

PA 11-188

HB5472

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**JOINT  
STANDING  
COMMITTEE  
HEARINGS**

**PLANNING AND  
DEVELOPMENT  
PART 5  
1311 - 1562**

**2011**

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March 4, 2011

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COMMITTEE

10:30 A.M.

JOHN FILCHAK: Okay. Good morning. My name is John Filchak. I'm the Executive Director of the Northeastern Connecticut Council of Governments. I represent 12 towns in the Northeastern corner of the state. Today I want to comment on five bills -- or four bills. We have some additional testimony we'll send in.

The first three deal with agriculture. House -  
- Proposed House Bill 5470, 5471 and 72. Agriculture in my part of the state and I think throughout the state is -- is really an essential element of our -- of our economy, our character. It really is something very -- our -- our members feel very strong about and the -- the three bills under consideration today promote that position.

HB 5472

But I -- I do want to get into a couple of details on them. -- 5470 which is AN ACT CONCERNING LOCAL PLANS OF CONSERVATION AND DEVELOPMENT, really is already covered in the statute. The -- while it's well intended, Section 8-23, if you look at 3(d) and (e) -- already do what the bills says and -- and directs as actually a shell to the planning commissions to consider agriculture -- the preservation and protection of agriculture. So I think -- you can look at that -- but that may be covered already.

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Within 5471 it speaks of zoning commissions when they amend regulations to be consistent with 12-107(a) which is also the -- it's a -- it's a taxation policy -- the so called 490 Law -- which is one of the most important laws ever passed in Connecticut in terms of agriculture. You already have an 8-2 which governs zoning -- that they -- any regulations have to be made with reasonable consideration on their -- of

their impact on agriculture and really -- to see how those two reconcile.

One of the issues that comes up that I deal with on an ongoing basis is -- we're always dealing with updates of regulations et cetera, is that each town in the state is free to define agriculture as they see fit. Wetlands have used the state definition of agriculture, but under zoning, it's any -- you can define it as you -- as you wish. So we -- and unfortunately have the possibility of 169 variations on a theme. So that may be something else to be looked at. I always encourage people to use the state definition, but often times you see it move around.

-- 5472 would make clear that, in my mind that Ag Advisory Commissions are allowed. We did have a -- one of our towns, they tried to do this and it was questioned because it's not specifically stated that you can set up an Ag Commission and this would correct that and -- and I think overcome that. And in -- in my experience part of my 15 years here with NECCOG, I was Deputy Commissioner of Agriculture and worked with the Farm Bureau for a total of 11 years and we were setting these up in the 80s and 90s and they work and it should be encouraged throughout the state.

And just finally, I want to give some strong support to Proposed House Bill 5921, authorizing land banks. We think this would be a -- a terrific option for towns. We have a number of villages with vacant and underutilized properties and this would be a way to infuse some -- some opportunities there. I know I'm out of time, sorry.

JOHN FILCHAK: Yes and we have -- we've had a -- a, you know, a -- a movement out of these former Mill Villages or Central -- Central Business Districts. You know, we've had this sprawl and this is a way to I think revitalize some of those -- both smaller and -- and larger villages. At least we go up -- up and down my area probably 12 all the way from the Mass border all the way into -- down into the shore and we haven't had a focus on those. So it -- it may be the -- the vacant lot or the mill that's both commercial, industrial and residential within those areas; a combination of properties. There really has been no focus on that and it -- this I think may be a vehicle to get that done.

We haven't tried it yet. I guess only about eight states currently do it. So uh -- like I say, it's still new to me, but I -- it's perhaps another option for us and -- give it a try.

REP. AMAN: Okay. Thank you for coming forward.

REP. GENTILE: Senator Cassano.

SENATOR CASSANO: Yes, thank you for being here and sharing. I find it interesting that -- that HB5921 HB5472 two of these bills; the land banks and the Agricultural Council's are really here because of unsurety I think. You would think that -- and I'm going back to what Senator Welch said earlier -- that we should be taking some of the strings off of municipalities and allow them to do things and in fact, some of the bills that we've talked about and -- and already I think have moved out of this committee -- encourage communities to work together.

I think it's a different issue because the town of tyrannies within a community is an example

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and you mentioned some of -- reading some of these bills -- they're so complicated that it doesn't say you are authorized to create a land bank. Or you are authorized to create -- do we need legislation that says you are authorized to think and do things without having to be told that you can do them? Because it seems that we're getting many of these types of bills asking the same thing.

JOHN FILCHAK: You know, sometimes because I know many of the -- the things that we do regionally that -- you and I've talked about. We don't use, for instance, what section was it? -- 7148(cc) and that gets some town attorneys crazy. They say well, how can you do that? You don't have the authority. Well, we're in place. We set up a program and we're doing it and we believe we can do it and our towns have done that, but we get pushback on that. It's like you need -- you need a permission slip to act.

SENATOR CASSANO: Exactly.

JOHN FILCHAK: And that just freezes us into not acting.

SENATOR CASSANO: Right.

JOHN FILCHAK: And -- you know the -- the Ag Councils have been around for a long time. They're usually set up on a -- strictly a voluntary basis. It seems to use right, but we had one town just go through -- you know, they had to bring their town attorney to the meeting and assure everyone there that yes, in fact, you can do this and -- kind of a lot of time and money for something that should just be common sense.

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SENATOR CASSANO: Yeah. Yeah.

JOHN FILCHAK: But that seems to get thrown out the window.

SENATOR CASSANO: Yeah, maybe we should look at some of these and be -- suggested amendments that allows you to do things that are not necessarily mentioned here or something because I -- this is -- this is -- these are two right here and we've had others come for the very same reason -- that it doesn't enable you to do it in writing and -- and I think we should be enabled to do things that make sense.

JOHN FILCHAK: Well they -- you know, all power is emanate from the state to the towns. You can't do anything more than what the state tells you you can do and the strict reading of that -- people freeze -- or it's an excuse not to act.

REP. GENTILE: Representative Fritz.

REP. FRITZ: Hi, John. I was wondering when you look at 5470 the local plans of conservation and development, do you think this would be a good vehicle to try and straighten out all the yields that occur because of the plan of conservation and development that comes from the state and its impact on the town?

JOHN FILCHAK: Well, we have really -- we have -- the consistency that's from the state plan to the regional plan, to the local plan is essentially lost in my estimation. The statute's not clear. It's not written well. No one seems to be able to understand it. In fact when I work with a town to develop a plan of development, I give them documents from the State of Wisconsin -- outlining how to -- how to write it and how to prepare it and how to

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organize it because we don't have anything similar and it covers easily the breadth of what is required in Connecticut -- but they can understand it and we don't have something similar.

They look at that statute and -- and I try to make it as clear as I can -- I'll almost rewrite it. So yeah, I -- I agree with that a lot and I think right up to the state plan so that when we're talking about housing, we're talking about housing through transportation, through agriculture. That we're consistent as a state -- right down to the town level.

REP. GENTILE: Thank you, John. Any other questions or comments? Thank you.

JOHN FILCHAK: Thanks.

REP. GENTILE: Don Tuller.

DONALD TULLER: Senator Cassano, Representative Gentile, members of the Conservation and Development Committee. And I'm Don Tuller from Tuller Farm in West Simsbury and I'm President of Connecticut Farm Bureau. I'd also like to thank Representative Flexer, Representative Reynolds and the committee for considering 3 bills; 5470, 71, 72.

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In regard to 5470, this language doesn't just speak to agriculture, but also to farmland preservation. So it's not just a - a rehash of, you know, of what's already in statute, but it also asks that towns consider farmland preservation or you know, in their conservation -- plans of conservation and development.

One of the issues is -- as -- as John Filchak stated, there is confusion. The face of

have been doing for a number of -- well, a lot of times we preach -- you know, it's easier to say I'm sorry than ask permission? So people just kind of start doing stuff.

But, you know, in some cases -- you know, I just heard a story yesterday in Rhode Island. A farm had been hosting weddings for ten years and then they got on the wrong side of the neighbor. They complained -- they actually got shut down even though everybody at the Zoning Commission recognized it was a really good thing, but they had no provision to allow them to do it, so they shut them down.

So, we're just kind of feeling that there would be a public benefit to be considering -- you know, kind of putting it out in front for Zoning Commissions to kind of revisit this. Farm Bureau works with local communities all over the state to try to help them adopt -- work to develop regulations that are pro agriculture and it -- and it's very beneficial to, you know, to the -- to the -- recognized to be beneficial to the state and to the local economy.

And then just in regard to the -- the local and regional councils. You know, the -- John really covered it. The -- the other nuance of this is the idea -- the concept of regional as well as just local. Again, we're always considering encouraging regionality and if -- if a couple of communities don't have individually the critical mass of -- of farmers and interested citizens, it would be an opportunity for them to work together and I mean, I know I think and say -- I'm in Simsbury and -- and like saying, oh great, another something to serve on, you know? So having a - a larger group of people, you know, another

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town or two in areas where there's not a lot of farms would be tremendously beneficial.

So this -- we think this would just kind of be a step in the right direction and -- and again, it's -- it's not a -- it -- you know, it's not mandatory, but just would be a -- a -- just an improvement -- a positive thing and it is unfortunate that you have to kind of do this instead of letting people just go ahead, but -- but it really kind of puts it out in the forefront and it -- and it does therefore encourage positive results. Thank you.

REP. GENTILE: Thank you Don, I appreciate your time. Are there any questions or comments from committee members?

Senator Fasano.

SENATOR FASANO: Thank you. Thank you for testifying. You know, I agree we need to protect the farms. I think Connecticut has the right to farm -- part of their statute. Unfortunately, I agree with you that in many cases local municipalities will say to a farmer, "You have a right to farm, but first you've got to prove to me you're a farm. And say for the Wetland Issues -- I need an A-2 survey. I need a Soil Scientist. I need -- and it's outside the realm of the farmers' financial ability to sometimes confront those municipalities that seek to restrict farming -- which is something that this body, as well as the legislature, wants to put a halo around to protect farming.

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So I agree with you in that principle that -- to some extent there has to be some more push by this legislature to protect farms and farming and farming has changed. I know that

burden is not a bad idea and put the owner  
someplace else and not on the farmer.

Number two would be -- I find that even if they  
think it is -- they want to get control and  
they require the farmer to do very expensive --  
an A-2 Survey on a 50 acre farm -- which is a  
decent size farm -- is considerable. A soil  
scientist on that farm is considerable money  
wise and they're -- the farmer's caught between  
a rock and a hard place. I think those are the  
issues we have to deal with. I do agree with  
you -- the right to farm is not as strong and  
we should look at it and strengthen it. But  
the owners -- I think should be more on the  
towns than it is on the farmer to prove a  
negative -- yeah, I think it should be on the  
-- the town to prove that it is not, you know  
what I mean? And I think that's been the  
bigger decision.

DONALD TULLER: I appreciate -- I mean, we  
understand that and we appreciate it, but it  
you know, again the, you know, there's a right  
to farm but there's also, you know, people say  
that, you know, the right to clean air and all,  
you know, all these other things. So, you  
know, the neighbor factors are -- are always an  
issue.

REP. GENTILE: Thank you.

Representative Fritz.

REP. FRITZ: -- 72 which talks about the  
authorization of local and regional  
agricultural councils. Wouldn't you say that  
the County Farm Bureaus actually do this kind  
of work or do this job or would you suggest  
that we need to have this as a back up to the  
Farm Bureaus?

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REP. GENTILE: David Pinney.

DAVID PINNEY: Good afternoon, Senator Cassano, Representative Gentile and other members of the committee. Thank you for the opportunity to address you. I -- I should be short because I'm mostly echoing the sentiments expressed by Mr. Filchak and -- and Mr. Tuller -- speaking to the bills before you pertaining to agriculture 5470, 71 and 72. For the record I'm David Pinney and I live in Somers. We have a number of active farms there and I was First Selectman for six years and -- and actively involved in trying to help support the capacity to continue the work in farms -- not only in our town, but in our region.

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HB 5472

On 5471 we're -- we're looking to expand the requirements that any revision of zoning regulations takes up agricultural forest land issues. I'd -- I'd offer up that under an Ag Viability Grant, several years ago -- the Capital Region Council of Governments developed prototype regulations that could be considered by municipalities and -- and there's you know, some way to reference you know, here's -- here's work that's been done for you to show the way on -- on how storing regulations can be more farm friendly -- or at least some of the issues that you -- you want to be cognizant of as you -- as you review.

But there's -- there's no question that despite good intentions or desire to support farms in our communities -- that our planning regulations, zoning regulations sometimes -- I know, work at cross purposes and so to require some enhanced sensibility to that within the times when zoning review is -- is taken up -- renewal of regulations is taken would certainly be a worthwhile thing.

On the 5472 -- the -- the Ag Councils -- you know, the question came up earlier with -- with Mr. Tuller and -- and Representative Fritz about the County Farm Bureaus and -- and I really would anticipate in that an Ag Council exists in a -- in a different kind of context. An Ag Council -- well populated would be much more of a -- of a balance of -- of people who live in the community. Not just farmers. I mean, frankly I -- I think the recommendations within the language of -- of the proposed bill could be expanded to strongly encourage -- or almost require that there be farmers on these councils. I mean it's -- it's anticipated that there will be, but it's quite conceivable that they be set up without and -- and without working farmers on these councils, they certainly will not accomplish their primary goal which is to enable a dialogue within the - - the community where those farms are located. That brings to bear the perspective of not only the farmers, but those that live around the farms and -- and those that would see a stronger tax base by developing more of the land that is currently or -- or might potentially be used for -- for farm and forest production.

So the -- the councils need, excuse me, need to have representation that -- that crosses the various community interests. The capacity to have those councils over a regional basis certainly enhances the potential that you can find a sufficient number of farmers along with other volunteers, as Mr. Tuller said, I mean -- most of our communities it's a pretty small group of -- of people who are -- are willing to -- to get on to local commissions and -- and what not and -- and so it's a challenge to offer up another, you know, permanent standing

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committee and -- and find people to populate it and -- and the regional opportunity. The fact that so many times individual farms and -- and farm interests do cross municipalities -- that it could be, indeed, helpful both in terms of finding people to serve and in helping to develop a more consistent engagement between the municipalities and the -- and the farm activities involved. That's my thoughts.

REP. GENTILE: Thank you. Any questions or comments from committee members? Thank you, sir, for your time.

DAVID PINNEY: Thank you for your attention.

REP. GENTILE: Ron Thomas.

RON THOMAS: Last, but hopefully not least. Good afternoon, Senator Cassano, Representative Gentile, members of the PAD Committee. I'm Ron Thomas with the Connecticut Conference of Municipalities. I'm happy to be here this afternoon to talk about a few bills with concern to towns and cities -- especially some of the mandate reform proposals that are before you today.

I'd like to start by talking about 6107 regarding state grants in lieu of taxes and the assessment of property owned by universities and colleges -- and hospitals, rather. CCM supports this concept. We like the idea of the -- the colleges and hospitals being assessed by the town and the -- being reimbursed by the state. We'd ask that you consider a different approach to this bill and this is -- continue the payment in lieu of taxes to -- to towns and cities, but allow them to assess colleges and hospitals for the -- the remainder of the

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March 1, 2011

**Testimony in Support of:**

**H.B. 5472 AN ACT AUTHORIZING LOCAL AND REGIONAL AGRICULTURAL COUNCILS**

Submitted by: Donald Tuller, President, Connecticut Farm Bureau Association

*The following testimony is submitted on behalf of the Connecticut Farm Bureau, a statewide nonprofit membership organization of over 5,000 families dedicated to farming and the future of Connecticut agriculture.*

Senator Steve Cassano, Representative Linda Gentile and members of the Planning and Development Committee:

H.B. 5472 authorizes municipalities to form local and regional agricultural councils and commissions. Agricultural commissions are a new and growing initiative amongst Connecticut municipalities who want to promote and maintain agricultural viability in their communities. Agricultural commissions play an important role in local farmland preservation efforts, provide guidance to other land use agencies and commissions on agriculturally related issues, help promote local farms and businesses, provide education and resources related to agriculture and seek grant opportunities to help support local agriculture.

Connecticut agriculture is unique and diverse. The size and types of farming operations varies across Connecticut. From smaller farms in Fairfield county that have a heavier focus on equine to larger dairy farms in eastern Connecticut to aquaculture operations along the shoreline. Local agricultural commissions are comprised of farmers and non-farmers who live and work in their communities and understand the unique characteristics and needs of their communities. Agricultural commissions are advisory not regulatory and are comprised of volunteers requiring little if any support from municipal budgets. If an agricultural commission can save one farm, it has paid for itself for decades into the future. If this bill becomes law, individual communities, that do not have sufficient critical mass of interested farmers and other interested citizens, can band together to form a regional agricultural council or commission that would serve those participating communities jointly. This would further the goal of creating as many farm friendly communities as possible.

There is other legislation such as CGS 7-131a which authorizes municipal conservation commissions. H.B. 5472 would do for agriculture what CGS 7-131 has done for natural resources.

H.B. 5472 is a result of a proposal put forth by the Connecticut Farm Bureau Association Right to Farm Committee which focused on land use legislation and we urge your support on this important initiative.

**Connecticut Farm Bureau Association - *The Voice of Connecticut Agriculture***

**H – 1097**

**CONNECTICUT  
GENERAL ASSEMBLY  
HOUSE**

**PROCEEDINGS  
2011**

**VOL.54  
PART 6  
1729 – 2054**

House Bill 5256 as amended by House "A."

Total Number voting 141

Necessary for adoption 71

Those voting Yea 141

Those voting Nay 0

Those absent and not voting 10

SPEAKER DONOVAN:

The bill as amended is passed.

Will the Clerk please call Calendar Number 112.

THE CLERK:

On page 8, Calendar 112, House Bill Number 5472,

AN ACT AUTHORIZING LOCAL AND REGIONAL AGRICULTURAL  
COUNCILS, favorable report of the Committee on Planning  
and Development.

(Deputy Speaker Kirkley-Bey in the Chair.)

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Flexer, you have the floor, ma'am.

REP. FLEXER (44th):

Thank you, Madam Speaker.

Madam Speaker, I move for acceptance of the joint  
committee's favorable report and passage of the bill.

DEPUTY SPEAKER KIRKLEY-BEY:

The motion before us is acceptance of the joint committee's favorable report and passage of the bill.

Will you remark further?

REP. FLEXER (44th):

Thank you, Madam Speaker.

Madam Speaker, the bill before us today enables municipalities throughout our state to form agricultural councils both in their own municipalities and on a regional basis. I urge my colleagues to support the bill.

Madam Speaker, the Clerk has an amendment, LCO 5554. I ask that the Clerk please call the amendment and that I be granted leave of the Chamber to summarize.  
DEPUTY SPEAKER KIRKLEY-BEY:

Will the Clerk please call LCO Number 5554, which will be designated House amendment "A."

THE CLERK:

LCO Number 5554, House "A," offered by  
Representatives Gentile and Flexer.

DEPUTY SPEAKER KIRKLEY-BEY:

The Representative has asked leave to summarize. Is there any objection? Hearing none, please proceed, ma'am.

REP. FLEXER (44th):

Thank you, Madam Speaker.

Madam Speaker, the amendment before us adds agriculture to the list of things that must be considered by municipalities in their plans of conservation and development and it also adds a definition of agriculture to the existing statutes governing planning and zoning boards.

I urge adoption.

DEPUTY SPEAKER KIRKLEY-BEY:

Thank you.

Will you remark further on the amendment that's before us?

Representative Aman, you have the floor, sir.

REP. AMAN (14th):

Thank you, Madam Speaker.

Yes, the summary is correct. We added two words to the bill. In government speak however it takes 165 lines of type to add two words to a bill.

Much like the underlying bill, this does put agriculture as one of the things to be looked at. I don't think there was anything that ever said it could not be looked at in the past, but there was some questions because it was not listed as one of the things that should be looked at, whether it could be or not.

And I think this amendment just clarifies what is current practice in most towns.

Thank you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Thank you, Representative.

Representative Candelora, you have the floor.

Will you remark? Will you remark further on the amendment that is before us? If not, let me try your minds. All those in favor, please signify by saying, aye.

REPRESENTATIVES:

Aye.

DEPUTY SPEAKER KIRKLEY-BEY:

Those opposed, nay.

The ayes have it. The amendment is adopted.

Will you remark further on the bill as amended?

Will you remark further on the bill as amended?

Representative Candelora, you have the floor, sir.

REP. CANDELORA (86th):

Thank you, Madam Speaker.

Madam Speaker, if I may, a couple of questions and a proponent of the bill?

DEPUTY SPEAKER KIRKLEY-BEY: ]

Representative Flexer, please prepare yourself.

Representative Candelora, please proceed.

REP. CANDELORA (86th):

Thank you, Madam Speaker.

During the public hearing testimony we heard the need for clarification on allowing municipalities to create agricultural commissions, because I guess apparently some towns weren't sure that they actually had the authority to do so and that was part of the impetus to this piece of legislation.

Am I correct? Through you Madam Chair -- Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Flexer.

REP. FLEXER (44th):

Through you, Madam Speaker.

That is correct.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Candelora.

REP. CANDELORA (86th):

Thank you, Madam Speaker.

And there are some towns, as we all know currently, that have agricultural commissions. Certainly my town about two years ago created a commission and enumerated

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DEPUTY SPEAKER KIRKLEY-BEY:

Representative, will you hold for a moment?

We are getting a little bit noisy. Please bring it down or take your conversations in the hall. The Representatives are in an exchange on the bill.

Please proceed, sir. And I apologize for interrupting.

REP. CANDELORA (86th):

Thank you, Madam Speaker.

My town about three or four years ago, North Branford created an agricultural commission by ordinance. And in creating that commission there was certain enumerated powers that they created.

My first question is, that given that this agricultural commission is already in existence, would they then be required to, I guess, sort of re-ratify themselves under this new legislation? Or do current agricultural commissions that are existing now would just be allowed to continue to exist?

Through you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Flexer.

REP. FLEXER (44th):

Thank you, Madam Speaker.

With the passage of this legislation the current agricultural commissions that exist in municipalities throughout our state would not have to be reformed. They could continue to operate as they have been over the last several years. This would simply, as we discussed earlier, clarify the issue for the communities where the authority for towns to create these commissions in the first place have been questioned.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Candelora.

REP. CANDELORA (86th):

Thank you, Madam Speaker.

I appreciate that answer.

And then finally we do have some enumerated duties that we put forth that an agricultural commission can perform. And they're listed in lines 1 through 9, section, you know, I guess, Subsections 1 through 9.

Is this meant to be an exhaustive list? Or for the purpose of legislative intent, if agricultural commissions that are formed under home rule currently may have some other provision that they form?

Like for instance, our agricultural commission is

responsible for putting together our community farmers market that they have one weekend every year. Would they still be authorized to do that under the general provisions of our statutes and this is not meant to be an exhaustive list?

Through you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Flexer.

REP. FLEXER (44th):

Through you, Madam Speaker.

This is, this list before us, is meant to be advisory and I do believe that the description, the scenario that was just described would certainly be allowed to continue.

DEPUTY SPEAKER KIRKLEY-BEY:

Representative Candelora.

REP. CANDELORA (86th):

Thank you, Madam Speaker.

And I appreciate the good Representative's answers to these questions. As we all know certainly agricultural is an important enterprise in the state of Connecticut and these commissions do a great for communities.

We found that in our community once we had formed

that commission they were allowed to -- the farmers are allowed to collect with a common voice and we have found them to sort of pop up on diverse issues throughout our community. And so I think it's good that we are certainly making it explicit that these commissions can exist in the State of Connecticut, and at the same time making sure that our commissions that are currently operating are not, sort of, tied down in the functions that they could perform. And I appreciate the work that went into this.

Thank you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Thank you.

Representative Aman, you have the floor, sir.

REP. AMAN (14th):

Thank you very much, Madam Speaker.

Yes. If you would read through what these commissions can do -- and I agree with the discussion so far -- that currently many towns have either agricultural commissions, farm organizations or some other group that fulfills the same function.

And I -- at least in committee and from what I've heard today, the legislative intent is that none of these would give up any of the current authority that

they have operating or in any way really be impacted by this bill.

I think the other thing that is important to know about this bill is that these agricultural commissions are completely an advisory education group. If you look through the things that they're allowed to do, they, in summary, they provide information, identify grant sources, educate the public, enable a common understanding, provide conflict resolution and advisory services, identify innovative opportunities.

None of this gives them any real authority over land use, any authority over the legislative body. They are strictly an educational advisory group which again, as I believe, they are servicing.

So I do think that this particular bill will address the concerns of some of the towns, some of the town attorneys that didn't see exact enabling legislation and urge my colleagues to support it.

Thank you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Thank you.

Representative Chapin, you have the floor, sir.

REP. CHAPIN (67th):

Thank you, Madam Speaker.

Madam Speaker, I've listened carefully to the proponent's explanation and I would agree that it is an advisory board at this time, but in the future should this body decide to give them some level of authority, I just wanted to clarify for the purposes of legislative intent that those boards and commissions who may already be in place and may have been created through ordinance or something other than the mechanism involved here, that those organizations would still be reflective of what this bill contemplates today.

Through you, may I ask a question to the proponent?

DEPUTY SPEAKER KIRKLEY-BEY: '

Please, sir.

Representative Flexer, prepare yourself.

REP. CHAPIN (67th):

Thank you, Madam Speaker.

I just want to ensure that in my particular town's case it's a farmland preservation committee, but I believe it was created by ordinance, slightly different than I think what's contemplated in this bill.

It's my understanding correct, that that body would also be, once this bill passes, considered what the bill before us is intending to create?

Through you, Madam Speaker.

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DEPUTY SPEAKER KIRKLEY-BEY:

Representative Flexer.

REP. FLEXER (44th):

Through you, Madam Speaker.

I believe it would.

DEPUTY SPEAKER KIRKLEY-BEY:

Did you hear that, Representative Chapin?

REP. CHAPIN (67th):

Thank you, Madam Speaker.

I believe her answer was that it would be considered the same. So I appreciate the answer and I also encourage my colleagues to support it.

Thank you, Madam Speaker.

DEPUTY SPEAKER KIRKLEY-BEY:

Thank you. Thank you both.

Will you remark? Will you remark further on the bill that is before us? Will you remark further on the bill that is before us? If not, staff and guests please come to the well. Members take your seats. The machine will be open.

THE CLERK:

The House of Representatives is voting by roll call. Members to the Chamber. The House is voting by roll call. Members to the Chamber, please.

rgd/md/gbr  
HOUSE OF REPRESENTATIVES

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DEPUTY SPEAKER KIRKLEY-BEY:

Have all members voted? Have all members voted?  
Please check the board to see that your vote has been  
properly cast. The machine will be locked and the  
Clerk will prepare the tally. Will the Clerk please  
announce the tally.

THE CLERK:

House Bill 5472 as amended by House "A."

Total Number voting	141
Necessary for adoption	71
Those voting Yea	141
Those voting Nay	0
Those absent and not voting	10

DEPUTY SPEAKER KIRKLEY-BEY:

The bill as amended passes.

Are there any announcements or points of personal  
privilege? Are there any announcements or points of  
personal privilege?

We'll return to the call of the calendar. Will  
the Clerk please call Calendar Number 273.

THE CLERK:

On page 17, Calendar 273, House Bill Number 5921,  
AN ACT AUTHORIZING THE CREATION OF LAND BANKS,  
favorable report of the Committee on Planning and

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**CONNECTICUT  
GENERAL ASSEMBLY  
SENATE**

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Would you repeat that again?

SENATOR LOONEY:

Calendar -- Calendar 426, House Bill 6306.

A VOICE:

I don't have that.

THE CHAIR:

That's not on the Calendar, sir.

SENATOR LOONEY:

No? Okay; we'll skip that one.

And, Madam President, Calendar page 36, Calendar 481, House Bill 5472; move to place that item on the Consent Calendar.

THE CHAIR:

So ordered.

SENATOR LOONEY:

Thank you, Madam President.

Madam President, if the Clerk might read the items on the Consent Calendar at this time, and then we will move for a vote on this first Consent Calendar.

THE CHAIR:

Mr. Clerk.

THE CLERK:

Immediate roll call has been ordered in the Senate on the Consent Calendar. Will all Senators please return to the Chamber. Immediate roll call has been ordered in the Senate on the Consent Calendar. Will all Senators please return to the Chamber.

Madam President, the items placed on the first Consent Calendar begin on Calendar page 10, Calendar Number 478, House Bill 6488; Calendar 480, House Bill 5256.

Calendar page 11, Calendar 513, substitute for House Bill 6557.

Calendar page 12, Calendar Number 535, substitute for House Bill 6226; Calendar 555, House Bill 6259.

Calendar page 13, Calendar 560, substitute for House Bill 5368; Calendar 567, substitute for House Bill 6157.

Calendar page 14, Calendar 574, substitute for House Bill 6410; Calendar 578, House Bill 6156.

Calendar page 15, Calendar 591, House Bill 6263; Calendar 594, substitute for House Bill 5508; Calendar 595, substitute for House Bill 62 -- 5263.

Calendar page 16, Calendar Number 606, substitute for House Bill 6581; Calendar 609, substitute for House Bill 6501.

Calendar page 17, Calendar 610, substitute for House Bill 6224; Calendar 613, substitute for House Bill 6453.

Calendar page 18, Calendar 614, substitute for House Bill 5068; Calendar 628, substitute for House Bill 5008; Calendars 633, House Bill 6489.

Calendar page 19, Calendar 635, substitute for House Bill 6351; Calendar 640, House Bills, 6559.

Calendar page 20, Calendar 642; House Bill 6595.

Calendar page 21, Calendar 645, substitute for House Bill 6267; Calendar 648, substitute for House Bill 5326; Calendar 650, substitute for House Bill 6344.

Calendar page 22, Calendar 651, substitute for House Bill 6540.

Calendar page 23, Calendar Number 655, substitute for House Bill 6497; Calendar 657, substitute for House Bill 6262; Calendar 658, House Bill 6364; Calendar 659, House Bill 5489.

Calendar page 24, Calendar 660, substitute for House Bill 6449.

Calendar page 36 -- correction -- Calendar page 33, Calendar Number 390, substitute for Senate Bill 1181.

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Calendar page 36, Calendar Number 481, House Bill  
5472.

Calendar page 37, Calendar Number 584, substitute  
for House Joint Resolution Number 34; Calendar 585,  
substitute for House Joint Resolution Number 54;  
Calendar 586, House Joint Resolution Number 65,  
Calendar 587, House Joint Resolution Number 66.

Calendar page 38, Calendar 588, House Joint  
Resolution Number 80; Calendar 589, House Joint  
Resolution Number 63; Calendar 590, House Joint  
Resolution Number 35; Calendar 620, substitute for  
House Joint Resolution Number 45.

Calendar page 39, Calendar Number 621, substitute  
for House Joint Resolution Number 47; Calendar 622,  
House Joint Resolution Number 68; Calendar 623,  
substitute for House Joint Resolution Number 69;  
Calendar 624, substitute for House Joint Resolution  
Number 73.

Calendar page 40, Calendar 625, substitute for  
House Joint Resolution Number 81; Calendar 626, House  
Joint Resolution Number 84.

Madam President, I believe that completes the  
items placed on Consent Calendar Number 1.

THE CHAIR:

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Thank you.

SENATOR LOONEY:

Thank you, Madam President.

THE CHAIR:

Mr. Clerk, please call for a roll call vote, and the machine will be open.

THE CLERK:

The Senate is now voting by roll call on the Consent Calendar. Will all Senators please return to the Chamber. The Senate is now voting by roll call on the Consent Calendar. Will all Senators please return to the Chamber.

THE CHAIR:

Senator Gomes?

If all members have voted; all members have voted? The machine shall be locked.

And, Mr. Clerk, will you please call the tally.

THE CLERK:

Motion is on adoption of Consent Calendar  
Number 1.

Total number voting	36
Those voting Yea	36
Those voting Nay	0

Those absent and not voting 0

THE CHAIR:

Consent Calendar passes.

The Senate will stand at ease for a moment.

(Chamber at ease.)

SENATOR LOONEY:

Madam President?

THE CHAIR:

Yes, Senator.

The Senate will come to order.

SENATOR LOONEY:

Yes. Madam President, the Clerk is in possession of Senate Agenda Number 5 for today's session.

THE CHAIR:

Mr. Clerk.

THE CLERK:

Madam President, the Clerk is in possession of Senate Agenda Number 5, dated Wednesday, June 8, 2011.

Copies have been made available.

THE CHAIR:

Senator Looney.