

PA13-104

HB6316

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**JOINT
STANDING
COMMITTEE
HEARINGS**

**ENVIRONMENT
PART 1
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**2013
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CHAIRMEN: Senator Meyer
Representative Gentile

MEMBERS PRESENT:

SENATORS: Chapin, Maynard

REPRESENTATIVES:

Albis, Shaban, Case,
Backer, Bolinsky, Bowles,
Buck-Taylor, Davis,
Hennessy, Megna,
P.Miller, C. Miner, Mushinsky,
O'Dea, Ryan, Sampson, Sear,
Urban, Vicino, Wilis, Ziobron

SENATOR MEYER: Ladies and gentlemen. Can we come to order please? This is the Public Hearing of the Environment Committee. We have some 11 bills we're going to hear today. We thank your -- we thank you for your interest. Commissioner Reviczky you're lead off here. Nice to see you.

COMMISSIONER STEVEN K. REVICZKY: Good morning Chairman Gentile, Chairman Meyer, Vice-Chair Albis and ranking member Chapin. My name is Steve Reviczky. And I serve as Commissioner of the Connecticut Department of Agriculture. I am here to testify on the Department's 2013 legislative agenda. Joining me this morning from the Department of Agriculture are George Kribda who serves as our Legislative Program Manager and Public Information Officer. Steve Anderson and Linda Petrowitz from the Office of the Commissioner, and Doctor of Veterinary Medicine, Bruce Sherman, Director and Wane Cosegic Assistant Director of the Bureau of Regulation and Inspection.

Also joining me is David Carey, Director of the Bureau of Aquaculture and Jay Dipple who

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control plant, or HACCP, system to control food borne hazards.

The agency's Small Poultry Processor Inspection Program enforces these standards. Presently, there are two Connecticut poultry producers participating in this program with several others at various stages of construction to meet program requirements and or considering participation in the program. The Department of Agriculture expects that expanding sales to include retail outlets will encourage more of the state's small poultry farms to participate. With expanded markets and demand for their products, these farms will likely increase production which will create new jobs and stimulate the local economy.

We have three proposals that make technical changes to the Farmland Preservation Program. House Bill 6314, An Act Concerning Certain Revisions to the Community Farms Program. House Bill 6316, An Act Concerning the State Purchase of Development Rights for Agricultural Land Preservation. And Senate Bill 806, An Act Concerning the Municipal Purchase of Development Rights for Agricultural Land Preservation.

The first proposal, House Bill 6314 brings our community farms program into conformity with the main Farmland Preservation Program. Even though both programs appear in the same chapter of the statutes, the Community Farms Statute does not include the same specific authorities that are spelled out for the Farmland Preservation Program. In order for the department to work both programs effectively and smoothly and to work effectively with municipal partners, the language of each program should mirror the

other as closely as possible.

House Bill 6316 simply provides for the joint municipal and state purchase of development rights on easements to farms on which part of the agricultural land is situating in an abutting municipality. There are many instances where the state purchases easements on agricultural lands that are situated in two or more municipalities. The department believes that municipalities should -- should not be constrained from jointly holding such an easement with the state merely because a portion of the land is in an adjacent town.

Senate Bill 806 allows for municipalities to acquire or accept a gift -- except as a gift the right of the owner to construct any residence, residences or any farm structures on -- on the agricultural land.

Moving on. The Department of Agriculture is asking for the Committee's consideration of Senate Bill 804, An Act Concerning a Preference from Connecticut Grown Protein in Certain State Contracts. The proposed legislation would -- would adjust language in an existing statute concerning contract procurement to include preference when comparable in cost for additional Connecticut grown proteins other than milk, cheese and eggs. Specifically beef, pork and lamb which would be added.

Public Act 11-189 explicitly charges the Governor's Council for Agricultural Development with making recommendation to the Department of Agriculture on ways to increase the percentage of consumer dollars spent on Connecticut grown fresh produce and farm products including but not limited to ways to increase the amount of money spent by

SENATOR MEYER: Okay. Our next witness is Henry Talmage of the Farm Bureau.

Good morning, Henry.

HENRY TALMAGE: Good morning, Senator Meyer, Representative Gentile, Senator Chapin, Representative Albis and members of the Committee. My name is Henry Talmage, the Executive Director of the Connecticut Farm Bureau. I come before you today to speak in support of ten different bills. I'm going to group -- you have my written testimony. Farm Bureau represents 5,000 farming families in Connecticut from all types of agriculture, large, small across the state in all different categories.

I think what I'd like to do following the Commissioner's explanation of these bills is kind of group them together in three logical categories as I will. First would be economic development, egg, job growth and expansion opportunity with regard to market expansion. I also -- I co-chair the Governor's council in egg -- egg development. And work closely with the Commissioner and the rest of the commission on this. And the idea here is to grow our agricultural sector.

So, House Bill 613, An Act Concerning Locally Grown Poultry in Connecticut Food Markets. House Bill 6318, An Act Concerning the Cultivation of Seaweed. Senate Bill 803, An Act Concerning Aquaculture Job Growth. Senate Bill 804, An Act Concerning Preference for Connecticut Grown Protein in Certain State Contracts. And Senate Bill 805, An Act Concerning the Taking of Eastern Oysters.

From our perspective all of these have a

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component to them that's a business development component for agriculture. And in -- each in their own way, as the Commissioner laid out, represent opportunity -- new opportunity and expansion of opportunity. We think that is critically important as we look to regain competitiveness and bolster our agricultural markets.

The next set of, kind of, categories here is House Bill 613 -- 6314, An Act Concerning Certain Revisions to the Community Farms Program. House Bill 6316, An Act Concerning the State Purchase of Development Rights for Agricultural Land Preservation. And Senate Bill 806, An Act Concerning the Municipal Purchase of Development Rights for Agricultural Land Preservation.

Those are really streamlining the process of farmland preservation. Aligning the programs to make sure they work at their peak efficiency. I have a fair amount of experience having run the Connecticut Farmland Trust for five years. Knowing and working with both the state purchase of Development Rights Program and the Federal Farmland Ranch and Protection Program.

That these deals are complicated and especially as municipalities are getting increasingly involved. We need to be able to make sure our programs are simple and aligned enough so that we could take advantage of the goals of all of these municipalities, different level of government and the land owners themselves. And I think this does some important work in that direction.

And then finally, the two bills, House Bill 6317, An Act Concerning Registration of Growers of Swine and Control of Certain

Thanks, Henry.

HENRY TALMAGE: Thank you very much.

SENATOR MEYER: Nice to see you.

Our next witness is Kip Kolesinskas. Am I getting that right?

KIP KOLESINSKAS: Yes. That's very good thank you.

SENATOR MEYER: Working Lands Alliance.

KIP KOLESINSKAS: Yes. Again, name is Kip Kolesinskas and I'm on the steering committee and speaking on behalf of the Working Lands Alliance. Dear Senator, Representative and members of the Committee, thank you for this opportunity to speak in support of three bills that aim to improve the state's farmland preservation and community farms programs.

If enacted, these changes will facilitate and expand the state's capacity currently protecting farmland. The Working Lands Alliance is a broad based coalition dedicated to saving Connecticut farmland. Our 200 plus members reflect the diversity of organizations, businesses and individuals that care deeply about our lands and the farmers who steward them and the farms that grow our economy and jobs, provide our foods, filter our water and air. And make our community a special place to live and visit.

WLA supports the three bills 806, 6314 and 6316 on today's calendar that relates to farmland protection and our priorities of the state's Department of Agriculture. Bill 806 clarifies existing law with regards to municipal purchased development rights. Local

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HB6313

governments have been vital partners in many farmland protection projects and this clarification would ensure that municipalities can purchase the same bundle of rights as the state including the right to build a house.

This is important as some land owners are selling the development rights do not wish to retain the right to build a house on their land and this language would ensure that a municipality could purchase or accept as a gift that right.

Bill 6314 strengthens the new Community Farms Program by adding similar terms and conditions to that program as those that govern the Farmland Preservation Program. The Working Lands Alliance championed the language authorizing the Community Farms Program and we agree with the Department of Agriculture that this additional language would be valuable.

The language stipulates, among other things, the restrictions must be recorded and that notice of transfer of the underlying land must be provided to the Department of Agriculture. that the Department of Agriculture has no authority to release land subject to an easement except under the very specific conditions laid out in the language. And that the U.S. Department of Agriculture may hold a contingent right of enforcement if the property -- in the property if federal funds are used in part to purchase the development rights.

House 6316 would allow municipalities working with the state on the joint purchase of development rights to purchase easements on farms that have part of their land situated in an abutting town. This is a small but important clarification needed to ease program

administration in those situations where land crosses town boundaries.

These three bills offer small but important improvements to the state's Farmland Preservation and Community Farm Programs and we urge the Committee to act favorably on them. I would like to take a minute to also express support for 804 and 6313. These two measures would open new markets for Connecticut's poultry and livestock producers.

And have the potential to improve profitability for the farms that steward a majority of Connecticut's farmland. I appreciate this opportunity to testify. And urge the Committee to act promptly and favorably on these bills.

Thank you.

SENATOR MEYER: Thank you.

Any questions?

Representative. Yes.

REP. BOWLES: Thank you. I appreciate that Chair.

Could you briefly go ahead and provide the distinction between the Community Farms Program and the -- and the -- in terms of -- is there an acreage difference?

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KIP KOLESINSKAS: There is. Of course, at -- there's certainly as Henry Talmage mentioned, the original purpose of the -- of the state Farmland Preservation Program was keying in on larger farms. So there is a -- a 30 acre minimum of active prime and important farmland. And so one of the major differences between that and the Community Farms Program

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with -- with -- does it fall within definition of agriculture and of whether it's considered farm or not? So a small farm -- I know, I think the Community Farms Program under the -- under the 30 -- 30 acres is the big difference between the -- the regular Farmland Preservation Program and the Community Farms Program.

REP. BOWLES: Okay. Thank you.

SENATOR MEYER: Thank you, Representative Bowles.

Anybody else?

KIP KOLESINSKAS: Thank you.

SENATOR MEYER: Appreciate it.

Okay. Our next witness is Gordon Gibson.

Nice to see you again, Mr. Gibson.

GORDON GIBSON: Thank you. Nice to see you again Senator Meyer.

Senator Meyer, members of the Committee I'm Gordon Gibson, Legislative Liaison for the Connecticut State Grange. I'm speaking today in support of Raised Bill 6314 and Raised Bill 6316. Both concerning the purchase of development rights. Bill 6314 -- I'm going to skip over a lot of my written testimony rather than get bogged down in a lot of technical materials here.

6314 will bring the small farms program in line with the program for larger farms. The staff at the Department of Agriculture is working these two programs. Life would be a lot easier for them if their working with one set of regulations. And I think that's the

whole purpose of 6314. They -- it also brings more detailed regulations into -- it sets up a procedure for handling things that are going to occur under this.

The Grange has for many years supported the preservation of farmland throughout Connecticut. We believe the smaller family farms is an important component of our agricultural industry and community. And therefore supports the preservation of these smaller parcels of prime farmland found throughout Connecticut.

In some situations it's definitely desirable or essential for the local municipality to provide a portion of the funds needed to preserve a parcel of farmland. And this is covered in Raised Bill 6316. Which will eliminate the requirement that a municipality could only participate on land that's within that municipality.

However, the Grange's one concern here is when you analyze Bill 6314 and 6316 and this is the technical part. Under 6316 we're bringing in a change that will allow the municipality to hold an easement that is partially in their town and partially in another town. This is not in 6314. And my strong recommendation to the Environment Committee is to consolidate -- bring the language from 6316 and include that in 6314 so that the two programs will be the same.

This is the gist of my testimony today. And in the interest of time I will --

SENATOR MEYER: I'm not too sure what -- what language you -- you would have us take from 6314. Could you be a little more specific, Gordon, on that?

GORDON GIBSON: Okay. In 6316, will eliminate the restriction that a municipality may jointly own and easement only within its own borders. If you want me to get down to specific sections here, 63 -- let's see we're -- what I'm saying is we are asking that the language -- keep Bill 6316 as it is. It's a good bill. But take the language from 6316 and substitute that into Bill 6314 subsection f, as in Frank, which is located at the bottom of Page 2 of the bill as it's now printed.

SENATOR MEYER: Be sure I understand what you're saying. What you're saying is take all that Senate Bill 60 -- or House Bill 6316 does --

GORDON GIBSON: Right.

SENATOR MEYER: -- is it deletes certain language concerning joint ownership?

GORDON GIBSON: Right.

SENATOR MEYER: And you're saying take that deleted language and put it into 6314?

GORDON GIBSON: No. What we want to do is -- 6316 deletes the restriction that the municipality can only own land -- can only hold an easement on land it owns. If you go with 6314 the way it is proposed right now, then on smaller farms the municipality could only hold an easement on land in that town. So the same way you've done it to eliminate that in 6316 for the larger farms, let's get that out of there in 6314.

SENATOR MEYER: Okay. I got it.

GORDON GIBSON: Okay.

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SENATOR MEYER: Any other questions?

Thank you.

GORDON GIBSON: Yes. It's a technical change but we need it.

SENATOR MEYER: Okay.

Our -- our next witness is Meridith Vallillo.

MEREDITH VALLILLO: Good morning. Good morning Chairman. That's right.

Chairman Meyer, Chairman Gentile and members of the Committee, my name is Meredith Vallillo, and for the past eight years I have owned and operated a commercial dog kennel in Bethany Connecticut. It is licensed as a commercial kennel, a pet shop and a training facility. I am hereby to testify -- I'm here to testify in support of Raised Bill 6315, An Act Concerning the Resale of Dogs to Military and Law Enforcement Agencies.

I routinely purchase and import dogs from several vendors located in several European countries. The dogs that I import are of high quality, checked and vaccinated by a veterinary doctor in the country of origin, processed for US customs in New York. The dogs are checked by local veterinary doctor within 48 hours of arrival. And every 15 days thereafter before resale.

In addition to reselling these dogs to military and various law enforcement agencies, I sell to various other state agencies, such as Corrections, Transportation, Environmental and Academic Institutions. Therefore, I request that subsection two of Raised Bill 6315 be expanded to include all federal, state



Working Lands Alliance
A Project of American Farmland Trust

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Common Ground

Henry Talmage
CT Farm Bureau Association

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Franklin

STAFF
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Director

Testimony In Support of SB 806, HB 6314, and HB 6316
Submitted by Kip Kolesinskas, on Behalf of the Working Lands
Alliance

Joint Committee on the Environment
February 11, 2013

Dear Senator Meyer, Representative Gentile, and members of the committee:

Thank you for this opportunity to speak in support of three bills that aim to improve the state's Farmland Preservation and Community Farms Programs. If enacted, these changes will facilitate and expand the state's capacity to permanently protect farmland.

The Working Lands Alliance is a broad-based coalition dedicated to saving Connecticut's farmland. Our 200+ members reflect the diversity of organizations, businesses, and individuals that care deeply about our working lands and the farmers who steward them—land and farms that grow our economy and jobs, provide our food, filter our air and water, and make our communities special places to live and visit. Improving the State's capacity to permanently protect farmland has been the top priority of the Working Lands Alliance since we began our work in 1999.

WLA supports the three bills—SB 806, HB 6314, and HB 6316—on today's calendar that relate to farmland protection and are priorities of the state's Department of Agriculture.

Senate Bill 806 clarifies existing law with regard to municipal purchase of development rights. Local governments have been vital partners in many farmland protection projects, and this clarification would ensure that municipalities can purchase the same bundle of rights that the State can now purchase—including the right to build a house. This is important as some landowners selling their development rights do not wish to retain the right to build a house on their land in the future, and this language would ensure that a municipality could purchase or accept as a gift that right.

House Bill 6314 strengthens the new Community Farms Program, by adding similar terms and conditions to that program as those that govern the Farmland Preservation Program. The Working Lands Alliance championed the language authorizing the Community Farms Program, and we agree with the Department of Agriculture that this additional language would be

valuable. The language stipulates, among other things, that restrictions must be recorded and that notice of transfer of the underlying land must be provided to the Department of Agriculture; that the Department of Agriculture has no authority to release land subject to an easement except under very specific conditions laid out in the language; and that the U.S. Department of Agriculture may hold a contingent right of enforcement in the property if federal funds are used in part to purchase the development rights.

House Bill 6316 would allow municipalities working with the state on the joint purchase of development rights to purchase easements on farms that have part of their land situated in an abutting town. This is a small but important clarification needed to ease program administration in those situations where land crosses town boundaries. Without such authority, negotiating and finalizing an easement on land that crosses town lines may require multiple easements and ongoing stewardship complications for the State, for the town, and, most importantly, for the landowner.

These three bills offer small but important improvements to the state's Farmland Preservation and Community Farms Programs, and we urge the Committee to act favorably on them.

I would like to take a minute to express support as well for **SB 804**, and **HB 6313**. These two measures would open new markets for Connecticut's poultry and livestock producers. In doing so, these bills have the potential to improve profitability for the farms that steward a majority of Connecticut's farmland, and hence, to help stabilize a significant portion of the state's farmland base.

I appreciate this opportunity to testify, and urge the Committee to act promptly and favorably on these bills.

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TESTIMONY OF THE CONNECTICUT STATE GRANGE IN SUPPORT OF
RAISED BILL 6314, AN ACT CONCERNING CERTAIN REVISIONS TO THE
COMMUNITY FARMS PROGRAM AND RAISED BILL 6316, AN ACT CONCERNING
THE STATE PURCHASE OF DEVELOPMENT RIGHTS FOR AGRICULTURAL LAND
PRESERVATION

FEBRUARY 15, 2013

I am Gordon Gibson of Vernon, Legislative Liaison for the Connecticut State Grange. I am speaking today in support of Raised Bill 6314, An Act Concerning Certain Revisions to the Community Farms Program and Raised Bill 6316, An Act Concerning the State Purchase of Development Rights for Agricultural Land Preservation.

Section 22-26nn of the General Statutes authorizes the Commissioner of Agriculture to establish a community farms program to preserve small parcels of locally important farmland that are not large enough to be considered for preservation under the State's program to preserve farmland. The existing Section 22-26nn does not provide detailed standards for the stewardship of land protected under this statute on a par with the program for preserving larger parcels of farmland preserved under Section 22-26cc of the General Statutes. Raised Bill 6314 will correct this problem by adding criteria taken essentially verbatim from Section 22-26cc. The Grange has for many years supported the preservation of farmland throughout Connecticut. The Grange believes the smaller family farm is an important component of our agricultural industry and community and therefore supports the preservation of smaller parcels of prime farmland found throughout Connecticut.

In some situations it is desirable or essential for the local municipality to provide a portion of the funds needed to preserve a parcel of farmland. Subsection (e) of Section 22-26cc provides that when this occurs the State and the municipality may jointly own the development rights easement provided joint ownership by the municipality shall be limited to land within its boundaries. Farm boundaries often cross town lines with a relatively small portion of the farm being in a different town than the main portion of the farm. This creates problems when one, but not both, of the municipalities where the land to be preserved is located contribute towards the preservation of the land. Raised Bill 6316 will eliminate the restriction that a municipality may jointly own an easement only within its own borders. The Grange supports Raised Bill 6316 as it will eliminate the problems that occur when only one municipality participates in the preservation of a parcel of land located in two municipalities.

However, I want to bring to the committee's attention a potential conflict between Raised Bills 6314 and 6316. The additions to Section 22-26nn of the General Statutes proposed in Raised Bill 6314 are taken verbatim from Section 22-26cc of the General Statutes. Specifically, the proposed new Subsection (f), located at the bottom of page 2, is taken from

TESTIMONY OF THE CONNECTICUT STATE GRANGE
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IN SUPPORT OF RAISED BILLS 6314 AND 6316

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Subsection (e) of Section 22-26cc but does not include the changes proposed to this subsection in Raised Bill 6314 concerning a municipality jointly owning an easement outside of its boundaries. The Grange recommends that the Environment Committee revise Raised Bill 6316 to make it consistent with the changes proposed in the new subsection (f) in Raised Bill 6314.

Thank you for your consideration of my testimony

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Testimony in Support of:

H.B. No. 6313 AN ACT CONCERNING LOCALLY GROWN POULTRY IN CONNECTICUT FOOD MARKETS.

H.B. No. 6314 AN ACT CONCERNING CERTAIN REVISIONS TO THE COMMUNITY FARMS PROGRAM.

H.B. No. 6316 AN ACT CONCERNING THE STATE PURCHASE OF DEVELOPMENT RIGHTS FOR AGRICULTURAL LAND PRESERVATION.

H.B. No. 6317 AN ACT CONCERNING REGISTRATION OF GROWERS OF SWINE AND THE CONTROL OF CERTAIN DISEASES.

H.B. No. 6318 AN ACT CONCERNING THE CULTIVATION OF SEAWEED.

S.B. No. 802 AN ACT CONCERNING CONNECTICUT'S EGG STATUTES.

S.B. No. 803 AN ACT CONCERNING AQUACULTURE JOB GROWTH.

S.B. No. 804 AN ACT CONCERNING A PREFERENCE FOR CONNECTICUT GROWN PROTEIN IN CERTAIN STATE CONTRACTS.

S.B. No. 805 AN ACT CONCERNING THE TAKING OF EASTERN OYSTERS.

S.B. No. 806 AN ACT CONCERNING THE MUNICIPAL PURCHASE OF DEVELOPMENT RIGHTS FOR AGRICULTURAL LAND PRESERVATION.

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 Gentile and Members of the Environment Committee:

H.B. No. 6313 AN ACT CONCERNING LOCALLY GROWN POULTRY IN CONNECTICUT FOOD MARKETS.

Connecticut Farm Bureau Association supports H.B. 6313 as an expansion of PA 10-103 to add retail food markets as an approved food source. This is the logical next step following passage of the Farms, Food and Jobs bill of 2010 which established a program for CT grown, processed and inspected poultry to be sold by farmers at their farms, farmers markets, restaurants and boarding houses. This bill will allow Connecticut poultry producers to also sell fresh Connecticut poultry to retail food establishments and thereby provide Connecticut consumers with additional access to fresh Connecticut grown poultry. Initiatives such as this

help build Connecticut farm based businesses while increasing the quality and quantity of Connecticut grown products..

H.B. No. 6314 AN ACT CONCERNING CERTAIN REVISIONS TO THE COMMUNITY FARMS PROGRAM.

Connecticut Farm Bureau Association supports H.B. 6314 to align the program rules of Community Farms Program with those of the main Farmland Preservation Program. This program alignment will aid the state of Connecticut in purchasing the development rights under the Community Farms Program.

H.B. No. 6316 AN ACT CONCERNING THE STATE PURCHASE OF DEVELOPMENT RIGHTS FOR AGRICULTURAL LAND PRESERVATION.

Connecticut Farm Bureau Association supports H.B. 6316 to allow for the state of Connecticut to partner with a municipality on the purchase of the development rights on a farm when the boundaries of the farm expand into an abutting municipality. Because of the size and configuration of municipalities in CT, it is common for farms to cross town lines. This will provide a mechanism to protect the entire farms irrespective of municipal boundaries.

S.B. No. 806 AN ACT CONCERNING THE MUNICIPAL PURCHASE OF DEVELOPMENT RIGHTS FOR AGRICULTURAL LAND PRESERVATION.

Connecticut Farm Bureau Association supports S.B. 806 to allow municipalities to purchase the owner's rights to construct residences on agricultural land and to align the statutes regarding municipal purchase of development rights with the joint ownership statutes of the Connecticut Department of Agriculture. This would allow municipalities and landowners to configure projects that do not contain provisions for residents and compensate owners for the value of the building right if both parties agree.

H.B. No. 6317 AN ACT CONCERNING REGISTRATION OF GROWERS OF SWINE AND THE CONTROL OF CERTAIN DISEASES.

Connecticut Farm Bureau Association supports H.B. 6317 to reinstate the statutes granting power to the Commissioner of Agriculture to regulate all aspects of swine production and the control of swine related diseases. This is important to insure healthy swine production in the state of Connecticut.

H.B. No. 6318 AN ACT CONCERNING THE CULTIVATION OF SEAWEED.

Connecticut Farm Bureau Association supports H.B. 6318 which will assist in expanding Connecticut's aquaculture industry and provide a mechanism to capitalize on a potentially important agricultural opportunity.

S.B. No. 802 AN ACT CONCERNING CONNECTICUT'S EGG STATUTES.



Steven K. Reviczky
Commissioner

STATE OF CONNECTICUT

DEPARTMENT OF AGRICULTURE
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Testimony presented to the Environment Committee of

The Connecticut General Assembly

By the Connecticut Department of Agriculture

February 11, 2013

H.B. 6316 – AN ACT CONCERNING THE STATE PURCHASE OF DEVELOPMENT RIGHTS FOR AGRICULTURAL LAND PRESERVATION

Chairmen Meyer and Gentile, Vice Chairs Maynard and Albis, Ranking Members Chapin and Shaban and members of the Environment Committee, thank you for the opportunity to testify today.

The Department of Agriculture considers this a technical change meant to allow municipalities working with the state on the joint purchase of development rights to partner on easements to farms on which part of the agricultural land is situated in an abutting town.

CGS Section 22-26cc (e) provides for the joint municipal and state purchase of development rights; however, the statute limits the ownership by such municipality to land within its own boundaries. There are many instances when the state purchases easements on agricultural lands that are situated in two or more towns.

The decision to purchase joint easements should lie with the city or town. Municipalities should not be constrained from jointly holding such an easement with the state merely because a portion of the land is in an abutting town.

The Department of Agriculture respectfully requests this change.

Thank you for your time today and for your thoughtful consideration of this testimony. Please let us know if we can provide any additional information that would be helpful.

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**CONNECTICUT
GENERAL ASSEMBLY
HOUSE**

**PROCEEDINGS
2013**

**VOL.56
PART 7
2024 – 2369**

cjd/lgg/cd

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HOUSE OF REPRESENTATIVES

May 2, 2013

Total Number Voting	141
Necessary for Passage	71
Those voted Yea	141
Those voting Nay	0
Those absent and not voting	9

DEPUTY SPEAKER RYAN:

The bill passes.

Are there any announcements or introductions?

Representative Cuevas of the 75th.

All right. Will the clerk please call Calendar Number 98?

THE CLERK:

On page 3 of today's calendar, Calendar Number 98 Substitute House Bill 6316, AN ACT CONCERNING THE STATE PURCHASE OF DEVELOPMENT RIGHTS FOR AGRICULTURAL LAND PRESERVATION AND CERTAIN REVISIONS TO THE COMMUNITY FARMS PROGRAM.

DEPUTY SPEAKER RYAN:

The esteemed chairman of the Environment Committee, Representative Gentile.

REP. GENTILE (104th):

Thank you, Mr. Speaker, and good afternoon.

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

DEPUTY SPEAKER RYAN:

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

Representative, you have the floor.

REP. GENTILE (104th):

Thank you, Mr. Speaker.

Mr. Speaker, this bill allows for the state and municipality to share ownership of the development rights to agricultural land when the municipality has paid a part of the purchase. It also extends this to the Community Farms program to make it consistent. It applies to -- just to land that is to be used for agricultural purposes and only when the municipality has paid a part of the purchase price.

And, Mr. Speaker, I urge passage.

DEPUTY SPEAKER RYAN:

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

Will you remark further on the bill?

Representative Shaban of the 135th.

REP. SHABAN (135th):

Thank you, Mr. Speaker.

May 2, 2013

I do urge adoption of the bill. It's a good measure. It accomplishes some important state goals that we've been trying to accomplish for many years. This enables some of the technical obstacles that were in the way, as the Chairwomen said, to be removed and to move farm land preservation and development rights forward. So it's a good bill by all measures, by all sides, it received unanimous support in the Environment, and I urge adoption.

DEPUTY SPEAKER RYAN:

Thank you, Representative.

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

If not, will staff and guests please come to the well of the House? Will the members please take your seats? The machine will be opened.

THE CLERK:

The House of Representatives is voting by roll.

The House of Representatives is voting by roll. Will members please return to the chamber immediately.

DEPUTY SPEAKER RYAN:

Have all members voted? Have all members voted?

Members please check the board to see if your

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HOUSE OF REPRESENTATIVES

May 2, 2013

vote is properly cast. If all the members have voted, the machine will be locked. And the Clerk will take a tally.

The machine will be locked. The Clerk will take a tally.

The Clerk will please announce the tally.

THE CLERK:

House Bill 6316

Total Number Voting 140

Necessary for Passage 71

Those voting Yea 140

Those voting Nay 0

Those absent and not voting 10

DEPUTY SPEAKER RYAN:

The bill passes.

Are there any announcements or introductions?

Hearing none?

Representative Aresimowicz, our distinguished majority leader.

REP. ARESIMOWICZ (30th):

Good afternoon, Mr. Speaker.

DEPUTY SPEAKER RYAN:

Good afternoon, sir.

REP. ARESIMOWICZ (30th):

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**CONNECTICUT
GENERAL ASSEMBLY
SENATE**

**PROCEEDINGS
2013**

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Will you remark further on the bill as amended?

Senator Meyer.

SENATOR MEYER:

Mr. President, that is the bill and those are the amendments. And looking around the room to see if there's any objection, I ask that it go on the Consent Calendar if there's no further objection or concern.

THE CHAIR:

Is there objection to placing this item on the Consent Calendar? Any objections.

Hearing and seeing none, so ordered.

Mr. Clerk.

THE CLERK:

On Page 15, Calendar 518, Substitute for House Bill Number 6316, AN ACT CONCERNING THE STATE PURCHASE OF DEVELOPMENT RIGHTS FOR AGRICULTURAL LAND, PRESERVATION, AND CERTAIN REVISIONS TO THE COMMUNITY FARMS PROGRAM, Favorable Report of the Committee on ENVIRONMENT and there is an Amendment.

THE CHAIR:

Senator Meyer.

SENATOR MEYER:

Thank you, Mr. President.

I do move acceptance of the Joint Committee's Favorable Report and passage of this bill.

THE CHAIR:

On acceptance and passage.

Will you remark, sir?

SENATOR MEYER:

I will.

Colleagues, this bill relates to the Farm Land Preservation Program of Connecticut and that program is basically seeks to preserve farmland and to keep it in that State. And what this bill does is it requires the Agriculture Commission to file a Notice of Acquisition if he's going to acquire land for farm development purposes. The bill also allows partnerships with nonprofit organizations and towns to acquire development rights to farmland. And finally, it allows special terms when purchasing development rights with Federal funds under agreement -- under agreement with the United States Department of Agriculture.

So that is -- that is the bill. There are no amendments. And I urge its support.

THE CHAIR:

Senator Chapin.

SENATOR CHAPIN:

Thank you, Mr. President.

Mr. President, I also rise in support of the bill. This was a bill brought to us by the Department of Agriculture. We have various farmland preservation programs in the State, including our Community Farms Program. I think one of the things this bill also does is that it provides kind of a mirroring between our Purchase of Development Rights Program that the State operates with this Community Farms Program.

I think it's a good bill and I encourage my colleagues to support it.

Thank you, Mr. President.

THE CHAIR:

Thank you, Senator.

Would you remark further on the bill? Would you
remark further on the bill?

Senator Meyer.

SENATOR MEYER:

Yes, Mr. President.

It's a rather simple bill. And if there's no further
comment or objection, I would ask that it go on our
Consent Calendar.

THE CHAIR:

Seeing and hearing no objection, so ordered.

Mr. Clerk.

THE CLERK:

On Page 18, Calendar 555, Substitute for House Bill
Number 5836, AN ACT CONCERNING THE AVAILABILITY OF
FUNDING FOR THE VACCINATION AND STERILIZATION OF DOGS
AND CATS OWNED BY LOW INCOME PERSONS, Favorable Report
of the Committee on ENVIRONMENT.

THE CHAIR:

Senator Meyer.

SENATOR MEYER:

Mr. President, I move acceptance of the Joint
Committee's Favorable Report and passage of this good
bill.

THE CHAIR:

On acceptance and passage of this good bill.

Would you remark further, sir?

SENATOR MEYER:

I will.

Oh -- I apologize.

SENATOR LOONEY:

On the Consent Calendar.

THE CHAIR:

If there's no objection, it will be placed on the
Consent Calendar.

I apologize.

Senator Looney.

SENATOR LOONEY:

Yes, Madam President.

Madam President, if the Clerk would now list the items
on the Second Consent Calendar so that we might move
to a vote on that Second Consent Calendar.

THE CHAIR:

Mr. Clerk.

THE CLERK:

On Page 5, Calendar 275, Senate Bill 299.

On Page 7, Calendar 356, House Bill 6253.

Page 15, Calendar 518, House Bill 6316.

And Page 18, Calendar 555, House Bill 5836.

On Page 21, Calendar 579, House Bill 6358.

Page 40, Calendar 265, Senate Bill 191.✓

Page 41, Calendar 305, Senate Bill 1081.

And on Page 43, Calendar 388, Senate Bill 1096.

And Page 45, Calendar 553, House Bill 5250.

THE CHAIR:

Mr. Clerk, please call for a roll call vote. The machine will be open for this Second Consent Calendar.

THE CLERK:

Immediate roll call has been ordered in the Senate.
Senators please return to the Chamber. Immediate roll call on today's Second Consent Calendar has been ordered in the Senate.

THE CHAIR:

Do me a favor. Call it one more time now, so we can get them in here faster. Thank you.

THE CLERK:

Immediate roll call ordered in the Senate on the Second Consent Calendar of the day. Senators please return to the Chamber. Immediate roll call in the Senate.

THE CHAIR:

All members have voted, all members have voted, the machine will be closed.

Mr. Clerk will you call the last tally of the night.

THE CLERK:

On the Second Consent Calendar of the day.

Total Number Voting	35
Necessary for Adoption	18
Those voting Yea	35
Those voting Nay	0
Those absent and not voting	1

THE CHAIR:

Consent Calendar passes.

Senator Looney, do you have some good news for us, sir?

SENATOR LOONEY:

Madam President, just before moving for adjournment, we have a couple of other just Calendar items. One item on the foot of the Calendar.

Madam President, Calendar Page 49, Calendar 240, Senate Bill 849. I would move to remove that item from the foot and just mark it passed, retaining its place on the Calendar.

THE CHAIR:

So ordered, sir.

SENATOR LOONEY:

And also, Madam President, other item on the foot of the Calendar, Calendar 182, Senate Bill 1000. Would move to remove that item from the foot and to mark it passed, retaining its place on the Calendar.

THE CHAIR:

So ordered, sir.

SENATOR LOONEY:

Thank you.

Madam President, the other items previously marked go for this evening, should now be marked passed, retaining their place on the Calendar. We hope to begin with those items early tomorrow.

And I would yield the floor now for Members for announcements of Committee Meetings or other Points of Personal Privilege.

THE CHAIR: