety Modernization Act (FSMA). That being said, Farm Bureau believes bills exempting NH products from FSMA are not the way to address our opposition. Supporters have told us the bills are a way to “send a message”. Our policy has been that legislation is not the proper vehicle to send messages. We are also concerned NH products could be viewed as substandard and that if passed could jeopardize current federal exemptions our producers currently enjoy. Farm Bureau is urging this legislation be in the form of a resolution and that other state legislatures be urged to pass similar resolutions.

#### Resources, Recreation and Development, Room 305, LOB

10:45 a.m. *HB 1100*, establishing a committee to study the ownership by public entities of land for conservation purposes. The committee shall study all current New Hampshire laws pertaining to the acquisition, transfer, and release of land by the state, a municipality, or any other public entity for the purpose of conservation as well as review laws pertaining to the collection of data, cataloguing, reporting, and mapping of public and private conservation land.

11:30 a.m. *HB 1271*, establishing a committee to study the powers and duties of conservation commissions.

#### Transportation, Room 203, LOB

10:15 a.m. Continued public hearing on *HB 1598-FN-A*, authorizing friends of animals number plates. **Farm Bureau opposed as introduced because the bill was wide open.** It established a fund through an advisory committee to distribute grants to “animal welfare organizations” for “animal welfare purposes”. After discussion with Farm Bureau and others, the bill sponsor is bringing forward an amendment which does away with the advisory committee and provides all funds would be split between the spaying and neutering program and the NH Veterinary Diagnostic Lab.

The Legislature has been extremely reluctant to create special plates. Over the past dozen years nearly 20 bills creating special number plates (supporting such things as cancer research, public education, CHAD at Dartmouth and firefighters) have failed. Due to set up costs (nearly \$100,000) and administration costs the Department of Motor Vehicles opposes the creation of special number plates. Farm Bureau is not taking a position on the amended bill.

1:30 p.m. **HB 1342**, establishing a committee to study truck registration fees. The committee shall study truck registration fees, including a comparison of New Hampshire fees with those of other states and whether differences in fee structures may encourage owners to seek registration in other states.

1:45 p.m. **HB 1366**, relative to exemptions from seasonal weight restrictions on roads. Amends RSA 236:3-a by adding exemptions for trucks carrying perishable agricultural products and commercial haulers which have contracted with a municipality to address health and safety concerns within the municipality from seasonal highway weight limits. Current RSA 236:3-a reads as follows:

**236:3-a Exclusion From Seasonal Highway Weight Limit for Certain Vehicles.** – Notwithstanding any provision of law or rule to the contrary, the following vehicles shall be excluded from the seasonal highway weight limit regulations with the approval of the district engineer, department of transportation:

I. Heating fuel delivery vehicles.

II. Trucks delivering processed milk products.

III. [Repealed.]

#### **Farm Bureau Supports.**

##### **Senate Transportation, Room 103, LOB**

1:30 p.m. **SB 231-FN**, relative to regulation of tractors and low-speed utility vehicles. Modifies the definitions of tractor and low-speed utility vehicle as well as authorizing a low-speed utility plate or decal as follows:

1 New Section; Light Industrial Use; Definition. Amend RSA 259 by inserting after section 49 the following new section:

259:49-a Light Industrial Use. "Light industrial use" shall mean manufacturing and distribution of products for wholesale or retail use where the operation includes the need for access to contiguous or nearby warehouses, showrooms, or manufacturing facilities including crossing a way or driving on a way for distances of not more than 1/2 mile where route or crossing is approved by the government authority having control of the way.

2 New Section; Low-Speed Utility Vehicle; Definition. Amend RSA 259 by inserting after section 50 the following new section:

259:50-a Low-Speed Utility Vehicle. "Low-speed utility vehicle" shall mean any vehicle with 4 or 6 wheels, an internal combustion or electric motor, or both, a load capacity of 1,500 pounds or less, and high-pressure tires, that is capable of carrying not more than 4 occupants plus the load, capable of speeds 35 miles per hour or less on level ground, and designed and used for **agricultural** or light industrial use, and that complies with all applicable federal motor vehicle safety standards in 49 C.F.R. section 571.500.

3 Tractor; Definition. Amend RSA 259:108 to read as follows: 259:108 Tractor. "Tractor" shall mean[

f.] any self-propelled vehicle [~~designed or used as a traveling power plant or for drawing other vehicles, but having no provision for carrying a load, but shall not include off-highway recreational vehicles not designed and equipped for highway use.~~

H. Any low-speed utility vehicle. "~~Low-speed utility vehicle~~" shall mean any vehicle with 4 wheels,] *with an internal combustion or electric motor, or both, [a load capacity of 1,500 pounds or less, and high-pressure tires, that is capable of carrying not more than 2 occupants plus the load, is capable of speeds 30 miles per hour or less on level ground, and is] used exclusively for agricultural or light industrial use, having a capacity for carrying payloads including use as a traveling power plant or for carrying farm or industrial workers for short distances, but not used for recreational purposes and limited to speeds of 35 miles per hour or less.*

4 New Section; Low-Speed Utility Plates or Decals. Amend RSA 261 by inserting after section 85 the following new section:

261:85-a Low-Speed Utility Plates or Decals. A motor vehicle shall qualify for a low-speed utility plate or decal and shall be driven on a way with such registration only if such motor vehicle meets the definition in RSA 259:50-a, and is used exclusively for agricultural, farming, or light industrial uses, as defined in RSA 21:34-a or RSA 259:49-a, and is driven within a 2 mile radius of the main entrance of the farm or light industrial complex, and displays a slow-moving vehicle emblem or flashing amber light, or both, on the rear of the vehicle or any attached trailer.

7 Reference Changed. Amend RSA 265:160 to read as follows:

265:160 Low-Speed Utility Vehicles. No person shall operate a low-speed utility vehicle, as defined in RSA [~~259:108, H~~] **259:50-a**, except on a way where the posted speed limit is 35 miles per hour or less. No person shall operate such vehicle more than 25 miles from the registrant's residence or place of business.

8 Reference Changed. Amend RSA 266:116 to read as follows:

266:116 Equipment Required for Low-Speed Utility Vehicles. A low-speed utility vehicle as defined in RSA [~~259:108, H~~] **259:50-a** shall be equipped in accordance with 49 C.F.R. section 571.500. This equipment shall include headlamps, stop lamps, turn signal lamps, tail lamps, reflex reflectors, a parking brake, a rearview exterior mirror, a windshield, windshield wiper, brakes, seat belts, a vehicle identification number, and such other equipment as is required by federal regulations. Such vehicle may also use a flashing amber warning light when operating on a way.

**This bill is part of a legislative study committee (SB 67) that met over the summer. One of the primary goals of the bill is to remove the ability of recreational users to register their vehicles as tractors. Farm Bureau worked with the Assistant Commissioner of Safety, Director of the Division of Motor Vehicles, Commissioner of Agriculture, representatives from the NH Clerks Association, NH Auto Dealers Association and others on the bill. Farm Bureau still has concerns with the equipment required of Low-Speed Utility Vehicles as well as questions about the revised definition of tractor. Working with state officials and the others we plan to have an amendment addressing our concerns to present to the Committee at the hearing.**

**Wednesday, January 29**

**Senate Executive Departments and Administration, Room 100, State House**

10:00 a.m. **SB 251**, relative to horse access to state land. Allows horseback riding on any trail in the multi-use statewide trail system as follows:

1 New Paragraph; Horseback Riding; Multi-Use Statewide Trail System. Amend RSA 216-F:2 by inserting after paragraph III the following new paragraph:

IV. Nothing shall limit the right of the public to pass over any trail in the multi-use statewide trail system for the purpose of horseback riding. Horseback riders shall be responsible for removal of horse waste from the trail head and parking areas of any park or reservation.

**Farm Bureau policy supports equestrian use of public lands as a listed use on designated trails and roadways.**

**Thursday, January 30**

Criminal Justice and Public Safety, Room 304, LOB

10:45 a.m. **HB 1620-FN**, relative to the use of drones. Regulates the use of drones by government agencies and individuals. It would regulate non-government use as follows:

644-A:3 Non-government Use of Drones Limited; Exceptions.

I. No person shall use a drone to conduct surveillance without the prior, written consent of each affected individual or other person and each owner or possessor of affected buildings or structures or parts thereof. It shall not be a defense to a charge of violating this chapter that the buildings or structures were not marked with a no-trespassing sign or similar notice.

II. No person shall own or use a drone that is equipped with any kind of lethal or non-lethal weapon.

III. Any person that owns, uses, or exercises control over a drone in this state that causes injury to a person or such person's property shall be strictly liable for the injury.

The Senate is scheduled to take up the following Committee Report:

Executive Departments and Administration

**SB 141-FN**, establishing the Granite State farm to plate program.

Ought to Pass with Amendment, Vote 4-0. Senator Soucy for the committee. **Establishes Granite State Farm to Plate Food Policy and Principles. Farm Bureau Supports.**

## **FDA Food Safety Modernization Act**

Issue: FDA has notified Farm Bureau that it intends to extend the comment period on the Proposed Rule for Preventive Controls for Animal Food Facilities. The extension will not apply to the Foreign Supplier Verification Program, which has a Jan. 27 deadline.

Impact: We expect that FDA will publish the official extension in the *Federal Register* with a closing date of **Mar. 31**, which provides an additional month and two days to comment.

Action: AFBF will submit comments on the rule and will circulate those to state Farm Bureaus prior to the deadline. AFBF will continue hosting regular agricultural and food industry coalition meetings to coordinate activities aimed at ensuring that FSMA rules and any other proposed expansion or modification of federal food safety laws, guidelines and/or regulations are science-based, respectful of private enterprise and property rights, and treat farmers and ranchers as full partners in the process.

The rule can be viewed here.

American Farm Bureau Federation,  
Public Policy Bulletin, 1/22/14

## **FMCSA Extends Paper Medical Card Requirement to January 30, 2015**

Issue: On January 14, 2014, the Federal Motor Carrier Safety Administration (FMCSA) published in the *Federal Register* an amendment to its regulations regarding the requirement that interstate drivers subject to commercial driver's license (CDL) or the commercial learner's permit (CLP) regulations, as well as the federal physical qualification requirements, must retain paper copies of their medical examiner's certificate when operating a commercial motor vehicle until Jan. 30, 2015.

Impact: Those individuals who are required to obtain a CDL should continue to carry a paper medical card until Jan. 30, 2015. Originally, the deadline for this requirement was set to end Jan. 30, 2014. Some state driver licensing agencies were unable to meet the 2014 deadline of posting the relevant information to the Commercial Driver's License Information System (CDLIS).

The rule can be viewed here.

American Farm Bureau Federation,  
Public Policy Bulletin, 1/22/14

## **American Farm Bureau Federation, Executive Newswatch**

### **Cover Crop and Soil Health Forums Slated for Feb. 18**

You are invited to attend a free, live broadcast of the Feb. 18 Sustainable Agriculture Research & Education-sponsored National Conference on Cover Crops and Soil Health. Join the conversation at one of more than 200 Cover Crops and Soil Health Forums to be hosted nationwide by the Natural Resources Conservation Service and Cooperative Extension offices. Find a forum location near you. There is no cost to participate, but please contact the site you plan to attend to register and confirm both the location and other program details. Providing an RSVP will help host locations make adequate accommodations.

American Farm Bureau Federation,  
*Executive Newswatch*, 1/23/14

### **Biologist Creates Glowing Plants**

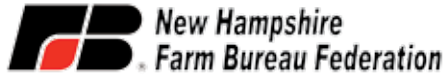
Glowing plants-as seen in the seemingly fantastical flora of the 2009 film "Avatar"-are no longer just a special effect. Molecular biologist Alexander Krichevsky of St. Louis-based biotech company Bioglow has developed the Starlight Avatar, a genetically modified tobacco plant that glows in the dark, as a first step toward a world in which one day our highways and homes might be illuminated not with electricity but with the luminescent glow of plant life. "There are no naturally occurring glowing/bioluminescent plants in nature," Krichevsky wrote in an email. "While there are a number of various glowing species-fireflies, glowworms, glowing fish, etc. -there are no glowing plants. Starlight Avatar is the first one."

American Farm Bureau Federation, *Executive Newswatch*,  
1/23/14

### **'Most Beat-Up Dairy Boot' Contest Announced**

U.S. dairy farmers are invited to enter photos of their foulest footwear at [winquatroboots.com](http://winquatroboots.com). Winners of the "Most Beat-Up Dairy Boot" contest sponsored by Quatro Boots receive 10 free pairs of boots, while the runner-ups will each receive one free pair. Entries must be received online by Feb. 28. Four runner-ups and the grand prize winner will be chosen based on votes cast on the Quatro Boots' Facebook page at <http://www.facebook.com/quatroboots>

American Farm Bureau Federation, *Executive Newswatch*,  
1/23/14



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