

Act Number	Session	Bill Number	Total Number of Committee Pages	Total Number of House Pages	Total Number of Senate Pages
PA 71-256		6834	4	2	2
<u>Committee Pages:</u>				<u>House Pages:</u>	<u>Senate Pages:</u>
<ul style="list-style-type: none"> • <i>Environment</i> 279-280 • <i>Environment</i> 302 • <i>Environment</i> 308 				<ul style="list-style-type: none"> • 2155- 2156 	<ul style="list-style-type: none"> • 1717- 1718

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**CONNECTICUT
GENERAL ASSEMBLY
HOUSE**

**PROCEEDINGS
1971**

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PART 5
1968-2502**

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passage of the bill as amended by House Amendment Schedule A.

All those in favor will indicate by saying "Aye". Opposed. The bill is passed.

CLERK:

Page 8 of the Calendar. Calendar 642, House Bill 8683 - An Act Providing an Annual Appropriation for Loyalty Day Parades, File 591.

MR. SPEAKER:

Gentleman from the 118th.

REPRESENTATIVE AJELLO:

May this item be passed temporarily.

MR. SPEAKER:

Is there objection. Hearing none, the matter is passed temporarily.

CLERK:

Calendar 644, Substitute for House Bill 6834 - An Act Concerning Prompt and Full Payment by Dealers in Milk and Milk Products.

MR. SPEAKER:

Gentleman from the 79th.

REPRESENTATIVE IWANICKI:

I move the acceptance of the Committee's favorable report and the passage of this bill.

MR. SPEAKER:

Question is on acceptance and passage. Will you

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remark.

ad

REPRESENTATIVE IWANICKI:

This bill says that all dealers as defined in Section 22-205 of the General Statutes shall pay all accounts promptly in full for milk or milk products purchased from one another but in no case later than ten days prior to the date which a final payment by dealers must be made to the producers or the association. So the association required by the Federal marketing order for Connecticut. If milk which was made for such purchase shall fail or neglect to make payment within such period, the Commissioner of Agriculture and Natural Resources may hold a hearing upon at least ten days notice and may revoke his license of such dealer. I urge the passage of this bill.

MR. SPEAKER:

Will you remark further on the bill. If not, the question is on acceptance of the Joint Committee's favorable report and passage of the bill. All those in favor will indicate by saying "Aye". Opposed. The bill is passed.

CLERK:

Calendar 651, House Bill 9023 - An Act Providing the Right to Witnesses to Have Counsel in Grand Jury Appearances, File 600.

MR. SPEAKER:

Gentleman from the 118th.

REPRESENTATIVE AJELLO:

May this item be passed retaining its place on the Calendar.

MR. SPEAKER:

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passage of the bill signify by saying aye. Opposed nay? The ayes have it. The bill is passed.

THE CLERK:

Page 9, top of the page, first item. Cal. 602, File 587 Favorable report joint standing committee on Committee on the Environment on Substitute H.B. 6834 An Act Concerning Prompt and Full Payment By Dealers in Milk and Milk Products.

THE CHAIR:

Senator Pac.

SENATOR PAC:

Mr. President, I move acceptance of the joint committee's favorable report and passage of the bill.

THE CHAIR:

Will you remark?

SENATOR PAC.

Currently any milk dealer when he buys his milk from the milk producers or the Association of Milk Producers must pay for that milk by the 21st day of the following month after which he bought this milk. This bill would require that the resale outlets that handle the dealers milk. Or whatever marketing agency does handle it from them would have to pay the bill to him. Ten days prior to the date that he has to pay this bill. I think this is an excellent bill. Too often the retail outfits have taken advantage of the poor dealer. And have in a sense after they have worked up a good bill gone to other dealers and

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this has hurt the whole milk industry. I believe its a good step in a good direction and would help some marginal people.

THE CHAIR:

The question is on passage of the bill. Will you remark further? If not all those in favor of passage signify by saying aye. Opposed nay? The ayes have it. The bill is passed.

THE CLERK:

Cal. 603, File 584 Favorable report of the Committee on Public Health and Safety on Substitute H.B. 7269 An Act Concerning the Agnecies Constituting the Department of Mental Health.

THE CHAIR:

Senator Pac.

SENATOR PAC:

Mr. President I move for acceptance of the joint committee-s favorable report and passage of the bill.

THE CHAIR:

Will you remark? This bill is simply a housekeeping bill. It would by name make the Due Boy Day Treatment Center, The Greater Bridgeport Mental Health Center, the Greater Hartford Mental Health Center and the Albany Avenue Child Guidance Center a part of the Department of Mental Health. For all intents and purposes they have been actual members of the Department of Mental Health. All this will do in actuality put it into name and put it into our Statutes. They have been funded under a Statute Chapter 50, The appropriations previously so there is no real

**JOINT
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Commissioner Gill, Mr. Chairman I'm Joseph Gill, Commissioner of Agriculture and Natural Resources, this is my final appearance as Commissioner for this distinguished Committee, and if I may I would, with your permission, like to take just a moment to remind you, this Committee as the successor Committee of all agencies that are concerned with the preservation of our natural resources, the new word is The Environment, I guess, for wonderful job that you have been doing and the landmark legislation that you have enacted over these past sixteen years that I know about. Starting with the Conservation Commissions, the Open-Space legislation Public Act 490, the clean water, clean air, save the wet-lands, and a legislation that will be before you for developing an environmental policy and legislation connected thereto. This Committee can be justly proud. Most of the bills I noticed Mr. Chairman today, are relative to environment, I think I have the one exception that is in the department of Agriculture or division of Agriculture in the department. This is a new proposal or expansion of a present existing law. I'm speaking in support of H.B. 6834 by Rep. Elmer Mortensen, AN ACT CONCERNING PROMPT AND FULL PAYMENTS BY DEALERS IN MILK AND MILK PRODUCTS. After this bill was passed, I mean printed we reviewed it with the legislative Commissioner's office and the suggestion was made for a very small change in it. With your permission may I submit a suggested bill which deletes wording in section 2 which I will explain a little bit later. The purpose of the bill is to provide a mechanism enabling milk dealers to collect promptly from stores to whom they have delivered milk, thus requiring stores to pay promptly for their milk purchases in a similar manner to other dealers who either purchase milk from dairy farmers or packaged milk from processing plant. Stores although defined as dealers have not been subject to the requirements imposed on other classifications of dealers. The Connecticut milk marketing act requires all dealers who purchase milk from producers or an association of producers to pay for such purchases promptly and in full. Dealers are, therefore, required to submit a current financial statement with each year's license renewal application. In the event the dealer's statement is unsatisfactory, the dealer may be required to file a surety bond in an amount not exceeding the value of three months milk purchases. Failure to submit the required bond is sufficient cause for a hearing to revoke such dealer's license. This could quite obviously terminate a dealer's operation. Processing dealers, therefore, must be able to receive payment promptly and in full in order to meet their obligations to producers. (final payments dates for such purchases are the 21st day of the month following purchase from an association of producers and the 22nd day of the month following purchase from independent producers. These payments dates are contained in the federal milk marketing order for Connecticut.) Sub-dealers, that is, those dealers who purchased packaged milk and milk products, may also be required to post a surety bond in the event they are delinquent in their payments for purchases from a processing dealer and thus endangering such dealer's ability to pay his producers promptly and in full. With the advent of multiple size milk containers the distribution of milk to consumers has changed drastically. Ten years ago the bulk of milk distribution was by way of home delivery; today, however, approximately 70 per cent of the milk sold to consumers through stores. Although stores are defined as dealers in the Connecticut milk marketing act and pay a small license fee, they are not required to make payments promptly and in full. As a consequence, the working capital of processing dealers becomes inadequate and

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they are unable to meet their obligations to producers and may be subject to the bonding provisions of the act and even face the possibility of losing their business because of their inability to renew their milk license. In as much as practically all sales of milk through stores are on a cash basis there is no justification for delinquency in payments by such stores, and processing dealers directly, and producers indirectly, should not be required to provide the capital for these stores to work on. It is, therefore, imperative that all stores as well as other dealers as defined by the act, pay for their fluid milk purchases promptly and in full, so that Connecticut dealers may continue to provide consumers with the best quality milk at the lowest possible price. Ten years ago we had approximately 175 milk dealers buying from producers in Connecticut. The profit margin under which Connecticut milk dealers operate is one of the lowest in the nation and this attribution in the number of milk dealers listed above is indicative of the very competitive situation in the milk industry. (Today there are about 40 milk dealers buying from producers in Connecticut) The milk dealers propose to pay for the cost of supporting this program in the manner described in section 2 of this bill. The funds provided will cover the cost of one supporting clerk and the necessary office supplies, as well as the cost of any necessary hearings. We recommend the Committee's favorable action Mr. Chairman and thank you very much.

Sen. Pac, Any questions ? Thank you very much Commissioner and we're sorry to see you go, I personally if I had a voice I'd lead this group in a rendition of, "He's a jolly good fellow" or something to that effect.

Sen. Eddy, Commissioner I also want to commend you for the jobs you've done over the years, wonderful jobs, for the state and I've had the pleasant experiences to work with you many times. Do you consider yourself knowledgeable on this Sunday deer hunting at all or would you rather not be questioned about it ?

Commissioner Gill, You know Senator, the last two weeks that I've been in office I've had to come up with a decision on very important wetlands and I was hoping that I wouldn't be asked that question on deer hunting. May I say to you for all the success we have had in our department it couldn't have been done unless we had friends like you.

Sen. Eddy, Let me just ask you some specific questions. If you don't wish to answer them I won't consider that your ducking the questions or anything like that. I was heard earlier that we have a stable herd of deer in our state, is that an accurate figure for a statement ?

Commissioner Gill, I think that's right but I would have to defer it to Ted Bampton who can give you chapter and verse on this, but between what the jack-lighters get, the roaming dogs, and the automobiles I think it is kept pretty stable. I think Mr. Bampton is here and I would defer to his suggestions.

Ted Bampton, I am the Director of the Board of Fisheries and Game. I have some thirteen bills I'm interested in here this morning, however, in the interest of time and because there's so many people for the general public in the audience, we have prepared a concise statement setting forth our views on each member. I have a copy for each member of the Committee and with your blessing I'll simply turn over to your Chairman for distribution

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Sen. Pac: Thank you. Your position has been very well outlined by Rep. Ryan and a few of your other speakers, so I thank you for your consideration.

Peter Knudsen Jr: Mr. Chairman, members of the Committee on the Environment. I'm president of the Connecticut Milk Producers Association. I come before you to speak on behalf of H.B.6834, the same bill Commissioner Gill Spoke about earlier, AN ACT CONCERNING PROMPT AND FULL PAYMENT BY DEALERS IN MILK AND MILK PRODUCTS. The change in the method of distribution of milk during the past ten years from home service to wholesale stores has been accompanied by an increase in risk of failure to the milk dealer. As buying units have become larger, that is with multiple store purchasing, the milk dealer often has a substantial percentage of his total sales with one or two accounts. Should those accounts become delinquent the milk dealer can be in jeopardy very quickly. House Bill #6834 would cause licensed stores to make payments promptly. Should a store not do so, it would not be in the position of being able to postpone payment to one dealer while receiving milk from another dealer. The Connecticut Milk Dealers Association believes that House Bill #6834 will help to preserve competition and therefore insure economic milk supply to the public we serve. I'll be happy to attempt to answer any questions you may have.

William E. Glynn: Mr. Chairman, and Members of the Committee on Environment. I'm a Hartford attorney representing the Connecticut Water Works Association in opposition to H.B.7093. We think it's extremely important that the water companies which are charged with the equality of water, the standards of water supply to the people of our state, have some control over the watershed lands on which are vital to the supply of this water. As we look at this bill, I'm not quite sure what is meant by the term, any undeveloped land, and I'm not sure what is meant by the broad description of, outdoor recreation purposes, which are contained in section 1. In addition I would point out to the members of the Committee, in section 2 it provides for annual grant, and yet also calls for an appropriation of \$4,000,000 in bonds. I would assume that if this bill were to pass, the Committee would be asked for additional appropriations in ensuing sessions. Sections 3 and 4 of the bill appear to be more or less mutually exclusive, at least in most instances because it calls for 2 different methods of determining the amount to be granted to a town. There is, I would submit Mr. Chairman and members of the Committee quite a few technical things that are wrong with the bill. Of course any opposition is based on the broad powers given to invade the utility lands which really, when you come right down to it for the benefit of the people of Connecticut, even tho they might be privately owned in some instances. Thank you Mr. Chairman.

J. Stanley Quickmire: Thank you Mr. Chairman, members of the Committee. I'm sorry Dr. Horsfall and Dr. Anderson left, because they might be interested in this statement on H.B.7090, AN ACT CONCERNING PROTECTION OF TREES FROM GYPSY MOTHS. By now every adult in Connecticut should know that our state is over 60% forested. Every natural forest has dead trees. Gypsy moths have been in Connecticut for over 50 years.

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there should be a correction made in that bill. It was written as though it was for a biennium, it should be for a one year period. The \$20,000 appropriated for the Department of Animal Diseases of the University of Connecticut, and this primarily for mastitis control. Mr. Chairman, in the interests of the Committee's time, I'd like permission to submit a more detailed statement at a later time in covering this in more detail. I would rather not take the time this morning. The next bill we're in support of is S.B.632, which is a bill resulting from the Governor's Committee Report on Environmental Policy, maybe I missed up on this one, the number is S.B.632? O.K., I'm sorry. We'll leave this for a later time then. H.B.6836, which has to do with the amendment and the section 12-91 regarding exemption of farm machinery, livestock, and poultry. Just about the time the session (71 session) was beginning I had two members who called me, both farmer's wives, whose husbands had died during the previous, and their husbands had left the farms to them, but held in trust for them. For the wife and family were continuing to operate the farm as it has always been operated, but without the father being there. Due to the fact that it was being held in trust, it was the determination by the assessor in that town, that the farm no longer qualified for the exemption of livestock, poultry, and farm machinery. Of course this is during periods of time when Dad wasn't there, in which the farm operation would, of course, be operating with a little lower income than if his management were available, at a time in which they would be pressed greater with costs than probably at any other time. But try to continue their operation and then find the exemption of livestock, poultry, and farm machinery that the neighboring farms would come under and qualify for, they could no longer qualify. So the amendment here is to indicate or when held in trust for any farmer. The other bill which is H.B.6837, which provides for the registration and inspection of egg grading plants. At the current time many of our egg producers in the state slip their eggs directly into central egg grading plants, owned by those who purchase the eggs from them. They are loaded on trucks at the farm, shipped in to the central grading plant, and are graded out in the plant, and based on the grade-out the operator of the plant determines payment to the producers. I don't know of any other producer who operates in the fashion in which his total product is turned over to the purchaser to determine the proper grade. What this bill does is place the responsibility in the hands of the Commissioner of Agriculture to register the central egg-grading plants in Connecticut. And to provide for their inspection, to insure that the quality and quantity or the grade-out of those eggs are inspected by those plants, is assured to the degree where the producer can feel that he is getting a proper return on the shipment of his eggs. Just to speak briefly on a couple of other bills Mr. Chairman. We find nothing wrong with H.B.6703. We would give our support to H.B.6834, relative to prompt and full payment by dealers and milk products. And due to some of the problems that some of our farmers have on lease land, relative to deer problems. I think that H.B.6976 becomes a rather important measure. Mr. Chairman thank you very much for the opportunity.