

Act Number: 09-229

Bill Number: 891

Senate Pages: 5543-5600 **58**

House Pages: 10176-10185, 10190-10223 **44**

Committee: Environment: 2576-2578,
2857 **4**

Page Total: **106**

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**CONNECTICUT
GENERAL ASSEMBLY
SENATE**

**PROCEEDINGS
2009**

**VOL. 52
PART 17
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chamber.

THE CHAIR:

Have all members voted? Have all members voted?
Have all members voted? Please check the board to
make sure your vote has been properly cast. If all
members have voted, the machine will be locked.

Mr. Clerk, call the tally.

THE CLERK:

Motion is on passage and incurrence of House Bill
6502:

| | |
|-----------------------------|----|
| Total Number Voting | 36 |
| Those voting Yea | 30 |
| Those voting Nay | 6 |
| Those absent and not voting | 0 |

THE CHAIR:

The bill passes.

Mr. Clerk.

THE CLERK:

Calendar Page 26, Calendar Number 275, File
Number 340, substitute for Senate Bill 891, AN ACT
MODERNIZING CONNECTICUT FERTALIZER LAW, favorable
report of the Committees on Environment, Finance,
Revenue and Bonding, Judiciary, Planning and
Development, and Appropriations. The Clerk is in
possession of amendments.

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THE CHAIR:

Senator Meyer.

SENATOR MEYER:

Mr. President, it's nice to see you.

THE CHAIR:

Good to see --

SENATOR MEYER:

Good afternoon.

THE CHAIR:

-- you, Senator Meyer.

THE CHAIR:

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

THE CHAIR:

The question is on passage. Will you remark?

THE CHAIR:

Yes, please. The Clerk has a strike-all amendment, LCO 7031. May it please be called? I'm given permission to summarize.

THE CHAIR:

Mr. Clerk, please call LCO 7031.

THE CLERK:

LCO 7031, which will be designated Senate Amendment Schedule A, is offered by Senator Meyer, of the 12th District.

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SENATOR MEYER:

I --

THE CHAIR:

Senator --

SENATOR MEYER:

I move it.

THE CHAIR:

The question is on adoption. Senator Meyer.

SENATOR MEYER:

Colleagues, remarkably, fertilizer is part of a national market and a national regulation. Indeed, fertilizer in the United States is controlled not by state laws but by a uniform state law. And we in Connecticut, our fertilizer law and our fertilizer standards have been the same since 1965. We haven't modernized, and there is a new uniform law that came out last year, and that's why the bill before us, in Line 5, is called "The Connecticut Fertilizer Law of 2008." And what it essentially does, in quite technical language, is it establishes the ingredients of fertilizer; it relates to the misbranding of fertilizer, and sets up a registration process for fertilizer, including a registration fee. This bill has a net, good financial effect for Connecticut.

This bill also includes a section on adulterated

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milk and adulterated cheese. A major problem in some parts of the United States has been the sale of adulterated milk and adulterated cheese, often occurring because of misbranding. This bill relates to the prohibition of the sale of adulterated milk or cheese and relates to a regulation of branding. So, in essence, that's what the bill does. You will see, if you look at it, that it's quite technical with respect to the components of fertilizer.

And, again, I represent to you that it's all part of a uniform law that Connecticut has adopted in the past and is readopting in its modernized form. Thank you. Thank you, Mr. President.

THE CHAIR:

Thank you, Senator.

Will you remark? Will you remark further?

Senator Debicella.

SENATOR DEBICELLA:

Mr. President, I'm delighted to see you in the Chair. How are you?

THE CHAIR:

Very good. Good to see you.

SENATOR DEBICELLA:

Through you, Mr. President, a few questions to the proponent of the amendment.

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THE CHAIR:

Thank you, Senator DeBicella.

Senator Meyer, prepare yourself.

SENATOR DEBICELLA:

Thank you, Mr. President. Through you to my good friend Senator Meyer, in looking at the amendment, I'm trying to figure out the differences between the amendment and the underlying bill. And if the Senator could just summarize for me what the differences are between the amendment, which is very highly technical in nature, and the underlying bill are. Through you, Mr. President.

SENATOR MEYER:

Okay, through you --

THE CHAIR:

Thank you, Senator.

SENATOR MEYER:

Through you --

THE CHAIR:

Do you care to respond, Senator Meyer?

SENATOR MEYER:

Yes. Through you, Mr. President, there's a -- actually a second amendment that relates to a farm benefit, that I'll be offering in the moment. But the amendment we're on now, the strike-all amendment we're

on now was requested by our Commissioner of Agriculture, because he did not feel after looking at the bill that we introduced in January that it was really bringing in the latest version of the uniform law, the uniform state law that applies throughout the country. And so he asked that we apply that uniform law.

And, interestingly, the uniform law actually will preempt our municipalities. And I and others had concerns about that, and CCM came into the dialogue and said, no, we want a uniform law; we want a state standard with respect to fertilizer. So what was done, to answer your question, is there was a much more precise application of the latest version of the uniform law in fertilizer.

The President in the chair.

THE CHAIR:

Senator Debicella.

SENATOR DEBICELLA:

Through you, Mr. President, in looking at the bill, then, it seems to lay out -- and this is, again, not an area of expertise for me -- it seems to lay out the technical specifications that -- of the

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composition of fertilizer as well as some laws or provisions relating to the branding and how it's actually portrayed in market. And through you, Mr. President, as they developed these national standards, which seems to make sense to me that we would do that, was it more so to create a scientific standard for the content of fertilizer; is it more around the marketing of the product and standards for that; or is it, as it appears to me in this, both? Through you, Mr. President.

THE CHAIR:

Senator Meyer.

SENATOR MEYER:

The -- through you, Mr. President, the science of fertilizer is something that I have not become an expert in; okay? And a representative of the Department of Agriculture is here today to perhaps help us, if we need some help. Thank you, Melanie.

But the -- what is -- the pursuit in this legislation is to be sure that Connecticut is selling a fertilizer that is a good quality fertilizer and has not been misbranded. And you can see as you go through the sections of the bill that it talks about the component parts of fertilizer and it talks about the prohibition on misbranding.

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THE CHAIR:

Senator Debicella.

SENATOR DEBICELLA:

Thank you, Mr. President, and I thank Senator Meyer for the answer to those questions. Those both seem like things that we would want to have a statewide if not a nationwide standard on; it seems very logical.

Through you, Mr. President, then a question about the underlying fiscal impact and the fiscal note on the bill. Looking at this, it appears that the bill actually increases the fee for fertilizer from \$56 to \$75; I'm assuming that's per ton. Through you, Mr. President, what's the logic for that fee increase?

THE CHAIR:

Senator Meyer.

SENATOR MEYER:

Through you, Mr. President, is the question: What is the logic for the registration fee increase?

THE CHAIR:

Senator Debicella.

SENATOR DEBICELLA:

Through you, Mr. President, yes.

THE CHAIR:

Senator Meyer.

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SENATOR MEYER:

Raise more money for the Department of
Agriculture.

THE CHAIR:

Through the Chair, sir, Senator Meyer. That's
all right, though.

SENATOR MEYER:

Through you, Mr. President.

THE CHAIR:

Thank you.

Senator Debicella.

SENATOR DEBICELLA:

Thank you, Mr. President. Through you, is the
fee, then -- it's the -- the fiscal note indicates it
is a general fund revenue gain, though, so I imagine
that this fee revenue is not going to be earmarked
directly for the Department of Agriculture but rather
is going into the general fund, that we would then go
through our normal budgeting process to use this
money. Through you, Mr. President.

THE CHAIR:

Senator Meyer.

SENATOR MEYER:

I believe that's true. The biggest revenue
effect, through you, Mr. President, will be in the

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amendment, which I have not brought up yet. But that will be an amendment that we'll get into, what we all can call the Community Investment Act or Community Investment Account, which will actually raise \$20 million. But I have not brought that out yet.

THE CHAIR:

Senator Debicella.

SENATOR DEBICELLA:

Mr. President, thank you. That would certainly dwarf the fiscal note underlying this bill, which is a \$19 fee increase. It raises about 50 -- \$54,000, it appears, in total from that increase. So it's not a large increase in terms of dollars for the general fund. And I thank Senator Meyer for the answers to those questions.

Mr. President, I will stand in support of this amendment. It seems like we are, in these last days of the session, dealing an awful lot with topics relating to sewage or fertilizer, and in looking at what we're doing with today -- and I'm sure there's about 300 jokes going through people's minds right now as I say that -- but looking at this, this seems to be a very common-sense thing that the Department of Agriculture and Senator Meyer and the Environment Committee have done to try to actually standardize

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what the laws are both around the actual content to ensure the quality of fertilizer for our farms and also to make sure that the marketing of the said product is going to be done in a fair and standardized way.

So, Mr. President, in terms of this amendment, I stand in support of it, look forward to the other amendment, which I think is going to have a larger direct fiscal impact. This one seems to be in terms of finances a small gain to the State with an increase in fees that seems reasonable based on inflation since the last time it was raised, which I believe was probably 20 years ago.

So, Mr. President, I stand in support of this amendment. And thank you, and thank Senator Meyer for answering my questions.

THE CHAIR:

Thank you, sir.

Will you remark further on Senate A?

Senator McKinney.

SENATOR MCKINNEY:

Thank you, Mr. President. Good afternoon, sir.

THE CHAIR:

Good afternoon.

SENATOR MCKINNEY:

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Mr. President, if I could, a few questions through you to the proponent of the amendment.

THE CHAIR:

Senator Meyer.

SENATOR MCKINNEY:

Thank you, Mr. President. Senator Meyer, obviously let me first preface, I stand in support of the amendment.

The one question I had regarding the fertilizer portion, because it's an issue that has come up in other context -- you may recall we had a debate in the Environment Committee over the plastic bag and the paper bag legislation -- and the issue of state preempting local authorities from engaging in their own regulatory practices. And am I correct, through you, Mr. President, that understanding that this bill, by modernizing our fertilizer laws would also prevent different municipalities from adopting their own or different or perhaps more strict fertilizer laws? Through you, Mr. President.

THE CHAIR:

Senator Meyer.

SENATOR MEYER:

Through you, Mr. President, you're absolutely correct. Lines 13 through 19 make this law highly

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preemptive. And you and I and others had concerns about that, and we got educated that the State of Connecticut, like most states, has used the uniform law and that the Connecticut Conference of Municipalities is actually supporting this because they feel there should be one, uniform fertilizer law for the entire state and not leave it up to 169 municipalities. So what some of us, you and I and others felt was a real concern, and held up the bill, turned out to be a benefit.

THE CHAIR:

Senator McKinney.

SENATOR MCKINNEY:

Thank you. And I appreciate that, especially the part that the organization which represents our towns and cities across the state, which is one who is very much a watch-guard on their rights and their responsibility and role as a municipality, that they've supported this. And that's an important reason why I tend not to be in favor of the preemption, but I think it works in this instance.

I guess the question is -- my next question, through you, Mr. President is -- and I don't think we had this discussion at the committee level -- but there seems to be much more concern about fertilizer,

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fertilizer usage in municipalities around lakes, in lake regions. And through you, Mr. President, are we comfortable that the national standards that have been set are effectively the most stringent standards we could have so that we don't have to worry about, you know, the phosphorus in fertilizers, perhaps degrading the quality of so many of our waterways but especially our lake areas? Through you, Mr. President.

THE CHAIR:

Senator Meyer.

SENATOR MEYER:

Through you, Mr. President, to Senator McKinney, I acknowledge I'm not an expert in the science of fertilizer, as I said to the circle before. But we did have some good dialogue and testimony from the Commissioner of Agriculture who represented that the standards contained in this bill for fertilizer are the highest. And I think the Environment Committee, you as vice-Chair, accepted that testimony and those representations.

SENATOR MCKINNEY:

Thank you, Mr. President.

THE CHAIR:

Senator McKinney.

SENATOR MCKINNEY:

And through you, Mr. President, we --
Senator Meyer, you also, as Chair of the Environment
Committee, have also led in the area of pesticide
applications and maintaining, making sure that daycare
schools, et cetera, are safe from that. And I
certainly -- I know less about fertilizers than I know
about pesticides.

But through you, Mr. President, are we looking at
-- and we passed the clean, green -- the green
cleaning products. Are these fertilizers using
chemical compounds; are they organic? Is there a
switch that's happening in the private market?
Through you, Mr. President.

THE CHAIR:

Senator Meyer.

SENATOR MEYER:

Through you, Mr. President, there's nothing that
I can see in this bill that addresses that issue, but
my understanding, my general understanding is that
fertilizers are both organic and also nonorganic.

SENATOR MCKINNEY:

And --

THE CHAIR:

Senator McKinney.

SENATOR MCKINNEY:

And through you, Mr. President, and I understand that's not before us today, but would it be possible that in the future if we were to find that there were organic-only fertilizers that were effective and in use, that we, as a state, could still look at perhaps one day maybe limiting it to only organic if, in fact, the national standards weren't to change? This doesn't prohibit up from taking a second look at this. Through you, Mr. President.

THE CHAIR:

Senator Meyer.

SENATOR MEYER:

Through you, Mr. President, it certainly does not prohibit us, and I think that you and I and many others in the circle here would be happy to put organic at the top of the list.

SENATOR MCKINNEY:

Thank --

THE CHAIR:

Senator McKinney.

SENATOR MCKINNEY:

Thank you. I thank you, sir, for your answers.

If I can switch to another part of the bill which dealt with the issue of what, I believe, our Department of Agriculture -- I don't know if it was

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Department of Agriculture or Department of Health -- had uncovered the sale -- the home -- basically homemade cheese with raw -- homemade cheese and other products by using raw milk in the bath -- essentially in someone's bathtub, Mr. President, and then being made available to the public. As Senator Meyer probably remembers all too well, we had, it seemed like hundreds of people at the Capitol earlier this year around a controversy regarding our potential regulations of raw milk and the distribution and sale of raw milk. And obviously that was one of the more controversial topics that we had on the Environment Committee this year.

Am I correct, just for purposes of the people watching who cared about that and other members of the circle who are not here right now, this portion does not deal with that raw milk bill, the sale and the use of raw milk, this just gives enforcement powers to go after people who may be distributing cheese and other food products that could be harmful to people's health. Through you, Mr. President.

THE CHAIR:

Senator Meyer.

SENATOR MEYER:

Through you, Mr. President, to Senator McKinney,

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you're absolutely correct. This bill does not deal with the raw milk issue; it deals with adulterated milk, and adulterated cheeses.

The Department of Agriculture gave us a very significant memo which says, in pertinent part, that a growing nationwide problem is ethnic cheese manufactured in homes or bathtubs and in unlicensed facilities. And it says that illegally manufactured cheeses have been implicated in food-borne illness outbreaks across the country. And then it cites an outbreak in 2008 in the City of New Haven. So it's right here in our backyard, and we're trying it, in part through this bill, to meet that problem of adulterated meat, milk, and cheeses.

THE CHAIR:

Senator McKinney.

SENATOR MCKINNEY:

Thank you, Mr. President. I thank Senator Meyer for answering those questions.

This is a good measure before us. I can't say that the thought of eating cheese made in a bathtub is too appealing to me, so I'm certainly glad we're going to be taking the steps to give our Department of Agriculture the enforcement powers to make sure that if that's being done, it's being done in the right

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way. But I stand in support of the measure, sir.

THE CHAIR:

Thank you, sir.

Will you remark further on Senate Amendment A?
Senator Meyer.

SENATOR MEYER:

Mr. President, there's one further amendment
that --

THE CHAIR:

We have to adopt this amendment first, sir.

SENATOR MEYER:

Oh. Oh.

THE CHAIR:

That's quite all right.

SENATOR MEYER:

That's quite all right.

THE CHAIR:

Will you remark further on Senate A?
Senator Fasano.

SENATOR FASANO:

Thank you, Mr. President. Just one question to
Senator Meyer, if I may, through you, Mr. President?

THE CHAIR:

Senator Meyer.

SENATOR FASANO:

Senator Meyer, as I understand the bill, this is where a fertilizer company -- perhaps you could help me through this cause I'm a little confused when I read the bill. I think it's a good bill; I just want to make sure I understand.

A fertilizer company would register its product with the State of Connecticut through the Department of Agriculture and that that registration -- would be a fee and whatever the requirements are of the Department of Ag. And those are the bands -- the brands of fertilizer that could be used throughout the State of Connecticut. Is that the general import of the bill, through you, Mr. President?

THE CHAIR:

Senator Meyer.

SENATOR MEYER:

Through you, Mr. President, I believe Senator Fasano has correctly stated the purpose and standards of the bill, yes.

THE CHAIR:

Senator Fasano.

SENATOR FASANO:

Thank you, Mr. President. In lines 164, Senator Meyer, through 166, if I may ask a question just so I understand that language, it says each brand

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and grade of fertilizer shall be registered in the name of the person whose names appear on the label for such fertilizer. I'm just a bit confused on what that language means. I -- I'm trying to figure it out. Perhaps Senator Meyer can help clarify that language. I don't want to put him on the spot. If he doesn't, we can look at it later, but I'm just curious on how that reads. Through you, Mr. President.

THE CHAIR:

Senator Meyer.

SENATOR MEYER:

Mr. President, I apologize. I don't see the line. What line number is being referred to, Mr. President?

THE CHAIR:

Senator Fasano.

SENATOR FASANO:

My understanding that this is -- it would be Line 164, Senator Meyer, through --

SENATOR MEYER:

164; I hear it correctly?

THE CHAIR:

Yes, sir. It was Line 164.

SENATOR MEYER:

Yes, I understand, Mr. President. And in answer

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to Senator Fasano, the purpose of that labelling is to be sure that the manufacturer of that particular fertilizer, the name of that manufacturer is on the Label, on the product.

THE CHAIR:

Senator Fasano.

SENATOR FASANO:

Thank you, Mr. President. I appreciate the answer. I thank Senator Meyer for his answer, and I support the amendment. Thank you, Mr. President.

THE CHAIR:

Thank you, sir.

Will you remark further on Senate A? Remark further? If not, I will try your minds. All those in favor, please signify by saying aye.

SENATORS:

Aye.

THE CHAIR:

Opposed, nays.

The ayes have it. Senate A is adopted.

Senator Fasano -- I'm sorry -- Senator Meyer.

SENATOR MEYER:

Thanks, Mr. President. Mr. President, the Clerk has a final amendment, a significant amendment, which is LCO 9194. May it kindly be called?

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THE CHAIR:

Mr. Clerk, could you please call significant Amendment 9194?

THE CLERK:

LCO 9194, which will be designated significant Amendment Schedule B, introduced by Senator Meyer, of the 12th District, et al.

THE CHAIR:

Senator Meyer.

SENATOR MEYER:

I move the amendment.

THE CHAIR:

There's a motion on summarization and movement of the amendment. Without objection, please proceed, sir.

SENATOR MEYER:

Okay. Colleagues, this is a very significant amendment that was proposed by the leadership of both the majority and the minority parties. And you'll notice that it is sponsored by members of the majority and minority parties in both the Senate and the House.

And I called it important because the session has brought forth a disclosure that maybe some of you knew before but, frankly, I did not know, and that is that the federal price of milk is substantially below the

actual cost of producing milk in Connecticut. And therefore we can better understand why the number of farms in the last 30 years in Connecticut has gone from over 6000 to now around -- I think it around 300. And so what we're trying to do with this bill is drive some money to the farms of Connecticut.

And it's being done through an increase in the tax -- or not the tax; never call it tax -- in the fee that's paid by people when they record documents with the Clerks of our municipalities within the state. And that recording fee, which exists now, is being raised by 10 cents. And the -- it's actually being raised by one-third, and that is expected to raise about \$20 million, of which 40 percent of the 20 million will go through the Department of Agriculture to the farms and farmers in Connecticut.

And we -- we're hoping in this way to address the significant problem of the fact that the cost of producing a gallon of milk is so much more than the federal price support for milk, throughout the country as well as Connecticut. So for those reasons, I urge your favorable consideration of this amendment.

THE CHAIR:

Thank you, sir.

Will you remark further on Senate Amendment B?

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Senator Roraback.

SENATOR RORABACK:

Thank you, Mr. President. I rise in strong support of the amendment, and I thank Senator Meyer for bringing it out.

Mr. President, Connecticut has reached a watershed or perhaps I should say a "milk-shed" moment because we, as a state, need to decide, and we need to decide now, whether or not we wish to maintain the capacity to produce dairy products in our state, going forward.

Mr. President, I first want to thank Governor Rell who really came up with this idea as a way to protect the future of our dairy farms in a manner consistent with what we're already doing. And I also want to thank, Mr. President, the advocates who have recognized that if we don't act now to save our dairy farms, our efforts to protect farmland will have been in vain.

Mr. President, we all hope that the price of milk will again return to levels which enable the industry to strive and prosper on its own. But we, as a state, need to make it a priority to help our dairy industry get through a very difficult time to the other end of a circumstance where they're going to go out of

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business if we can't give them a helping hand. And if they go out of business, they're never coming back, and Connecticut will lose not only an element of its heritage, of its landscape, but it will also forever lose the capacity to produce healthy food locally.

Mr. President, I urge my colleagues to support this amendment and to take comfort that by so doing they will be making the difference between life and death for many of the state's dairy farms. Thank you, Mr. President.

THE CHAIR:

Thank you, Senator Roraback for those "moo-ving" comments.

Senator Kissel.

SENATOR KISSEL:

Thank you, very much, Mr. President. I just wanted to stand in support of the amendment as well, offer my congratulations to Senator Roraback and all the others that worked so hard on this. I saw Senator Maynard stand up. It's an interesting set of names on this particular amendment. If anybody had thought -- said to me that -- yesterday that myself, Senator Williams, Representative Merrill, and Senator Roraback would all be on amendment -- but clearly it's an indication of where some of the most

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beautiful, bucolic districts are in the State of Connecticut.

I made reference to this any number of times; I will continue to do so. I don't fly an awful lot but on the few times that I have landed at that beautiful Bradley International Airport, the thing that distinguishes that from other airports that I have gone to in the United States is that its dark around the airport. Why? Why is that so? Because we have such tremendous, beautiful farmland in that part of our state, my district; I'm very lucky. To my knowledge, we do have some folks engaged in dairy farming in the Granby, East Granby areas. I know that Senator Guglielmo has some dairy farms up at his area of the state as well.

Once we lose these, they're not coming back, as Senator Roraback indicated. I am someone that would not be very happy in raising any fees on my constituents. There's been many a time engaged in the practice of real estate where I had to go file documents at a Town Clerk's office, and I can hear the real estate bar and the State of Connecticut saying, you're doing this once again. But at least we're doing it in a way to try to effectively tie what we're doing, land records, the preservation of the

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documentation of the land, and trying to tie that fee increase, that modest fee increase towards preserving our dairy farms. Once we lose those, they're gone. They're gone. And I'd -- I like to believe this is something that sets Connecticut apart from a State like New Jersey or other states. Once the congestion and sprawl set in, you can't go back; it's almost impossible to go back.

And so I think this is a small step. Some people have said, why should we even bother with trying to maintain our dairy farms; is that really what a free market should do? Once, you know, we should let free-market forces reign. Well, I think there are some things that make the state that I live in very special and I think it's worth going out of our way to try to keep -- hold on to them.

And so I strongly support this amendment, and I'm ever hopeful that in the next 36 hours or so, not only can we get this bill out of our chamber but through the House of Representatives. Thank you, very much, Mr. President. (Inaudible) --

THE CHAIR:

Thank you, sir.

Senator Maynard.

SENATOR MAYNARD:

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Thank you, Mr. President. I'd like to associate myself with the remarks of those who have spoken, particularly of Senator Roraback.

I have the distinction of coming from the Senate district with the greatest number of dairy farms. It might seem odd to some that I come from Stonington and known for its fishing, but the dairy is also one of the great industries in our part of the state and throughout eastern Connecticut as it is throughout, indeed, the rest of the state.

I'll be brief in my remarks but wanted to just thank Representative Hurlburt for his great advocacy on the bill as well, thank Senator Meyer and all the supporters of this, as the Governor as well and leadership of both Houses. It's an important bill. It preserves, as has been said, both our heritage and an extremely important part of our economy. So, with that, I urge adoption and support of this.

THE CHAIR:

Thank you, sir.

Senator LeBeau.

SENATOR LEBEAU:

Thank you, Mr. President. Very briefly, I'd like to endorse the remarks that have been made by Senator Roraback, Senator Maynard, and particularly

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our good Chairman of the Environment Committee,
Senator Meyer.

You know, the key to farmland is the soil and once we lose that, once we lose the soil, once that land is -- goes over to development and houses are brought in or other kinds of development are brought in, the soil is pushed to the side. And that soil, that's why we could never come back. This will help to protect our dairy farms.

We got some -- I've got some significant dairy farms in my district. I appreciate what's being done here by Senator Meyer and by this amendment. And I want to thank him for that, and I'm sure that this bill will pass with a strong margin. Thank you, very much.

THE CHAIR:

Thank you, sir.

Senator Guglielmo.

Senator GUGLIEMO:

Thank you, Mr. President. I also rise in support of the amendment, and I want to thank Senator Meyer and all those who worked on it, the Governor's Office as well.

I've got quite a few dairy farms in my district, Woodstock, particularly, Pomfret, and they're

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shrinking. We went to a meeting, Senate -- Representative Hurlburt and myself about, I don't know, four weeks ago. It was a nice spring night. We went out to a farm in Woodstock, Elm Farm; we had the meeting in a barn. And farmers came from 30, 40 miles away.

They're probably -- be the hardest working people you'd ever meet. They're starting early in the morning; they're working till late at night. They got no guarantees because so much of what they do depends on the weather. And it's come to the point now where it's not a question of if they're going to go out; they are going out. We had a list provided of about eight dairy farms that have gone out of business just since 2006; maybe it was even ten.

I have an example of people I know very well. The husband and wife have run the farm for years. Their son, who's about 40, has worked on the farm all of his life. They were going to try to sell him the farm. When they got done and they did the math, it wasn't possible for him because they -- he had to obviously buy the farm, because that was their retirement. And if -- it is no longer a farm. And those are the kind of things that continue to happen.

And I know this is a fair amount of money, but

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where we're talking about farmland preservation, talking about open space, this is actually a pretty inexpensive way to preserve some of the most pristine areas of the State of Connecticut.

So I want to thank those that worked on this, and I hope we'll have the support of the chamber. Thank you.

THE CHAIR: .

Thank you, sir.

Will you remark further? Senator Debicella.

SENATOR DEBICELLA:

Mr. President, I hate to be the guy to throw spoiled milk on the parade.

THE CHAIR:

I knew you would "utter" some other words. Go ahead, sir.

SENATOR DEBICELLA:

But, Mr. President, I do have some questions, through you, to the proponent of the bill.

THE CHAIR:

Senator Meyer.

SENATOR DEBICELLA:

Through you, Mr. President, in looking at the fiscal note for this, understanding that we are raising the fee on land use transfers from \$30 to \$40,

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it looks like there's going to be a revenue increase of about \$6.9 million a year. And through you, Mr. President, where is that money going to; is it going all to support the dairy farmers or is it also going to other aspects of land protection, affordable housing and historic preservation, all of which are funded out of the Community Investment Act? Through you, Mr. President.

THE CHAIR:

Senator Meyer.

SENATOR MEYER:

Mr. President, clearly we made a mistake in not getting Senator Debicella as a cosponsor of this amendment. I rue the day.

Mr. President, in response to Senator Debicella's question, if he'll look at Lines 59 and following of the amendment, he will notice that there is a very specific division of the additional 6.9 million that this bill is raising. That's 6.9 million on top of a current \$20 million. So it's approximately \$30 million to total, and it's going, as you can see broken out there, it's going, in part, in small part, to the Connecticut Commission on Culture and Tourism. It's going, in part, to the Connecticut Trust for Historic Preservation. It's going, in part, to the

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Connecticut Housing Finance Authority, and, in part, to DEP for municipal open space grants, something that's dear to many of us. And then, finally, 40 percent is going to the Department of Agriculture, most of which will be allocated toward the farms of Connecticut.

THE CHAIR:

Senator Debicella.

SENATOR DEBICELLA:

Thank you, Mr. President. And, Mr. President, I think that's my understanding as well. There's about \$500,000 that will go each to the Farmland preserta -- excuse me -- farmland preservation, the affordable housing, and the historic preservation, and then about 5.5 million for the Department of Agriculture.

Mr. President, I thank Senator Meyer for the answer to that question.

Mr. President, I -- I'm actually doing some soul searching on this vote because the proponents of the bill who just spoke on both sides of the aisle make a very compelling case, that if we want -- and I think Senator Roraback said it best -- if we want dairy farms in Connecticut, they are going to need State support. It's the economics of them, just from a raw, free-market perspective, don't work, and we're going

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to see more and more dairy farms leave the state.

My questions about the proposal before us are twofold: One is, is this going to be enough or are the economics for dairy farmers in Connecticut so challenged, given all the different problems they faced from pressure from retailers to the problem of having a commodity product that prices at the whim of the market, are we going to be here two years from now saying, again, the dairy farmers are going to leave unless we can give them more support? And I empathize with the, you know, hundred to 150 dairy farmers we have in Connecticut. They are facing a tough, tough plight, which is the part of me that's tugging me to vote for this bill.

But the part of me that's tugging me to vote against it is, you know, first, the question of is this going to be enough and are we going to come back here two years from now raising other fees or taxes to pay for it but also, Mr. President, the side of me that says we have an \$8 billion deficit right now and if we were to raise this fee, wouldn't it be wiser to use the revenue from raising the fee to reduce the deficit we have? We are nowhere near passing a deficit with 32 1/2 hours to go of the regular session, and I find it very difficult to justify

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raising a fee by 33 percent and then just spending that fee on a program, while worthwhile, and while we're cutting or proposing to cut -- both Democrats and Republicans have proposed to cut many worthwhile programs.

So I'm very torn about this, Mr. President. I'm going to listen a little more to the debate, if there is more. I'm not sure how I'm going to vote, but I thank the proponents for bringing this forward. I think they have represented their districts well and represented the dairy farmers of their districts well in bringing this forward. Thank you, Mr. President.

THE CHAIR:

Thank you, sir.

Will you remark further? Senator Fasano.

SENATOR FASANO:

Thank you, Mr. President. Mr. President, I rise in support of the amendment, and let me talk a little bit about it. Farmland is very important land, and when you talk about cows, the more cows we have, the more farmland that you need for the cows, the more open space we're going to protect. When we talk about open space in Connecticut, you could have nonviable open space, which is just areas which are forestries or open meadows. But when we talk about farmland,

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there's a certain aspect of farmland that we recognize to be part of canary -- Connecticut's heritage.

Mr. President, is it very difficult to be a farmer in the State of Connecticut, and it's very difficult to be a dairy farmer. I have a very good friend that's a dairy farmer who says, you know, Len, the cows don't know it's Christmas. And they don't. They just know that every morning you got to wake up. You got to take care of the farm. You got to take care of your herd. You've got to get them properly fed. You got to get them properly bedded. You got to get them properly watered. There's an awful lot of care and it's an awful lot of hard work.

And in this day and age when you have a large piece of property, you got a farmer who is working Tirelessly; the next generation is not as apt to go into farming as the generation before. So the farmer is left with the ability of either letting his herd go and selling the piece of property -- and many of the farmers consider their farmland as a pension plan. For years, they've been investing in this piece of property. When they're ready to retire, they sell the land, and it's going to go for a development, more likely than not.

What this bill does is allow us, as a state, to

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help farmers to keep going. It allows us to tell the farmers that we need them when we pass this legislation in hopes of keeping our farmland open and keeping the dairy farm going.

For the -- for those who are listening to this either on TV or around the circle or someplace, when you buy milk, you got to look for Farmer's Cow because Farmer's Cow is made up of Connecticut dairy farmers who are getting together in a unique, collective atmosphere to sell milk that was produced here in Connecticut. So you had a bunch of farmers that got together and said, listen, rather than selling it to X Company or Y Milk Company, we'll do it ourselves, and we'll sell the milk. I know that the few times that I do go shopping, I do look for the Farmer's Cow because it is important to invest in our own dairies. It is important to let them know they have a product for which they can sell. And as Connecticut residents, we need to support that product.

Mr. President, in addition to that, you can vote in favor of this bill and this amendment, because what it's going to do, it's going to say -- send the signal to those dairy farmers who are working tirelessly to keep their farms going against the high cost of energy, against folks coming up and trying to

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buy their property, against all that. And hopefully we make it easier for them and we provide them with financial incentives.

The generation next will look at being a farmer more readily than they're looking at it today. As the many farmers I talked to say, my kids aren't interested. And you can't blame them. It is a labor of love if there ever is a labor of love. So, Mr. President, it is important that we have this policy, economically; it's going to help the State. It's going to help the State to keep it the way we know Connecticut as more country than not.

Senator Kissel talked about a lot of towns, and he was remiss not to include Wallingford in that list, which I reminded him, because even as far south as you could go, 15 minutes outside of New Haven borderline into North Branford, territory of Senator Meyer, and you could find a dairy farm. So they're all around us. They permeate throughout the State of Connecticut and we're very, very fortunate to have them. But we have to keep them. We have to keep them.

I've said, when we talked about businesses, we have to keep businesses and we have to give them incentives. No different. If you want the farmers to stay, you have to give them incentives. If you like

the open space and the rural character it brings to the State of Connecticut, you have to give them financial incentives. If you want people to stay in farming, go into farming, you have to give them incentives. This is what this bill does.

The original bill, for which this amends, came out of the same concept, and we threw in other, affordable housing and other issues that we felt was important to the state in that bill. Now we see a little more of a crisis so we stepped it up with respect to dairy farmers, and that makes a lot of sense.

So, Mr. President, I'm proud to stand in the circle to endorse the amendment, and I look forward to its passage in this circle. Thank you, Mr. President.

THE CHAIR:

Senator McKinney.

SENATOR MCKINNEY:

Thank you, Mr. President. Mr. President, I too join Senator Fasano, rising in support of this amendment.

I want to take a quick mention to thank the so many people who have worked for years to try to protect our dairy farmers, starting with Senator Williams, Senator Roraback, Senator Meyer,

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Senator Guglielmo. When you start thanking people, you necessarily forget many you should also thank. But just in this circle alone, many people on both sides of the aisle have worked for years to try to figure out how to protect our struggling dairy farmers.

But what's amazing to me, now in my 11th year -- and I've talked to Senator Guglielmo, who has dairy farmers in his district; there's one dairy farm left in mine, former Commissioner Ferris's farm --

A VOICE:

(Inaudible.)

SENATOR MCKINNEY:

-- in Newtown. Clearly there are a lot less farms in Easton and other parts of my district than there used to be not too long ago.

What's remarkable is that in 11 years as a member of the Environment Committee, with so many people who come to testify for or against measures, so many people who care about the environment, I don't think I've ever met a group of people quite like the dairy farmers. These are individuals who traditionally are working farms that have been passed down from generation to generation. They struggle to make ends meet, every single day.

And although we are in horrible economic times now, it wasn't too long ago that our state was in great financial condition, real estate was booming, developers were looking for land to develop, left and right, and the pressure on dairy farmers was extraordinary. And they would come up and they would talk to Senator Meyer and myself, and other members of the Environment Committee, about how they had been offered, you know, riches beyond their belief to sell their farms for development, whether it's commercial development or housing, and how they're not making any money. And they just don't sell; it was their father's farm, their grandfather's farm, their great-grandfather's farm. And you know what? It's going to be their son's or daughter's farm, and they do not want to sell. And it's extraordinary how hard they work, how early they get up in the morning, and how committed they are not just to their family's history and their business, but to a culture and a landscape and a heritage of the State of Connecticut. That has to include dairy farming.

I would say as a parent of three kids, who probably spends more time at Stop & Shop than Senator Fasano, we do buy the Farmer's Cow; it is great milk. And maybe we ought to actually put our

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heads together -- and I don't want to interfere with the private market either -- but maybe we should put our heads together. Why aren't our school districts buying Farmer's Cow? Why aren't we working on a better way to promote Connecticut dairy farmers and Connecticut milk products in our schools and other places around the State of Connecticut to actually help their business thrive in the right way? So there are other things we can do.

My concerns about this bill originally -- and we had another bill in the Environment Committee which actually divided up the community investment account -- this does not do that. And there was great concern, I think, by all of us who worked so hard in that community investment account that it wouldn't be continuing to slice up the pie thinner and thinner and take away from the historic preservation and take away from the affordable housing piece and take away from the open space protection. This does not do that, and that's an important change, an important aspect of this bill as well. We do need to be mindful and we do need to protect that community investment account so that we don't shrink the size of the pie that's there. There are other issues we care about; this is one of them. But we should not be and we are not -- and I'm

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happy we're not -- about raiding those existing pots of money that are already there.

I hope that this gets us to a point where we can find a permanent solution for dairy farmers, cause I know they want to be here in Connecticut well beyond the days that we're gone. I don't know if this is going to be the permanent solution, but it does give them time. It does give us time to work on it again.

So, again, this is for -- you know, it's a controversial issue. You know, people can probably make and produce milk and sell it cheaper in other parts of the country. And it's good milk; it's not as good as Farmer's Cow, but it's good milk. And so the question always is: Well, why then is government stepping in? This isn't just about milk. It isn't just about dairy farms. It really is about our entire landscape and history and heritage here in the State of Connecticut and what our landscape would look like without these dairy farmers and without the dairy farms. Cause we all know what it would look like. It would look like a strip mall. It would look like a subdivision. It would look like a commercial office building or something worse, maybe an asphalt plant or who knows. But it wouldn't be the same. It would not be the State of Connecticut if we were not to do

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anything in our power to protect our dairy farmers.
So, with that, Mr. President, I rise in strong support
of this.

THE CHAIR:

Thank you, Senator McKinney.

Will you remark further? Senator Boucher.

SENATOR BOUCHER:

Thank you, Mr. Chairman. Mr. Chairman, I rise in
-- and for the pleasure of supporting this particular
amendment and concept, and I do so because, like many
of you, we come from a very diverse background. And
this bill and amendment gives me an opportunity to
share with you a little bit of that background that
some may be very surprised to learn about.

There is a dairy farm that used to -- a very
large one -- that used to reside in the district, I
believe in Len Fasano's district, Senator Fasano's
district, North Farms Road in Wallingford. There was
a very large dairy farm; only small remnants of it is
now existing where there are a few horses and so
forth. But what happened to this farm is what has
happened to a lot of our farms. A good piece of that
beautiful land has now become subdivided and has a few
McMansions on it, and so forth.

But as a young child, like the President of this

Senate, we share a similar heritage and background when we came as very young people from Europe. And in my case, I came from a little town outside of Benevento in Italy and was actually born in a farmhouse on a farm in Italy. And we were fortunate enough to be able to immigrate to this wonderful country because of two brothers that my father had that resided in Connecticut, one that ran a dairy farm on North Farms Road and another one that ran a farm in Woodbridge. In fact, it's a little farm and, that currently my aunt still resides in, that is the property of the very well-known Guido Calabrese, who used to be the Dean of the Law School at Yale, who is now on the federal bench, in fact.

So my youth was spent, a good deal of the time, not only on a farm in Italy as a little girl with every one of my living relatives as farmers but also here in Connecticut. And I do remember so fondly this particular dairy farm, that was a very large working dairy farm, in fact, because one summer, unfortunately, I had to spend the whole summer there because of an unfortunate accident where a drunk driver did hit our car and my mother was very severely injured, and we weren't sure if she would make it. So for that entire summer, I spent those months on the

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farm watching the entire production of milk being produced, riding on a tractor, eating those hardy breakfasts that they would put out for every morning as the farmhands would go out into the field, and so forth. And it was an amazing educational experience. It was an amazing background, and I will never forget that.

But one of the saddest things that I now find when visiting those relatives that still live in the Wallingford area is to drive along that roadway and to look over at that beautiful land and see so much of it now as having been developed and understand the heritage that is so much a part of all of our lives and for me, personally. So I stand in strong support of this particular amendment. I hope people will see this as just a small step in helping to preserve that family farm and a part of all of our heritage. Thank you, Mr. President.

THE CHAIR:

Thank you, Senator Boucher.

Senator Prague.

SENATOR PRAGUE:

Thank you, Mr. President. Mr. President, I can't tell you how happy I am to see this amendment before us. I come from an area of the state where there are

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a lot of farmers, a lot of dairy farmers, a lot of farmers who are nursery people, but the dairy farms are disappearing, and they're disappearing because the farmers simply can't make a living today. So I am delighted to see this amendment before us. Nobody needs help more than they do. And look what they give us in return. Thank you.

THE CHAIR:

Thank you, ma'am.

Will you remark further on Senate Amendment B?
Will you remark further on Senate Amendment B? If not, I will try your minds. All those in favor, please say "moo" -- say aye.

SENATORS:

Aye.

THE CHAIR:

All opposed, nays.

The ayes have it. Senate Amendment B is adopted.

Senator Meyer.

SENATOR MEYER:

Thank you, Mr. President. I do want to recognize several people who have been instrumental in this important legislation. One is Joel Rudikoff, behind us, who particularly put together the farm benefit amendment, and I -- we must congratulate him. Melanie

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Atwater, of the Department of Agriculture, has been a great help to us. Bryan -- Representative Bryan Hurlburt is behind us, also.

I didn't say -- tell you before, but I grew up, in part, in Greens Farms, Connecticut, on a farm called Adora Farm. And right down the street, less than half a mile, was the home of Senator McKinney's mother, Lucy. She was my playmate as I grew up. And -- but that was farming country back then -- I'm talking about the '50s -- with beautiful dairy farms. And they're, of course, are gone. And one motivation I have for this legislation today is to keep those kind of farms going again.

I want to say, in conclusion, Mr. President, that I'm wearing a cow necktie today. And I'm wearing a cow necktie with two things in mind, fertilizer and dairy farms. Thank you, Mr. President.

THE CHAIR:

How appropriate. Very good, Senator Meyer.

Senator Debicella.

SENATOR DEBICELLA:

Thank you, Mr. President. Mr. President, through you to the proponent of now the underlying bill. Just a few questions, as I make up my mind on the bill. Mr. President, I laid out kind of two concerns I had

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before, one about whether we were going to be back here two years from now again needing to appropriate additional money to keep our dairy farms healthy in Connecticut; and, second is the question of our budget deficit and raising fees and not using that for our \$8 billion deficit.

Through you, Mr. President, I was just wondering if Senator Meyer could address my concerns, especially the first one. The second one might just be -- it's just a choice we're making. But especially with the first one about whether this is truly going to make our dairy farmers healthy and we're not going to be back here two years from now saying we need another \$7 million to support them. Through you, Mr. President.

THE CHAIR:

Senator Meyer.

SENATOR MEYER:

I -- through you, Mr. President, I don't feel like I'm really an expert on farm economy, but from what I've learned this year as the farmers came up and visited us -- indeed a cow came up, if you were there that day, out in the back -- and it looks to me like we've got a significant structural problem, not just in Connecticut but in the country, with respect to

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milk pricing and dairy farms.

And I would think, to answer your question, Senator DeBicella, that unless the federal price support changes, unless it changes, that we are likely to be back here to -- trying to preserve the remaining farms we have in Connecticut.

THE CHAIR:

Senator DeBicella.

SENATOR DEBICELLA:

Thank you, Mr. President, and I thank Senator Meyer for the answer to that question.

And Senator Meyer quite really points out that our dairy farmers are actually facing two real, fundamental, economic problems with their economic model. And one has to do with the actual price that they can sell their goods for versus the cost of production, the other being where they are on, what in business we call the "value chain" in terms of themselves selling to retailers, selling to consumers, because very often, Mr. President, the two problems are intertwined.

One is that the price for milk being a perfect commodity is subject to great fluctuations, based on supply and demand. And as any farmer will tell you, there are tons of factors outside of their control

that go into whether the supply of a commodity is going to be high or low for a given year.

And so because of that, the federal government has put in price floors to make sure that farmers, because of oversupply of milk, don't end up in a place where they're not able to make ends meet. But at the same time, Mr. President, farmers face a very concentrated retail environment where a few -- a small number of retailers, mainly large supermarkets and the likes of Wal-Mart, sell the vast majority of milk. And so they're kind of caught between a rock and a hard place with the price of their goods being set in a perfectly competitive market and selling those to customers, and not the end-user but the retailers, who buy the milk from them for resale, that have a lot of power and a lot of bargaining power. So you understand where Senator Meyer is coming from when he says that the farmers are really caught between a rock and a hard place. And that is my concern, with the bill, Mr. President.

And, you know, I am leaning toward supporting it because my colleagues do make a very persuasive case of why we want dairy farmers here in Connecticut, but the lingering doubt in my mind is if we are going to come -- have to come back here two years from now and

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do another \$7 million, and the two years after that, another \$7 million.

And, Mr. President, our budget deficit, while this will not add to our deficit, it does take away another tool for us to actually address it, cause I doubt there'll be appetite to raise the fee on land records again from 30 to 40, and from 40 to 50. I don't think there'll be any appetite for us to raise it another \$10 to help solve the deficit. So there is another arrow in our quiver, if you will that we're taking away in terms of defect mitigation.

So, Mr. President, I'm impressed by the thoughtfulness and the dedication of the proponents of this bill from both sides of the aisle. I do have continuing, lingering doubts about it and look forward to any further discussion on it. Thank you, Mr. President.

THE CHAIR:

Thank you, sir.

Will you remark further on Senate Bill 891, as amended by Senate A, B? Senator Guglielmo.

SENATOR GUGLIELMO

Thank you, Mr. Chair -- Mr. President. I'm going to try to see if I can sway Senator Debicella, try to be the closer here, Dan. The -- I'm not an

agricultural economics major either, but from what I do recall, there was a dairy compact about eight years, I think, maybe ten, and I believe their name was the Northeast Dairy Compact. And it allowed farms in the Northeast a higher price than they would get nationally because of the differences here, the energy costs, the land cost. And that was done away with through a federal legislation because we didn't have the numbers here in the Northeast in votes to change this, so now there is a single dairy price nationwide. And the problem with that is, of course, our dairy farmers are losing money on that national price due to tunes of, you know, every month most of them are putting in a lot of their own capital.

So to answer the question whether we'll be back or not, it's hard to say. But they do need a bridge. I know that the delegation from the Northeast is working on some type of a plan to try to reinstitute some kind of regional pricing, which would help us. And this would give us the bridge to perhaps make that work. And, of course, we -- there's a lot of reasons to make it work, because of all those that have noted by the previous speakers.

Then the one thing that I don't think has been mentioned, which I will mention, is food security. We

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only have about a three-day supply of food in Connecticut. We heard that at some of the dairy farmer meetings. That probably wouldn't have been too much of an issue before 9/11. With 9/11, not that anybody wants to think about any reoccurrence of anything like that, that would be a concern of people in our part of the country, not just for dairy but for other products. So that if we can have home-grown, local supply, that could be, in a case like that, extremely important.

So I just wanted to raise those couple of points and thank you, Mr. President.

THE CHAIR:

Thank you, Senator Guglielmo.

Will you remark further on Senate Bill 891, as amended by Senate A, B? Senator Williams.

SENATOR WILLIAMS:

Thank you, Mr. President. I rise to support the bill, as amended. I also agree with Senator Meyer and Senator Guglielmo in their recent comments. And I want to thank my colleagues on both sides of the aisle for working so hard on this issue.

You know, if you're a fan of entrepreneurship and literally Connecticut growing business, then I think you need to care about dairy, you need to care about

agriculture, which is, overall, about a \$2 billion industry in the State of Connecticut. If you care about open space and the New England character and heritage that we have in this state, then you need to know that there are hundreds of thousands of acres -- hundreds of thousands of acres that we perceive as open space, but those acres are directly related to the dairy industry. And if and when we lose the dairy industry, then we lose that part of our heritage, our character, the New England quality of life, and the open spaces that we believe are uniquely here in Connecticut.

Now, we have a lot of folks who work very hard and are working hard to find the niche in an ever more competitive marketplace. I agree with what Senator McKinney said earlier, and for years we've looked at the Farmer's Cow model and we have wanted to encourage those in agriculture and those in dairy to move toward a model where they can take greater control of the retailing process and increase their share, overall, of the profits. They can also earn more by bringing out specialty products, flavored milks, yogurt, butter, et cetera, beyond the milk that we buy off the shelf in the grocery store.

So, Mr. President, as Senator Guglielmo just

mentioned, there is a federal rate at which our dairy farmers are paid. This is unlike many other businesses. They are at a competitive disadvantage because their expenses in New England overall are higher than in other parts of the country. So as we work with the industry to help them change, to help them innovate, become more profitable as we go on, we must take care to preserve that part of Connecticut that is an essential part of our heritage as well as an essential part of our economy.

It's for those reasons I want to, again, thank my colleagues on both sides of the aisle for working so hard to bring this forward. Thank you, Mr. President.

THE CHAIR:

Thank you, sir.

Will you remark further on Senate Bill 891, as amended by Senate A, B? If not, Mr. Clerk, please call for a roll call vote. The machine will be open.

THE CLERK:

An immediate roll call vote has been ordered in the Senate. Will all Senators please return to the chamber. An immediate roll call vote has been ordered in the Senate. Will all Senators please return to the chamber.

THE CHAIR:

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Have all Senators voted? If all Senators have voted, please check your vote. The machine will be locked. The Clerk will call the tally.

THE CLERK:

Motion is passage on Senate Bill 891, as amended:

| | |
|-----------------------------|----|
| Total Number Voting | 35 |
| Those voting Yea | 35 |
| Those voting Nay | 0 |
| Those absent and not voting | 1 |

THE CHAIR:

The bill, as amendment by Senate A, B passes.

Senator Looney.

SENATOR LOONEY:

Thank you, Mr. President. Mr. President, I would move for immediate transmittal to the House of Representatives of Senate Bill 891.

THE CHAIR:

. Seeing no objection, so ordered, sir.

THE CHAIR:

Mr. Clerk.

THE CLERK:

Calendar Page 28, Calendar Number 337, File Number 409 and 986, substitute for Senate Bill 1033,
AN ACT ESTABLISHING A TAX CREDIT FOR GREEN BUILDINGS,

H – 1067

**CONNECTICUT
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REP. MERRILL (54th):

Thank you, Mr. Speaker. And I would move for suspension of our rules for the immediate consideration of Item Number, Calendar Number 716.

DEPUTY SPEAKER McCLUSKEY:

The motion is to suspend the rules for consideration of Calendar Number 716. Is there objection? Is there any objection? If not, the rules are suspended.

Will the Clerk please call Calendar Number 716.

THE CLERK:

On Page 26, Calendar Number 716, Substitute for Senate Bill Number 891 AN ACT MODERNIZING CONNECTICUT'S FERTILIZER LAW. Favorable Report of the Committee on Planning and Development.

DEPUTY SPEAKER McCLUSKEY:

The honorable Chair of the, Vice-Chair of the Environment Committee, Representative Hurlburt, you have the floor, sir.

REP. HURLBURT (53rd):

Thank you, Mr. Speaker. Mr. Speaker, the Clerk--

DEPUTY SPEAKER McCLUSKEY:

(Gavel.)

REP. HURLBURT (53rd):

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Thank you, Mr. Speaker, and good evening. Mr. Speaker, the Clerk is in possession of LCO Number 7031. I ask that he call and I be given leave to summarize.

DEPUTY SPEAKER McCLUSKEY:

Has the gentleman moved for the acceptance and passage of the Bill first, please?

REP. HURLBURT (53rd):

Yes, I'm sorry, Mr. Speaker. I move for acceptance and passage of the Joint Committee's Favorable Report.

DEPUTY SPEAKER McCLUSKEY:

The question before the Chamber is acceptance of the Joint Committee's Favorable Report and passage of the Bill. Will you remark?

REP. HURLBURT (53rd):

Thank you, Mr. Speaker. Now, Mr. Speaker, the Clerk is in possession of LCO Number 7031. I ask that he call and that I be granted leave to summarize.

DEPUTY SPEAKER McCLUSKEY:

Will the Clerk please call LCO Number 7031 previously designated Senate Amendment Schedule "A".

THE CLERK:

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LCO Number 7031, Senate "A", offered by Senator

Meyer and Representatives Roy and Chapin.

DEPUTY SPEAKER McCLUSKEY:

The gentleman has asked leave of the Chamber to summarize the Amendment. Is there any objection? Is there any objection? If not, sir, summarize your Amendment.

REP. HURLBURT (53rd):

Thank you, Mr. Speaker. Mr. Speaker, the Amendment before us updates the 1965 fertilizer bill to the 2008 recommended uniform state fertilizer bill

The new Bill will reflect the definition changes in the technological advances in the fertilizer field that happened over the past 40 years.

According to the Department of Agriculture, actually, I'll urge adoption of the Amendment, Mr. Speaker.

DEPUTY SPEAKER McCLUSKEY:

The question before the Chamber is the adoption of Senate Amendment Schedule "A". Will you remark?

REP. HURLBURT (53rd):

Thank you, Mr. Speaker. We heard testimony this year on the Environment Committee from the Department of Agriculture that this Bill will bring our statutes

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into line with modern practices and better access to interstate trade to ensure protection for both the consumers and the producers of fertilizer.

In addition, the Amendment also incorporates a penalty for a person who sells milk in violation of Department order. Apparently there have been some people throughout the state that have been selling cheese and other adulterated milk products without the proper authority.

With that, sir, I urge adoption.

DEPUTY SPEAKER McCLUSKEY:

The question before the Chamber is adoption of Senate Amendment Schedule "A". Will you remark? The honorable Ranking Member of the Environment Committee, Representative Chapin, you have the floor, sir.

REP. CHAPIN (67th):

Thank you, Mr. Speaker. I also rise in support of Senate Amendment "A". I think the Vice-Chairman outlined what it did, and I would encourage my colleagues to support it. Thank you, Mr. Speaker.

DEPUTY SPEAKER McCLUSKEY:

Thank you, sir, for your remarks. Will you remark further on Senate Amendment "A"? The honorable

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gentleman from Stratford, Representative Backer, you
have the floor, sir.

REP. BACKER (121st):

Thank you, Mr. Speaker. Just a quick question,
through you, to the proponent of the Bill please.

DEPUTY SPEAKER McCLUSKEY:

Please proceed, sir.

REP. BACKER (121st):

Yes, through you, Mr. Speaker. I want to be
certain that the adulterated milk piece in here does
not have any reflection on our raw milk production
here in the State of Connecticut.

DEPUTY SPEAKER McCLUSKEY:

Representative Hurlburt.

REP. HURLBURT (53rd):

Thank you, Mr. Speaker, and I thank the
Representative for his question. No, this is separate
from the raw milk issue that we dealt with earlier in
the Session.

Thank you, Mr. Speaker.

DEPUTY SPEAKER McCLUSKEY:

Representative Backer.

REP. BACKER (121st):

Thank you, Mr. Speaker. I'm well satisfied.

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DEPUTY SPEAKER McCLUSKEY:

Thank you, sir. Will you remark further on Senate Amendment Schedule "A"? Will you remark further on Senate "A"? If not, I'll try your minds.

All those in favor please signify by saying Aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER McCLUSKEY:

All those opposed, Nay. The Ayes have it.
Senate "A" is adopted. Will you remark further on the Bill as amended?

Representative Hurlburt.

REP. HURLBURT (53rd):

Thank you, Mr. Speaker. Mr. Speaker, the Clerk is also in possession of another Amendment, Senate "B", LCO Number 9194. I ask that he call it and I be given leave to summarize.

DEPUTY SPEAKER McCLUSKEY:

Will the Clerk please call LCO Number 9194 previously designated Senate Amendment Schedule "B".

THE CLERK:

LCO Number 9194, Senate "B", offered by Senator Williams et al.

DEPUTY SPEAKER McCLUSKEY:

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The gentleman has asked leave of the Chamber to summarize Senate Amendment Schedule "B". Is there objection? Is there objection? If not, sir, summarize Senate "B".

REP. HURLBURT (53rd):

Thank you, Mr. Speaker. Mr. Speaker, the Amendment before us is an Amendment on an issue that we've been discussing for years here in the Chamber that would supply a direct grant for the Connecticut dairy industry.

Just a bit of background. The milk prices as set by the federal levels, unfortunately, put our dairy industry at a great disadvantage compared to the other states in the union.

Currently the price that a farmer can sell his milk for is around a dollar per gallon, whereas the production cost is around two dollars. There are significant changes in this proposal, including the increase in the land recording fee. The Amendment is pretty clear as to how the new recording fee will be distributed.

I urge adoption by the Chamber.

DEPUTY SPEAKER McCLUSKEY:

The question before the Chamber is adoption of Senate Amendment Schedule "B"? Will you remark? The honorable Ranking Member of the Environment Committee, Representative Chapin. You have the floor, sir.

REP. CHAPIN (67th):

Thank you, Mr. Speaker. Mr. Speaker, I rise in support of Senate "B" that's before us at this point. The Environment Committee over the last couple of years has struggled to find a way to find an adequate and sustainable funding mechanism to help dairy farmers in the State of Connecticut.

As the distinguished Vice-Chairman said, right now they're operating at an extreme loss in the industry, and there are roughly 150 dairy farmers left in the State of Connecticut.

I think it's worth noting that dairy farmers control the vast majority of our farmland in the state, and I'm very proud to be a Member of this Legislature that has invested so much in our efforts to preserve both our open space as well as the development rights on these dairy farms.

Throughout the Session there's been spirited debate, both in Committee as well as in the Halls of both of these buildings as to the right mechanism to

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be able to provide that funding relief for our dairy farmers.

Some of the options that were before us some of us have supported and some of us have not supported. However, I honestly feel as someone who grew up on a dairy farm, in this great state of ours, that we still need to do whatever we can to help preserve this way of life that is fading quite fast.

I received an email just today that spoke of the number of dairy farms that have been lost just since 2006. I think the number was 22 more dairy farms. That's quite a large percentage, Mr. Speaker, considering that there are only about 150 left now.

Now, this Amendment before us is intended to be a two-year funding mechanism, and when I say it's intended to be a two-year funding mechanism, I believe that the goal behind it, and I believe the Vice-Chairman would concur with this, is so we can find a more permanent way to fund this particular segment of the agricultural sector.

Mr. Speaker, it's not perfect. I certainly understand that, and I applaud those who have considered and will continue the consideration of putting an appropriation in whatever budget we

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eventually adopt. But for now, this is what's before us and I would encourage my colleagues to support it. Thank you, Mr. Speaker.

DEPUTY SPEAKER McCLUSKEY:

Thank you, sir for your remarks. Will you remark further on the Bill? The distinguished Majority Leader, Representative Merrill, you have the floor, madam.

REP. MERRILL (54th):

Thank you, Mr. Speaker. I would move that this item be passed temporarily.

DEPUTY SPEAKER McCLUSKEY:

Without objection, the item is passed temporarily.

The Chamber will stand at ease.

(Chamber at ease.)

Will the House please come back to order. Will the Clerk please call Calendar Number 194.

THE CLERK:

On Page 31, Calendar Number 194, Substitute for House Bill Number 6481 AN ACT CONCERNING THE EMERGENCY MORTGAGE ASSISTACNE PROGRAM. Favorable Report of the Committee on Appropriations.

DEPUTY SPEAKER McCLUSKEY:

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DEPUTY SPEAKER McCLUSKEY:

Is there any objection to suspension of the rules for immediate transmittal of all items needing action in the Senate? Is there objection? If not, all the items shall be transmitted to the Senate.

Will the Clerk please call Calendar Number 716.

THE CLERK:

On Page 26, Calendar Number 716, Senate Bill Number 891 as amended by Senate "A". Senate "B" has been designated. Favorable Report of the Committee on Appropriations.

DEPUTY SPEAKER McCLUSKEY:

The honorable Chair of the Environment Committee, Representative Roy, you have the floor, sir.

REP. ROY (119th):

Thank you, Mr. Speaker. Mr. Speaker, I would like to recall Senate "B" before us, LCO Number 9194.

Excuse me, Mr. Speaker, I understand I have to move acceptance of the Joint Committee's Favorable Report and passage of the Bill.

DEPUTY SPEAKER McCLUSKEY:

The question before the Chamber is acceptance and passage of the Joint Committee's Favorable Report and passage of the Bill. Will you remark?

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REP. ROY (119th):

Yes, thank you. Senate "A" has already been accepted, and I would now ask the Clerk, he has another Amendment, LCO Number 9194. I ask that it be called and I be allowed to summarize.

DEPUTY SPEAKER McCLUSKEY:

Will the Clerk please recall LCO Number 9194 previously designated Senate Amendment Schedule "B".

THE CLERK:

LCO Number 9194, Senate "B", offered by Senator Williams, Representative Lewis, et al.

REP. ROY (119th):

Thank you, Mr. Speaker. Mr. Speaker, the Amendment before the Chamber provides significant aid to the state's dairy farms. We have been hearing of the problems of the Connecticut dairy industry.

For a bit of a background, the federal government sets the price that a farmer can sell milk for. That price is significantly below the cost of production in our state, receiving around \$1 when the cost is close to \$2.

I move adoption.

DEPUTY SPEAKER McCLUSKEY:

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The question before the Chamber is adoption of Senate Amendment Schedule "B". Will you remark? The honorable gentleman from Danbury, Representative Godfrey, you have the floor, sir.

REP. GODFREY (110th):

Thank you. Thank you, Mr. Speaker. Mr. Speaker, I rise in opposition to this Amendment because in Section 501 we're creating a new, a fee that will be going on recorded deeds and other instruments, making the cost of housing more expensive.

I've seen these before. I've consistently voted against them because I think even more so today than in the past, someone who, where my constituents are telling me housing is way too unaffordable for them, where I believe that the state should be doing things to lower the cost of housing, not making it more expensive, even if it's a small amount. I just think that's a bad policy.

And then number two, I note that this new fee is effective on passage, which means that anyone who is going to do any of the recording with the town clerks will have no idea what day they're going to have to start paying this new fee.

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It could be easily fixed. This should just be, make it July 1st, make it June 15th, whatever you want to do with it, but that is just too nebulous and too vague a date for both the real estate bar and people who are buying and selling houses to be able to figure out what the fee for recording is going to be.

So I will respectfully decline to support this Amendment. Thank you, Mr. Speaker.

DEPUTY SPEAKER McCLUSKEY:

Thank you, sir, for your remarks. Will you remark further on Senate Amendment Schedule "B"? The honorable Chair of the Commerce Committee, Representative Berger, you have the floor.

REP. BERGER (73rd):

Yes, thank you, Mr. Speaker. Just a couple of questions to the proponent of the Amendment.

DEPUTY SPEAKER McCLUSKEY:

Proceed, sir.

REP. BERGER (73rd):

On, in Lines 37 and 38 of the Amendment, oh, I'm sorry, I have the wrong Amendment.

If you have the two-year cycle that funds will be used for the recording fees, what was the thought pattern as to what would occur in the third and the

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fourth years of this new recording fee? Through you,
Mr. Speaker.

DEPUTY SPEAKER McCLUSKEY:

Representative Roy.

REP. ROY (119th):

Thank you, Mr. Speaker. Mr. Speaker, there is a sunset to this, and we will go back in a couple of years to the 30 percent, \$50 fee.

DEPUTY SPEAKER McCLUSKEY:

Representative Berger.

REP. BERGER (73rd):

Yes, thank you, Mr. Speaker. And the first two years, what is the anticipated revenue that potentially will be derived for the dairy farmers from this new imposed recorded filing fee increase?

DEPUTY SPEAKER McCLUSKEY:

Representative Roy.

REP. ROY (119th):

Thank you, Mr. Speaker. Approximately \$7 million.

Thank you, Mr. Speaker.

DEPUTY SPEAKER McCLUSKEY:

Representative Berger.

REP. BERGER (73rd):

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I'm sorry, Mr. Speaker, that was \$7 million?

DEPUTY SPEAKER McCLUSKEY:

Representative Roy.

REP. ROY (119th):

Yes, Mr. Speaker, that was \$7 million.

DEPUTY SPEAKER McCLUSKEY:

Representative Berger.

REP. BERGER (73rd):

Yes, and I thank the gentleman for his answers. And, Mr. Speaker, I had an Amendment to call on this because the debate still needs to continue.

When we talk about increasing filing fees, what this General Assembly is going to do about brownfields remediation and development. Now, it's important for us to understand one thing, that again, we want to preserve open space. We want to preserve farmland, and certainly, we want to help the dairy farmers. There's no question that we want to help them. They need relief. There's a lot of jobs involved and certainly there's state and federal requirements that are involved there.

But at the end of the day, if we want to get in our cars and we want to drive through the country and see open space and farmland and jobs created by the

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dairy industry, we must also, too, in the same breath, Mr. Speaker, and Members of the Chamber, address the brownfields issue, which is eroding our tax base, eroding, creating blight in all of our municipalities in the State of Connecticut and creating a drain on jobs, creating a drain on revenue.

Mr. Speaker, we need to address this. Now, this discussion will take place, hopefully sooner than later, between the Executive Branch, the General Assembly, leadership in both the House and the Senate because sooner is more important than later.

Because if we do not do this and show the vision now and into the future, there won't be any more dairy farms left. There won't be any more open space. There won't be any more farmland because they'll be industrial sites, because that will be the only land that will be left.

So on the one hand, as we want to preserve Connecticut, we also on the other hand need to preserve jobs, tax base, employment for the state, and blight in all of our communities.

So as we move forward in this Legislative Session, we are going to have a brownfields bill that's the guts of what this Chamber passed

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overwhelmingly a day or so ago. We're going to get that back down here. There's going to be some changes made on that.

But, in order to implement those changes and to make a difference now and into the future, we must have a commitment on funding.

So I hope working together with the Executive Branch again, leadership in both the House and Senate, that we will be able to achieve those goals, help the dairy farmers, preserve our environment and do something, do something decisive about brownfields remediation and development. Make a commitment here that it's important for us to do as a state and as a community.

Thank you, Mr. Speaker.

DEPUTY SPEAKER McCLUSKEY:

Thank you, sir, for your remarks. Will you remark further? The honorable gentleman from Winsted, Representative Rigby, you have the floor, sir.

REP. RIGBY (63rd):

Good evening, Mr. Speaker, thank you. Through you a question or two for the proponent of the Amendment.

DEPUTY SPEAKER McCLUSKEY:

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Please proceed, sir.

REP. RIGBY (63rd):

Through you, Mr. Speaker, the Amendment seeks to increase the amount an individual would pay to record documents at the town hall. Through you, will this impact in any way the amount of money a municipality would receive from that transaction? Through you.

DEPUTY SPEAKER McCLUSKEY:

Representative Roy.

REP. ROY (119th):

Thank you, Mr. Speaker. They receive the same \$4 under the current funding.

DEPUTY SPEAKER McCLUSKEY:

Representative Rigby.

REP. RIGBY (63rd):

Thank you. Through you, Mr. Speaker, in my reading of the Amendment, it appears that the monies will not be available to the dairy farms for a period of about three months. Is there any mechanism inside the Amendment that might hasten this and bring the funds to the dairy farmers quicker? Through you, Mr. Speaker.

DEPUTY SPEAKER McCLUSKEY:

Representative Roy.

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REP. ROY (119th):

Thank you, Mr. Speaker. Not in front of us, but hopefully it will be taken care of during the budgetary process. Through you, Mr. Speaker.

DEPUTY SPEAKER McCLUSKEY:

Representative Rigby.

REP. RIGBY (63rd):

Thank you. I thank the good Representative for his answers, and I support this Amendment and the underlying Bill, and I urge my colleagues on both sides to support it.

This is a measure that we can vote on tonight that will have an immediate economic benefit for the farms of our state. We're talking about 2,000 jobs, both direct and indirect, and a billion dollars in revenue that the state will profit from.

We'll collect our taxes, and this is a good Amendment and a good Bill, and I urge everybody to vote in the affirmative. Thank you.

DEPUTY SPEAKER McCLUSKEY:

Thank you, sir, for your remarks. Will you remark further on Senate Amendment Schedule "B"? The honorable gentleman from Trumbull, Representative Rowe, you have the floor, sir.

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REP. ROWE (123rd):

Thank you. Good evening, Mr. Speaker. Perhaps a few questions to the proponent, please.

DEPUTY SPEAKER McCLUSKEY:

Please proceed, sir.

REP. ROWE (123rd):

Thank you. Following up a little bit on Representative Godfrey and the new fee structure in 501, can you walk us through the thought process on increasing filing fees, initial filing fee for recording of a document 25 percent. Through you.

DEPUTY SPEAKER McCLUSKEY:

Representative Roy.

REP. ROY (119th):

This is an extension, sir, of the Heritage Fund and we're going to be using those funds to get to this point.

Through you, Mr. Speaker.

DEPUTY SPEAKER McCLUSKEY:

Representative Rowe.

REP. ROWE (123rd):

Thank you. Was there a concern that adding another \$10 on what is already for many people an intrusive filing fee, was there a consideration that

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increasing the fee 25 percent was over burdensome?

Through you.

DEPUTY SPEAKER McCLUSKEY:

Representative Roy.

REP. ROY (119th):

Thank you. Yes, Mr. Speaker, through you. There is a consideration on that. Thank you.

DEPUTY SPEAKER McCLUSKEY:

Representative Rowe.

REP. ROWE (123rd):

And I guess that consideration didn't win the day. Were there discussions on doing it within the current Heritage Fund monies, the \$30 that we currently charge, and working about it that way, rather than socking it to the citizens as Senate "B" proposes? Through you.

DEPUTY SPEAKER McCLUSKEY:

Representative Roy.

REP. ROY (119th):

Yes, thank you, Mr. Speaker, through you. Yes, they looked at those funds, but apparently the funding would not be enough to cover the funding that we needed, and so we went to the increase. Thank you, Mr. Speaker.

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DEPUTY SPEAKER McCLUSKEY:

Representative Rowe.

REP. ROWE (123rd):

Thank you. It seems there's never enough money and you know, we're always looking to increase taxes and fees, and that's troubling, but, and I understand that the dairy farmers, the work that they put in. They certainly don't do nine to five days. These fellows are yeoman to say the least, and they're not making the kind of money that they deserve.

That being said, how do you expect that this passage, this new \$10 fee to help the farmers? I guess one, how much revenue do you anticipate raising? Through you.

DEPUTY SPEAKER McCLUSKEY:

Representative Roy.

REP. ROY: (119th0:

Thank you, Mr. Speaker, \$6.9 million or a round off, \$7 million.

DEPUTY SPEAKER McCLUSKEY:

Representative Rowe.

REP. ROWE (123rd):

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Thank you. And what happens with that \$7 million once the money, is it coming into the general fund, and how is it distributed?

DEPUTY SPEAKER McCLUSKEY:

Representative Roy.

REP. ROY (119th):

Thank you. Through you, Mr. Speaker, it goes into a community investment account, and distributed under Section 504 of the Amendment.

DEPUTY SPEAKER McCLUSKEY:

Representative Rowe.

REP. ROWE (123rd):

Thank you. The community investment account that is set up in Lines 32 and 33, through you?

DEPUTY SPEAKER McCLUSKEY:

Representative Roy.

REP. ROY (119th):

Yes, thank you, Mr. Speaker. Yes.

DEPUTY SPEAKER McCLUSKEY:

Representative Rowe.

REP. ROWE (123rd):

Thank you. And that previously was known as the Land Protection Affordable Housing and Historic Preservation Account? Through you.

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DEPUTY SPEAKER McCLUSKEY:

Representative Roy.

REP. ROY (119th):

Through you, Mr. Speaker, that is correct.

DEPUTY SPEAKER McCLUSKEY:

Representative Rowe.

REP. ROWE (119th):

Thank you. And the, am I correct that the fund, the only change in distribution of the funds will be the additional \$10 will come directly into the community investment account, and that portion will be directed toward the dairy farmers? Through you.

DEPUTY SPEAKER McCLUSKEY:

Representative Roy.

REP. ROY (119th):

Thank you, Mr. Speaker. No, sir. That is, under Section 502, we've established within the general fund, a separate non-lapsing account, and that will be used.

DEPUTY SPEAKER McCLUSKEY:

Representative Rowe.

REP. ROWE (123rd):

Okay, I understand that, but my question is, how will this anticipated \$7 million or whatever it is,

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how will that find its way to the guys milking the
cows? Through you.

DEPUTY SPEAKER McCLUSKEY:

Representative Roy.

REP. ROY (119th):

Thank you. Through you, Mr. Speaker, they have
to apply for a grant through that fund.

Through you, Mr. Speaker.

DEPUTY SPEAKER McCLUSKEY:

Representative Rowe.

REP. ROWE (123rd):

Thank you.

REP. ROY (119th):

If I may, Mr. Speaker--

DEPUTY SPEAKER McCLUSKEY:

Please proceed Representative Roy.

REP. ROY (119th):

And that is under Section 505. Thank you, Mr.
Speaker.

DEPUTY SPEAKER McCLUSKEY:

Representative Rowe.

REP. ROWE (123rd):

Thanks. Thank you. Have we, was there a public
hearing on this? Through you.

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DEPUTY SPEAKER McCLUSKEY:

Representative Roy.

REP. ROY (119th):

Thank you, Mr. Speaker. We had a public hearing on the distribution of this program. Thank you, Mr. Speaker.

DEPUTY SPEAKER McCLUSKEY:

Representative Rowe.

REP. ROWE (123rd):

And did we, was the hearing held on the increase, the actual increase to \$40? Through you.

DEPUTY SPEAKER McCLUSKEY:

Representative Roy.

REP. ROY (119th):

Thank you. Through you, Mr. Speaker, no.

DEPUTY SPEAKER McCLUSKEY:

Representative Rowe.

REP. ROWE (123rd):

Well, that's significant to me. I would imagine that there's a lot of folks out there who are already concerned that, you know, if one wants to file or record a document in a town hall, under this one page, the first page is, you're starting with \$40 and then another \$13, which I think is a statutory fee, you're

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starting, you want to file anything at any town clerk's office, you're out \$53.

That's fairly, I suppose when inflation starts to go up and up and up that's not going to be too much, but that's a lot of money, and I have a concern with that. I think Representative Godfrey made a good point on a technical nature that since this is effective on passage, anyone who's got a closing tomorrow or the next day, that's going to be a big problem with the HUD forms and it's easily fixed, but a real problem.

So if there's a way that that can be fixed, it certainly ought to be fixed, but I would much rather we work on helping the dairy farmers within available appropriations.

And what I mean by that would be simply maintaining the current Land Protection, Affordable Housing and Historic Preservation Account. We can call it the new fancy name of community investment account, but we need not raise the fee 25 percent.

Let's help the dairy farmers, but let's do it within the existing dollars that are coming in. We have a, and I thank the gentleman for his answers.

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We have a knee jerk reaction, we seem to have a knee jerk reaction here. We need revenue. We have to help people. The answer is money, and I know the answer. It's not unreasonable to think that money can solve a lot of problems, but the money's got to come from somewhere.

And the State of Connecticut doesn't have printing presses that print federal reserve notes. So with that being said, I stand and I respectfully oppose the Amendment. I'd like to see us help the dairy farmers and do it in a way that is more economically efficient for anyone recording fees.

We don't need to raise by 25 percent the recording fees in order to help the dairy farmers. I know that the proponent and the Vice-Chair are very much working to help the dairy farmers, as is Representative Rigby.

Solutions can be worked out without raising the fee. Thank you, Mr. Speaker.

DEPUTY SPEAKER McCLUSKEY:

Thank you, sir, for your remarks. Will you remark further on Senate Amendment Schedule "B"? The honorable gentleman from Naugatuck, Representative Labriola, you have the floor, sir.

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REP. LABRIOLA (131st):

Thank you, Mr. Speaker. In opposition to the Amendment. I agree with my colleague from Trumbull who just spoke about the \$10 increase. Of course it's a great idea to support our dairy farmers, but I believe it's a budgetary decision that should happen during the normal process and not through a new revenue stream where every single document that's filed in every single town, in every town clerk's office, there's a \$10 increase in the first page of that document.

That is the reason why I'm opposed to this Amendment, and I just wanted to make the comment that I've heard somebody say that this, the idea is that this would only be a two-year revenue increase, and that I guess, to use our term of art, that it would be sunsetted, I guess is the concept, that this \$10 increase would somehow go away in two years.

Well, to paraphrase Bob Dylan, we've seen that movie before, and this idea that somehow it's going to get sunsetted, I just don't buy it, so for all those reasons, I'm opposing the Amendment. Thank you.

DEPUTY SPEAKER McCLUSKEY:

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Thank you for your remarks, sir. Will you remark further on Senate Amendment Schedule "B"? The honorable gentleman from Woodstock, Representative Alberts, you have the floor, sir.

REP. ALBERTS (50th):

Thank you, Mr. Speaker. I rise in strong support of the Amendment that's before us. I do want to thank the leadership of this Chamber and the Senate on a bipartisan fashion for bringing this forward.

It was mentioned earlier that there are approximately 150 dairy farms in the state. About 18 of them are in my district. Thank you, Mr. Speaker.

DEPUTY SPEAKER McCLUSKEY:

Thank you, sir, for your remarks. Will your remark further? The honorable gentleman from Stratford, Representative Backer, you have the floor, sir.

REP. BACKER (121st):

Thank you, Mr. Speaker. I see the tone of the debate kind of underscores everything that's going on right now here. We have more things to do than we have money to pay for.

But I don't think supporting dairy farmers in many ways is about supporting wholly economic

development or jobs, or about taking rides through the countryside, but it's about food production.

I think in Connecticut we are far away divorced from where our food comes from. Most of you in this room would be surprised to know that there's about three days' worth of food in this state for you. So if food doesn't come into the state on a regular basis in those trucks we also like to tax, there wouldn't be any food in here.

Now, I know most people would think that can't happen. Ask the people in Katrina what happened when they couldn't get food into them? Local food in a local area is what can sustain you.

So it's not just about whether we want bucolic things or want to watch cows walk around or whether \$10 is too much, or whether it should come out of an appropriated fund, but it gets down to, can we produce some of our milk here? We actually produce about 40 percent of our milk here, that can be consumed here.

Milk that's trucked in from western New York or Wisconsin or other places right now is more competitive than what we produce here. But as we're aware, and as we have seen, the price of fuel can go up rather rapidly. And when that price of fuel is

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back at \$4 a gallon for diesel and it's got to run the reefer, and you've got to truck it in and you've got to put it someplace else, you may find this a small price to pay to have local food production.

You're not going to be able to walk down the aisle forever and get cheap food. I think we're seeing the era of cheap food erode as we speak. Local agriculture I think is very important.

So it's not about a way of life. It's not about a culture. It's about whether we have a local source of food, and I'd like you to think about that when you're worried about the real estate industry, which is down 40 percent anyway, or that it might be \$53 for the one document I file every couple of years, as opposed to supporting localized food.

Thank you, Mr. Speaker. That's all I have to say.

DEPUTY SPEAKER McCLUSKEY:

Thank you, sir, for your remarks. Will you remark further? The honorable Representative from Coventry, Representative Lewis, you have the floor, madam.

REP. LEWIS (8th):

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Thank you, Mr. Speaker. Some of us on both sides of the aisle have been meeting since early Session with farmers around the state, trying to find a solution for the problems that they have been facing with the decrease in the price they receive for milk.

During that time, we've lost another four farms. Finding a stream of dedicated funding to sustain our dairy farms has proven to be a very difficult task, as Representative Chapin mentioned.

And today, I am pleased to rise in strong support of this Bill. The Bill will allow our citizens to continue to have fresh milk and other naturally produced dairy products.

When the federal price for milk falls and cost to produce milk increases, there will be funding available now to sustain our farms.

The Bill will allow the state to continue a business that results in a \$1.1 billion in sales each year, and provides over 4,200 jobs, and preserves our farmlands.

So I believe that this is a win win situation for our farms and for the people of the state, and I urge my colleagues to support this Bill. Thank you, Mr. Speaker.

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DEPUTY SPEAKER McCLUSKEY:

Thank you, madam, for your remarks. Will you remark further on Senate Amendment Schedule "B"? The honorable lady from Bolton, Representative Sawyer, you have the floor, madam.

REP. SAWYER (55th):

Mr. Speaker, thank you very much. Representative Berger was absolutely right that regarding the brownfields (inaudible) is about jobs and it certainly is in reference to the small and large city renewal.

But it's not something that we're able to do at this moment in time. We have a crisis and the crisis is in the dairy farms. The 19 that we lost this last year, the four in the last two months that have sold off their cows, brings us down to the 150. We know that.

But we also know is that this Bill is not perfect because it does not create an ongoing emergency fund that we would need when there is the up and down turns. But what it does give us is the emergency dollars.

It does not raise the price on a gallon of milk per gallon of milk, and that's very important for the poor in this state.

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What it also does, Mr. Speaker, is, there is going to be a way for the farmer to go through the Department of Agriculture and per gallon of milk be able to obtain the money that will keep them and have them survive.

What this Bill also does is it preserves and actually increases a small amount of money for the Connecticut Housing Finance Authority as well as the Department of Environmental Protection for the municipal open space grants, as well as increasing the percentage in this case, that will be going to the dairy farmers. But only for two years, Mr. Speaker.

So this is not perfect. It is from upon passage, Mr. Speaker, which should be tonight, and we are looking at it as it goes through 2011 as to be the emergency fund, and I lend my support. Thank you, Mr. Speaker.

DEPUTY SPEAKER McCLUSKEY:

Thank you, madam, for your remarks. Will you remark further on Senate "B"? The honorable gentleman from Watertown, Representative Williams, you have the floor, sir.

REP. WILLIAMS (68th):

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Thank you, Mr. Speaker, and good evening. Just briefly in strong support of the Amendment, I want to associate my comments first of all with Representative Berger who I think absolutely hit the nail on the head.

We have a serious problem with brownfields remediation in Connecticut. Since I was first elected to the Legislature, I've sort of taken an interest in this issue because the Waterbury Regional Chamber has had a great interest. There's a lot of brownfields in Connecticut that need to be remediated and it is no easy process getting those properties back on the books and generating tax revenue and generating jobs. That is no easy process.

We passed a bill out of this Chamber shortly, not to long ago and it sits up in the Senate, and I very much hope that that bill becomes law so we can finally get ourselves down the path of a strong brownfields remediation process.

Having said that, Mr. Speaker, ladies and gentlemen, this is a strong economic development tool for an industry that severely needs it.

You know, we are in the worst economic crisis we have been in, in most of our lives. We need to do

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everything that we can to create jobs for people in our state and maintain the jobs that we have.

I think this Bill goes a short way in doing that, and I would urge adoption.

DEPUTY SPEAKER McCLUSKEY:

Thank you, sir, for your remarks. Will you remark further? The honorable gentleman from Griswold, Representative Mikutel, you have the floor.

REP. MIKUTEL (45th):

Thank you, Mr. Speaker. Mr. Speaker, I rise in strong support of this Amendment. It's time for Legislators to stand up for our dairy farmers. As we debate this Bill, farmers are making decisions about closing their farms because they just can't compete because the federal government sets the price of milk.

This is a way not only to preserve a billion dollar industry and 4,000 jobs, it's a way to preserve our heritage, our rural character, and our farmers need this safety net, and that's what this Amendment does.

It provides a safety net for farmers. It keeps Connecticut green. We should pass this Bill. It's good public policy. Let's stop this debate and vote yes.

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DEPUTY SPEAKER McCLUSKEY:

Thank you, sir, for your remarks. The honorable gentleman from North Branford, Representative Candelora, you have the floor.

REP. CANDELORA (86th):

Thank you, Mr. Speaker, I, too, rise in support of this Bill. I think it is a critical Bill in helping our dairy farms.

My understanding, what I've heard today and we've heard in the other Chamber, that the intent is to raise the fee from \$30 to \$40, and just for legislative intent, to the extent that there may be some ambiguity in that, I just want to clearly make that clear, that that's the intent of this Legislature today, and if there are any questions in the future, I would expect that we would have those fixes in the future. Thank you, Mr. Speaker.

DEPUTY SPEAKER McCLUSKEY:

Thank you, sir, for your remarks. Will you remark further? The honorable gentleman from Stratford, Representative Miller, you have the floor, sir.

REP. MILLER (122nd):

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Thank you, Mr. Speaker. Just one question, and that's the agricultural sustainability account. Where's the money coming for that one? Will that come from the fees as well?

Through you, Mr. Speaker.

DEPUTY SPEAKER McCLUSKEY:

Representative Roy.

REP. ROY (119th):

Thank you. Through you, Mr. Speaker, from the fees, from the same fees, yes.

DEPUTY SPEAKER McCLUSKEY:

Representative Miller.

REP. MILLER (122nd):

Through you, Mr. Speaker, that's correct. Okay, thank you.

DEPUTY SPEAKER McCLUSKEY:

Thank you, sir, for your remarks. Will you remark further? The honorable gentleman from Glastonbury, Representative Kehoe, you have the floor.

REP. KEHOE (31st):

Thank you, Mr. Speaker. I also rise in strong support of the Amendment. You know, ironically, something was mentioned before about the cost to homeowners and I would just remind the Assembly that

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periodically farms go out of business and to keep that open space, the towns are going to their citizens saying, please support our purchase of this so that we can preserve open space.

So if you support the farmers, we keep it in productive use, and we're not going off and then spending our tax dollars to acquire it for open space.

So, you may support them now, and if not, if you want to preserve open space you'll be paying for it later, so I urge support for this Amendment. Thank you.

DEPUTY SPEAKER McCLUSKEY:

Thank you, sir, for your remarks. Will you remark further? The honorable gentleman from the 139th District, Representative Ryan, you have the floor.

REP. RYAN: (139th):

Thank you, Mr. Speaker. I just want to get up and join my colleagues. I have one of the more agricultural districts in the state. I know this is an important industry in our state, and being the Chairman of the Labor Committee, I don't want to see those jobs go. I know they're important to our state.

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And once again, I think people don't recognize that we're one of the few states that don't help sustain our farms the way other states around us do, and I think we're just making our contribution to an industry that badly needs it at this point in time. Thank you, Mr. Speaker.

DEPUTY SPEAKER McCLUSKEY:

Thank you, sir, for your remarks. Will you remark further? Our honorable Majority Leader, Representative Merrill, you have the floor.

REP. MERRILL (54th):

Thank you, Mr. Speaker. Just very briefly. I wanted to thank the Members of the working group, bipartisan working group that's been meeting for months trying to find a solution to this problem.

I would especially concur with the remarks of Representative Backer about this being an issue about food production in our state, as well as all the many important comments that have been made about saving jobs, dairy farms, and really the cultural history of our state.

So thanks to all the Members that have informed themselves as we've been trying very hard to come up

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with a solution. I hope this one works, and I'm in strong support of the measure. Thank you very much.

DEPUTY SPEAKER McCLUSKEY:

Thank you, madam, for your remarks. Will you remark further on Senate "B"? Will you remark further on Senate "B"?

If not, I will try your minds. All those in favor please signify by saying Aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER McCLUSKEY:

All those opposed, Nay. The Ayes have it.
Senate "B" is adopted. Will you remark further on the Bill as amended? Will you remark further on the Bill as amended? If not, will staff and guests please come to the Well of the House. Will Members please take your seats. The machine will be opened.

THE CLERK:

The House of Representatives is voting by Roll Call. Members to the Chamber.

The House is taking a Roll Call Vote. Members to the Chamber, please.

DEPUTY SPEAKER McCLUSKEY:

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Have all Members voted? Have all Members voted?
Representative Wright, have all Members voted? If all
Members voted, please check the board to determine
whether your vote has been properly cast.

If all the Members have voted, the machine will
be locked. Will the Clerk please take and announce
the tally.

THE CLERK:

Senate Bill Number 891 as amended by Senate "A"
and

"B" in concurrence with the Senate.

| | |
|-----------------------------|-----|
| Total Number Voting | 149 |
| Necessary for Passage | 75 |
| Those voting Yea | 133 |
| Those voting Nay | 16 |
| Those absent and not voting | 2 |

DEPUTY SPEAKER McCLUSKEY:

The Bill passes in concurrence with the Senate.

Will the Clerk please call Calendar Number 336.

THE CLERK:

On Page 36, Calendar Number 336, Substitute for
House Bill Number 6552 AN ACT BANNING THE POSSESSION
OF POTENTIALLY DANGEROUS ANIMALS AND THE IMPORTATION,

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numbers as everyone else in the room did. So I'm going to ask these three gentlemen to go over to the clerk's desk, pull a number, and be put on the sheet in a regular place because you're not going to be called one, two, three.

So Bob Schultz, John Felciano, and Jed Felciano please report to the clerk's desk and pull numbers, as everyone else has today. Thank you.

Our next speaker is Agricultural Department Commissioner, Phil Prelli, and he'll be followed by State Representative Rob Megna.

PHILIP PRELLI: Good morning, Representative Roy, and Senator Meyer and members of the Environment Committee. I'm here to probably speak on one of the more interesting bills today, and that's an Act Concerning the Modernization of Connecticut Fertilizer Law. With me today is Alton Blodgett, and Alton is -- is our expert on the fertilizer law.

SB891
SB994

The bill is an initiative of the Department of Agriculture. It's the last one of our initiatives to be before you for public hearing, and obviously, we ask your support.

We are currently working with the Attorney General's Office to do a few clarifying changes. This bill was actually written a little different than most of the ways we proposed it, because it is a model act. We gave notes, or we gave a write-up to the LCO and your -- the LCO attorney then compared it against our existing laws, and we wrote the model act. So there are a couple of technical changes so we can line them up with Connecticut laws that the Attorney General is recommending, and we will be getting those to you. Again, they are technical in nature.

In 1881, Connecticut was the first in the nation to be a state to enact laws regulating fertilizer. Since that time, all 50 states have enacted laws regulating fertilizer, and all 50 states use the recommended Uniform State Fertilizer Bill of the Association of American Plant Food Control officials.

This bill regulates, or this bill repeals the existing Chapter 427(a), known as "The Connecticut Fertilizer Law," and replaces it with the model act, Recommended Uniform State Fertilizer Bill of the Association of American Plant Food Control Officials version. 1965 was what was there, and we are asking to put in the 2008 version.

There have been many ingredients and definition changes and technical advancements relative to fertilizers during the period from 1965 to present. Updating our law will make it more relevant and to modernize the practice that Connecticut is using.

Part of the changes that we did was, rather than doing a graded -- or not graded, but a changing fee due to the amount of fertilizer brought in, we put in a standard fee and because of -- and we've used the mean for that, and that will generate about \$16,000 more annually. Seeing that the Governor has proposed an increase in the fees that weren't included in this, we would need to make some modifications to change that if -- if it was the Legislature's -- Legislature's wish to increase the fees along with the Governor, and that would need to be done.

Again, in our testimony, we show you what the other New England states have for laws. And I thank -- and, again, I thank you, and Alton's

here to answer any technical questions you might have.

I would just like to also say that we have given you written testimony. I'm not going through oral testimony on the leghold traps, only to say that, it's a very big concern for agriculture in that it's one of the only effective ways we have of controlling a lot of the pests that would ruin a number of our crops, and that includes such animals as raccoon and beaver. It would really have -- could affect the sweet corn as well as some of the other vegetable crops we have in the state, so we're very concerned about eliminating those when they're the only effective way. We thought that maybe noisemakers would work, but animals tend to get very used to noisemakers.

So with that, Alton and I will gladly attempt to answer any questions you might have, Mr. Chairman.

REP. ROY: Thank you.

Any questions or comments from members of the Committee?

Representative Miner.

REP. MINER: Thank you, Mr. Chairman.

Good morning, Commissioner.

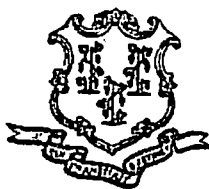
PHILIP PRELLI: Good morning, Representative.

REP. MINER: I just had one question. I'll kind of harken back to my First Selectman days when I, every once in a while, got stuck being the animal control officer. With regard to the transport of some of the wild animals that

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2672 – 3021**

2009



STATE OF CONNECTICUT

DEPARTMENT OF AGRICULTURE



Testimony Regarding, Raised Senate Bill No. 891, An Act Modernizing Connecticut Fertilizer Law,
Before the Environment Committee, March 9th, 2009.

Senator Meyer, Representative Roy, members of the Commerce Committee, my name is F. Philip Prelli, Commissioner of Agriculture. **This bill is an initiative of the Department of Agriculture and we urge your support.** We are currently working with the Attorney General's office on a few clarifying changes and have will to address an issue brought to our attention by the Department of Public Safety. So should the bill get to a vote, we will be asking for substitute language.

In 1881, CT was the first in the nation to state to enact a law regulating fertilizer. Since that time, all 50 states have enacted law regulating fertilizer and all 50 states use the *Recommended Uniform State Fertilizer Bill of the Association of American Plant Food Control Officials* as amended from time to time.

This bill repeals the existing Chapter 427a known as "Connecticut Fertilizer Law" and replaces it with an updated new fertilizer law. The existing Connecticut Fertilizer Law is based upon the *Recommended Uniform State Fertilizer Bill of the Association of American Plant Food Control Officials (AAPFCO), version of 1965*. We propose to update the Connecticut law to the latest version of the **Recommended State Fertilizer Bill of 2008**. There have been many ingredient and definition changes and technological advancements relative to fertilizer during the period of 1965 to present. Updating our law will make it more relevant to modern practices and help to ensure that Connecticut does not impede interstate trade and that Connecticut's consumers and producers are equally protected under the law. We also propose to change the fertilizer product registration from a sliding scale to a fixed fee to simplify and streamline the process. This will benefit both the registrants and our office licensing staff. This proposed change will add an estimated \$16,000 annually to state revenues.

We have surveyed the New England states and find the following:

New England and New York State Survey on AAPFCO (Fertilizer) Model Bill

| State | Current law crafted under Model | Last year updated |
|-------|---------------------------------|--------------------|
| CT | yes | 1993 |
| ME | yes | 2008 (In progress) |
| NH | yes | 2002 |
| RI | yes | 1992 |
| VT | yes | 2000 |
| MA | yes | 2000 |

Thank you for the opportunity to testify today. Should you have any questions or concerns, please do not hesitate to contact: Melanie Attwater-Young, Legislative Liaison, at 860-713-2509.

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