

PA12-020

HB5123

Environment	1027, 1028, 1302, 1303-1304	5
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**JOINT
STANDING
COMMITTEE
HEARINGS**

**ENVIRONMENT
PART 3
699 – 1041**

2012

12
lk/gbr ENVIRONMENT COMMITTEE

March 2, 2012
10:30 A.M.

REP. MILLER: Thank you very much. And thank you, Mr. Chairman.

REP. ROY: Thank you. Any other questions or comments?

Thank you, Tom.

THOMAS KIRK: Thank you.

REP. ROY: I remind the Committee members that officials are up here on a regular basis. And we can talk to them any time. We've taken up almost half the time for the officials that we normally set aside. At this rate, we'll be still talking to officials at 5 o'clock. But I hope that we can move it along a little faster.

And with that and -- excuse me. There is information that we need. And I certainly appreciate that. But we can get it and we can get it and talk to each other so that everybody is up to date.

Commissioner Steve Reviczky of the Agricultural Department followed by Ralph Eno, First Selectman of Lyme.

COMMISSIONER STEVE REVITSKY: Good Morning, Chairman Roy, Chairman Meyer, Vice Chairman Miller, and Ranking Member Chapin. I also wanted to say hello to Representative Backer, although he stepped out. As a fellow cancer survivor, it's always great to see him and, actually, to be seen. Being on this side of the dirt is a good day everyday that I'm here so.

I'm here to talk about four bills, three of which are part of the agency's legislative package and one which I would like to express some concern and opposition to.

HB 5119
HB 5123
HB 5124
SB 210

The first bill that I'd like to talk about is House Bill 5119, AN ACT CONCERNING CERTAIN CONDITIONS OF DENIAL FOR THE ISSUANCE OF A LICENSE OR PERMIT BY THE COMMISSIONER OF AGRICULTURE.

This would allow the Commissioner a degree of flexibility that the agency presently does not have. The Office of the Attorney General has recommended establishment of some general conditions which the Commissioner may refuse issuance of a license or permit.

Currently, many of our statutes do not have or have only vague language regarding the conditions under which a permit or license application may be refused.

A recent incident has brought to light a defect in many of our statutes that prevents the Commissioner from denying a licensed application based on an applicant's past history. Due process under the Uniform Administrative Procedure Act for refused or suspended or revoked licenses is preserved.

The second bill which I would like to speak about is House Bill 5123, AN ACT CONCERNING THE PLACEMENT OF CEASED ANIMALS IN ANIMAL CRUELTY CASES.

As I'm sure you're aware, the State Department of Agriculture along with the Connecticut Department of Correction runs a second-chance animal rescue facility down at York Correctional. We run this program that is beneficial, on many levels, for the animals we rescue as well as the inmates who help care for those animals.

Unfortunately, many owners of large animals,

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STANDING
COMMITTEE
HEARINGS**

**ENVIRONMENT
PART 4
1042 – 1398**

2012



Connecticut Farm Bureau Association
 775 Bloomfield Ave., Windsor, CT 06095-2322
 (860) 768-1100 • Fax (860) 768-1108 • www.cfba.org

March 2, 2012

Testimony in Support of:

Raised Bill No. 5119 AN ACT CONCERNING CONDITIONS OF DENIAL FOR THE ISSUANCE OF A LICENSE OR PERMIT BY THE COMMISSIONER OF AGRICULTURE.

Raised Bill No. 5123 AN ACT CONCERNING THE PLACEMENT OF ANIMALS SEIZED IN ANIMAL CRUELTY CASES

Raised Bill No. 5124 AN ACT CONCERNING THE APPEAL OF CERTAIN ANIMAL RESTRAINT ORDERS.

Submitted by: Henry N. Talmage, Executive Director, 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 Meyer, Representative Roy, members of the Environment Committee.

The Connecticut Farm Bureau supports the Raised Bills 5119, 5123 and 5124. Included in each Bill are provisions that will strengthen the authority of the Commissioner of Agriculture to act to protect the interests of the residents of Connecticut.

Raised Bill 5119 A Act Concerning Certain Conditions of Denial For Issuance of a License or Permit by the Commissioner of Agriculture is particularly important to ensure that past demonstrated performance can be considered in the process of obtaining licenses and permits from the Department of Agriculture. The result will be that past offenders will not automatically gain approval of licenses and permits and those that have a track record of noncompliance can be denied approval. This is an important tool to protect the agricultural interest of the state of Connecticut.

Raised Bills 5123 and 5124 contain important provisions that will allow the Commissioner to take actions that will result in better results for the protected animals and increased efficiency of operations for the Department of Agriculture



STATE OF CONNECTICUT
DEPARTMENT OF AGRICULTURE



Testimony presented to the
Environment Committee of the Connecticut General Assembly
By the Commissioner of the Connecticut Department of Agriculture
Steven K. Reviczky
Friday March 2, 2012

H.B. 5119 - An Act Concerning Certain Conditions of Denial for the Issuance of a License or Permit by the Commissioner of Agriculture

H.B. 5123 - An Act Concerning the Placement of Animals Seized in Animal Cruelty Cases

H.B. 5124 - An Act Concerning the Appeal of Certain Animal Restraint Orders

Good morning Chairman Meyer, Chairman Roy, Vice Chairs Senator Maynard and Representative Miller and Ranking Members Senator Roraback and Representative Chapin. I would like to thank the Committee for the opportunity to testify today. The Department has three bills this session that we believe merit your support.

The first one, H.B. 5119 An Act Concerning Certain Conditions of Denial for the Issuance of a License or Permit by the Commissioner of Agriculture, will allow a degree of flexibility that the agency presently does not have. The Office of the Attorney General has recommended establishment, in statute, general conditions under which the Commissioner may refuse issuance of a license or permit. Currently, many of our statutes do not have, or have only vague language regarding the conditions under which a license or permit application may be refused. A recent incident brought to light a defect in many of our statutes that prevents the Commissioner from denying a license application based on the applicant's past history. Due process, under the Uniform Administrative Procedure Act, for refused, suspended or revoked licenses is preserved.

The second bill that we ask the Committee support is, H.B. 5123, An Act Concerning the Placement of Animals Seized in Animal Cruelty Cases. As I am sure the Committee is aware, the Department operates the Second Chance Large Animal Rescue Facility in conjunction with the Department of Correction. We run an excellent program that is beneficial on many levels for the animals we rescue and the inmates that help care for them. Unfortunately, many owners of large animals, particularly horses, are facing tough times. Our first choice is to work with these owners to get the animals' nourishment and veterinary care. Sometimes we need to act more forcefully and seize the animals and we then must care for them. It is a costly proposition. This proposal would allow the Department of Agriculture the flexibility to place animals obtained through animal cruelty investigations in a safe environment as soon as the animal is rehabilitated and healthy. This will lessen the cost outlays for food and medical care that the Department is

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responsible for, prior to the transfer of the animal through a public sale or auction, thereby enabling us to stretch our limited resources and rescue more animals in need.

The third agency bill that we request the Committee's support for is, **H.B. 5124 An Act Concerning the Appeal of Certain Animal Restraint Orders**. Unfortunately, from time to time, in response to an attack or bite, Animal Control Officers find it necessary to place a restraining order to prevent an animal from having an opportunity to injure someone else. This bill is a technical change to C.G.S. § 22-358 to clearly state that during the appeal of a restraint order placed on a biting animal, the order must be complied with. Currently when an appeal is made the restraint order is "stayed" during the appeal. This provides an opportunity for dangerous dogs and other animals to bite and cause injury during the appeal process.

Thank you for your attention to these important bills.

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GENERAL ASSEMBLY
HOUSE**

**PROCEEDINGS
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REP. TONG (147th):

Good evening, Madam Speaker. I'd like to vote in the affirmative.

SPEAKER ORANGE:

The transcript will so note, sir.

REP. TONG (147th):

Thank you, ma'am.

SPEAKER ORANGE:

You're welcome, sir.

REP. TONG (147th):

What's with the boos, huh?

SPEAKER ORANGE:

And now will the Clerk please call Calendar Number 139.

THE CLERK:

On Page 6, Calendar 139, House Bill Number 5123, AN ACT CONCERNING THE PLACEMENT OF ANIMALS SEIZED IN ANIMAL CRUELTY CASES, favorable report by the committee on the Environment.

SPEAKER ORANGE:

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Representative Richard Roy, you have the floor,
sir.

REP. ROY (119th):

Thank you, Madam Speaker.

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

SPEAKER ORANGE:

The question is acceptance of the joint committee's
favorable report and passage of the bill.

Will you remark, Representative Roy?

REP. ROY (119th):

Yes. Thank you, Madam Speaker.

Madam Speaker, what this does is it allows the
Department of Agriculture to put more animals in to the
department's facility -- go ahead -- its second chance
large animal rehabilitation facility at the York
Correctional Facility in Niantic. It's expected that
there will be more animals put in this facility but there
is no fiscal impact.

The Department of Agriculture has rescued and
rehabilitated about approximately 20 to 25 horses in the
past year.

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I move passage.

SPEAKER ORANGE:

The question is on passage of the bill.

Will you care to remark further on the bill? Will
you care to remark further?

Representative Chapin of the 67th, good evening,
sir. And you have the floor.

REP. CHAPIN (67th):

Thank you, Madam Speaker, and good evening.

I also rise in support of the bill before us. It
was a bill brought to us by the agency. It does allow an
opportunity for both the agency as well as municipalities
to place these animals with nonprofit organizations as
well as individuals and I encourage my colleagues to
support it.

Thank you, Madam Speaker.

SPEAKER ORANGE:

Thank you, sir.

Will you care to remark further on the bill? Will
you care to remark further on the bill?

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If not, staff and guests, please come to the well of the House. Members, 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.

SPEAKER ORANGE:

Have all members voted? Have all members voted?

If all the members have voted, please check the machine to determine if your vote has been properly cast.

If so, the machine will be locked and the Clerk will take a tally.

Will the Clerk please announce the tally.

THE CLERK:

House Bill 5123.

Total Number Voting 142

Necessary for Passage 72

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Those voting Yea	142
Those voting Nay	0
Those absent and not voting	9.

SPEAKER ORANGE:

The bill passes.

Ready?

Will the Clerk please call Calendar Number 0057.

THE CLERK:

On Page 1, Calendar 57, House Bill Number 5155, AN
ACT MODIFYING THE BAN ON PESTICIDE APPLICATIONS ON SCHOOL
GROUNDS, favorable report of the committee of Planning
and Development.

SPEAKER ORANGE:

Representative Tom Reynolds.

REP. REYNOLDS (42nd):

Madam Speaker, I move we refer the bill to the
committee on the Environment.

SPEAKER ORANGE:

Without objection, so ordered.

Will the Clerk please call Calendar Number 154.

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**CONNECTICUT
GENERAL ASSEMBLY
SENATE**

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SENATE

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May 2, 2012

item on the consent calendar.

THE CHAIR:

Seeing no objection, so ordered, sir.

SENATOR LOONEY:

Thank you, Madam President.

Also on calendar page 11, Calendar 370, House Bill 5287,
move to place the item on the consent calendar.

THE CHAIR:

Seeing no objection, so ordered.

SENATOR LOONEY:

Thank you, Madam President.

Moving to calendar page 13, Calendar 385, House
Bill 5123, move to place this item on the consent calendar.

THE CHAIR:

Seeing no objection, so ordered, sir.

SENATOR LOONEY:

Thank you, Madam President.

And a final item, Calendar page 15, Calendar 401, House
Bill 5516, move to place this item also on the consent
calendar.

THE CHAIR:

Seeing no objection, so ordered.

SENATOR LOONEY:

Thank you, Madam President.

THE CHAIR:

Mr. Clerk.

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House Bill 5123; on page 15, Calendar 401, House Bill 5516; on page 19, Calendar 421, House Bill 5107.

On page 21, Calendar 59, Senate Bill Number 97; also on page 21, Calendar 90, Senate Bill 188; on page 21, again, Calendar 72, Senate Bill 63; page 21, Calendar 73, Senate Bill 195; on page 22, Calendar 104, Senate Bill 207; on page 24, Calendar 197, Senate Bill Number 315; also on page 24, Calendar 183, Senate Bill 234.

Page 25, Calendar 208, Senate Bill 347; on page 25, Calendar 233, Senate Bill 371; on page 26, Calendar 275, Senate Bill 391; on page 27, Calendar 288, Senate Bill 299; on page 27, Calendar 292, Senate Bill 156; and on page 28, Calendar 333, Senate Bill Number 426.

THE CHAIR:

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

THE CLERK:

Immediate roll call has been ordered in the Senate. Senators please return to the Chamber. Immediate roll call has been ordered in the Senate.

THE CHAIR:

If all members have voted -- all members voted. The machine will be closed. And Mr. Clerk, will you call this great tally?

THE CLERK:

On today's consent calendar.

Total Number voting	36	
Necessary for adoption	19	
Those voting Yea		36
Those voting Nay		0
Those absent and not voting	0	

THE CHAIR:

The consent calendar passed.