

Legislative History for Connecticut Act

PA15-22

SB346

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Transcripts from the Joint Standing Committee Public
Hearing(s) and/or Senate and House of Representatives
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**CONNECTICUT
GENERAL ASSEMBLY
HOUSE**

**PROCEEDINGS
2015**

**VOL.58
PART 12
3848 – 4199**

/pt
HOUSE OF REPRESENTATIVES

523
May 19, 2015

want, did you have an announcement or?

Representative Genga? Not here? In that case, Mr.
Clerk, would you please call Calendar 520.

CLERK:

On Page 37, House Calendar 520, Favorable
Report of the Joint Standing Committee on the
Environment, Senate Bill 346 AN ACT CONCERNING THE
FARMLAND RESTORATION AND VACANT LANDS PROGRAM OF
THE DEPARTMENT OF AGRICULTURE.

SPEAKER SHARKEY:

The distinguished Vice-Chair of the
Environment Committee, Representative Arconti, you
have the floor, sir.

REP. ARCONTI (109th):

Thank you, Mr. Speaker. Mr. Speaker, I move
acceptance of the Joint Committee's Favorable
Report and passage of the bill.

SPEAKER SHARKEY:

The question is on acceptance of the Joint
Committee's Favorable Report and passage of the
bill. Will you remark, sir?

REP. ARCONTI (109th):

Yes, sir. So the bill expands items
reimbursable to farmers, increases the maximum

reimbursement for certain restoration or management plans under the Farmland Restoration Program. The Commissioner must approve a management or restoration plan for it to be reimbursable.

Current law limits reimbursable, reimbursement to the leasor of \$20,000 or 50 percent. This bill will increase the reimbursable amount to the lesser of \$20,000 or 90 percent of the plan's cost for a plan on state or municipal land with agricultural lease of at least five years, and I move adoption.

SPEAKER SHARKEY:

Thank you, sir. The question before the Chamber is on acceptance of the bill before us. Will you remark further? The distinguished Ranking Member of the Environment Committee, Representative Shaban.

REP. SHABAN (135th):

Thank you, Mr. Speaker. One or two questions to the proponent if I may?

SPEAKER SHARKEY:

Please proceed, sir.

REP. SHABAN (135th):

Thank you, Mr. Speaker. Under the bill as proposed, where does the funding come from, through you?

SPEAKER SHARKEY:

Representative Arconti.

REP. ARCONTI (109th):

Through you, the funding comes from the Farmland Restoration Program. There is, through bonds, through you, Mr. Speaker.

SPEAKER SHARKEY:

Representative Shaban.

REP. SHABAN (135th):

Thank you, Mr. Speaker. Now that we're going to adjust the calculus for folks who could receive the bonds, will there be any net increase of the amount of money actually going out, through you, Mr. Speaker?

SPEAKER SHARKEY:

Representative Arconti.

REP. ARCONTI (109th):

Through you, Mr. Speaker, no.

SPEAKER SHARKEY:

Representative Shaban.

REP. SHABAN (135th):

Thank you, Mr. Speaker. So rather than belabor this for another hour or two of debate, I figured maybe we'd just shut this thing down right now. A good bill ought to pass.

SPEAKER SHARKEY:

Thank you, sir. Would you care to remark further on the bill that's before us? Further on the bill before us?

If not, staff and guests to the Well of the House. Members take your seats. The machine will be opened.

CLERK:

The House of Representatives is voting by roll. The House of Representatives is voting by roll. Will members please report to the Chamber immediately.

SPEAKER SHARKEY:

Have all the members voted? Have all the members voted? Will the members please check the board to make sure your vote is properly cast.

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

CLERK:

/pt
HOUSE OF REPRESENTATIVES

527
May 19, 2015

Senate Bill 346 in concurrence with the Senate

Total Number Voting 137

Necessary for Passage 69

Those voting Yea 137

Those voting Nay 0

Absent and not voting 14

SPEAKER SHARKEY:

The bill passes in concurrence with the
Senate. Are there any announcements or
introductions? Representative Lemar.

REP. LEMAR (96th):

Thank you, Mr. Speaker. Have a great evening.

SPEAKER SHARKEY:

Thank you, sir, for that announcement.
Further announcements or introductions?
Representative Porter.

REP. PORTER (94th):

Thank you, Mr. Speaker. I rise for the
purpose of an announcement.

SPEAKER SHARKEY:

Please proceed, madam.

REP. PORTER (94th):

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**CONNECTICUT
GENERAL ASSEMBLY
SENATE**

**PROCEEDINGS
2015**

**VOL. 58
PART 3
703 – 1013**

/pt
SENATE

22000895
May 7, 2015

The same one that you just called?

SENATOR DUFF:

Next would be Calendar Page 3, Calendar 111, Senate Bill 927, should be marked Consent.

THE CHAIR:

I'm sorry. Calendar 111?

SENATOR DUFF:

Yes. Calendar Page 3 -

THE CHAIR:

Bill No. 346?

SENATOR DUFF:

927. Let me just, I may have it wrong. I'm sorry, yes, 346.

SB346

THE CHAIR:

346. The other one is Calendar 96, Bill 927?

SENATOR DUFF:

We'll skip that one for now. We'll just do Calendar Page 3, Calendar 111, Senate Bill 346.

THE CHAIR:

Okay.

SENATOR DUFF:

Right?

THE CHAIR:

Yes.

SENATOR DUFF:

SENATOR DUFF:

Thank you, Madam President. Before we begin with Calendar 209, Senate Bill 988, what I'd like to ask the Clerk to please read off the items on the Consent Calendar to have you vote on Consent Calendar No. 1 please.

THE CHAIR:

Mr. Clerk.

CLERK:

On Page 3, Calendar 111, Senate Bill No. 346. Page 4, Calendar 124, Senate Bill 855. On Page 12, Calendar 283, Senate Bill 509. On Page 14, Calendar 323, Senate Bill 898. Page 15, Calendar 340, Senate Bill 567. Page 16, Calendar 346, Senate Bill 351. On Page 17, Calendar 373, Senate Bill 1031. Page 21, Calendar 424, Senate Bill 1118.

Also on Page 21, Calendar 423, Senate Bill 1032. And on Page 22, Calendar 432, Senate Bill 1105. Page 22, Calendar 431, Senate Bill 1087. And Page 28, Calendar 161, Senate Bill 290. On Page 32, Calendar 241, Senate Bill 802.

THE CHAIR:

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

CLERK:

An immediate Roll Call has been ordered in the Senate.
An immediate Roll Call on the First Consent Calendar of today has been ordered in the Senate.

THE CHAIR:

If all members have voted, all members have voted, the machine will be closed. Mr. Clerk, will you call the tally.

CLERK:

The first Consent Calendar for today

Total Number Voting	33
Necessary for Adoption	17
Those voting Yea	33
Those voting Nay	0
Absent/not voting	3

THE CHAIR:

The Consent Calendar passes. Mr. Clerk.

CLERK:

On Page 8, Calendar 209, Senate Bill No. 988, AN ACT
UPDATING THE OCCUPATIONAL HEALTH CLINIC STATUTES.
Favorable Report of the Committee on Labor and Public
Employees.

THE CHAIR:

Senator Osten.

SENATOR OSTEN:

Good afternoon, again, Madam President.

THE CHAIR:

Good afternoon.

SENATOR OSTEN:

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

THE CHAIR:

Motion is on acceptance and passage. Will you remark?

SENATOR OSTEN:

Yes, Madam President. The Clerk is in possession of
LCO No. 6185. I move the amendment and seek leave to
summarize.

THE CHAIR:

**JOINT
STANDING
COMMITTEE
HEARINGS**

**ENVIRONMENT
PART 2
458 – 874**

2015

have your fair shake. So --

REP. BOUKUS: You're on my list, number one.

REP. CASE: Thank you.

SENATOR KENNEDY: Other comments and questions before we move on? Representative Boukus, thank you so much.

REP. BOUKUS: I just wanted to thank the two commissioners that I jumped in front of. I'm sure what they're going to say is going to be very worthwhile listening to and I have -- the Commissioner has agreed to meet with us to talk, to answer some of these questions.

And again, I just want to thank you very much for letting us go forward. It's an interesting situation to be in.

Unfortunately, I'm going to be leaving you. That's probably fortunate for you. And we'll be -- thank you so much, Representative.

SENATOR KENNEDY: You're very welcome.

REP. BOUKUS: Bye.

SENATOR KENNEDY: Thanks for joining us today. You're welcome to the -- before this committee anytime.

I'd like to Commissioner Klee to the microphone, followed by Commissioner Reviczky. Oh, I told him -- oh, I'm sorry. My mistake. Commissioner Reviczky, I think you're going to be preceding Commissioner Klee. The battling commissioners here this morning.

HB6732 HB6729

SB870 HB6727

SB348 SB346

HB6728

COMMISSIONER STEVEN REVICZKY: No. I thank Commissioner Klee for letting me jump in front

of him. So it works out well.

Good morning, Chairman Kennedy and Vice-Chairs Moore and Arconti and members of the Environment committee. For the record, I am Steven Reviczky and I'm the commissioner -- and it is my honor and privilege to serve as the commissioner of the Connecticut Department of Agriculture and to be here this morning to testify on the Agency's 2015 legislative agenda.

Joining me is George Krivda, our chief of staff, and legislative program manager, and Jason Bowsza from my office. Also joining me is Wayne Kacasek, assistant bureau director of the Agency's Bureau of Regulation and Inspection; David Carey, director of the Bureau of Aquaculture; and Linda Piotrowicz, director of the Bureau of Agricultural Development and Resource Preservation.

Our legislative package contains proposals that have the potential to significantly help us grow Connecticut farms for the benefit of not only our hard-working farm families, but for all residents of our state. Thank you in advance for thoughtfully considering our request.

Let me begin with our number one priority, H.B. 6732, AN ACT CONCERNING THE APPEAL OF RESTRAINT AND DISPOSAL ORDERS ISSUED BY ANIMAL CONTROL OFFICERS. As it stands currently, the Department of Agriculture handles as many as 15 disposal or restraint hearings per year.

Unlike many state agencies, our agency does not have an office or a professional staff dedicated to adjudicate these matters. This is further complicated by state policies that prevent us from using personal service

Senate Bill 346, AN ACT CONCERNING THE FARMLAND RESTORATION AND VACANT LANDS PROGRAMS OF THE DEPARTMENT OF AGRICULTURE. This bill expands the items reimbursable to farmers under the Farmland Restoration Program and increases the maximum reimbursement for management or restoration plans for certain state and municipal lands.

The program encourages farmers to restore farmland that has gone out of production. The bill allows the Agriculture Commissioner to reimburse the farmer for part of the cost of developing, implementing, and complying with the farm resources management plan or farmland restoration plan instead of only for developing a farm resources management plan.

The agency's final proposal of this session is H.B. 6728, AN ACT CONCERNING MINOR REVISIONS TO ANIMAL IMPORTER RECORDS REQUIREMENTS. The refinement offered in this proposal will require the reporting of necessary additional information within the existing framework of the law.

The changes will assist the Department of Agriculture in knowing specifically when the dog or cat was adopted by the importer, thus giving the Department the opportunity to ensure that the animal was examined by a Connecticut veterinarian within 15 days of purchase or adoption, as required by the current law. By requiring the adopter's information, the change will assist with the collection of data, allowing the Department to analyze how many importer animal adoptions in Connecticut are associated with persons entering Connecticut from neighboring states to purchase animals and circumvent their home state animal importation

testimony and having exhibits filed on the record. So the bottom is -- is the proposal is to jettison this responsibility from the Department of Agriculture and put it with the Superior Court.

SENATOR KENNEDY: How does the Superior Court feel about this potential new responsibility? I know you said that there are, you know, maybe a dozen such cases a year. Is that your best guess?

COMMISSIONER STEVEN REVICZKY: Yeah.

SENATOR KENNEDY: And is it roughly spread over the state so you're not going to burden any particular court? Or how -- how do you think about that and have you spoken to anybody, the Administrators of the Superior Court, about their willingness to take on this new responsibility?

COMMISSIONER STEVEN REVICZKY: I believe the average is about 15 cases a year. I personally have not talked with the representative of the Judicial Branch. I know my staff has and I don't believe that they are happy with the proposal.

SENATOR KENNEDY: Okay. People don't like controversy and, you know, criticism and arguments. So I guess -- I guess not.

COMMISSIONER STEVEN REVICZKY: I -- well, I -- the bottom line is -- is they -- they -- I -- I believe they believe that this was a question more of resources than it is on where the -- the proper venue. But I don't want to make their arguments for them.

SENATOR KENNEDY: Thank you, Mr. Commissioner. And then, just one question, final question, on

SB346

S.B. 346, the vacant lands program.

Can you just tell me kind of in lay terms, are these municipal-owned lands that we are encouraging private farmers to take over and cultivate? Can you just please help me understand what -- what the purpose of this is?

COMMISSIONER STEVEN REVICZKY: Yes. So the Farmland Restoration Program was something that the -- the Governor proposed and the General Assembly Authorized in the job session in 2011. And the -- the program -- the focus of the program is to take lands that have been overcome by invasive species or where -- where lands need to have some stumps pulled or rocks removed or hedgerows cleaned, that -- bring those back into a condition for active agricultural production, to -- to make them cropland.

They could -- they're privately held lands. They could be land trust lands. They could be municipal lands. They could be state-owned lands. But the goal is to increase the number of acres available for active agricultural production and to offer a matching grant to be able to get that work done, in accordance with a farmland restoration plan.

SENATOR KENNEDY: So -- just so I understand this. There's a piece of land that's overgrown. It's got a lot of rocks and tree stumps and whatnot.

It's currently owned by the state or by a municipality. So you then want an, I would assume, like, abutting farm owner to bring that land into a better condition, et cetera.

What, exactly, happens to the title of that land under those circumstances?

COMMISSIONER STEVEN REVICZKY: So if it's municipal

land, it's -- it continues to be municipal land. Generally, what it is is it's the municipality that's coming to us.

They've made a decision. The town fathers and mothers have made a decision that this is -- they want to bring this land into active agricultural production as part of their -- their management plan for a piece of it and they'll apply to us to get this -- get this land -- get the grant to bring the land into -- into production. Into a condition that would be available for production.

How they go about leasing that land to an individual farmer is something that they deal with on the local level. Oftentimes, they'll do requests for proposals and there'll be a -- a bidding type scenario that takes place.

Or they have a -- a local farmer who they know either has had agreements with the town over time to use portions of the municipal lands and there's an opportunity to expand that use and having these funds available to do that has been hugely beneficial and successful.

SENATOR KENNEDY: Thank you. Do any other -- yes, Representative Dubitsky.

REP. DUBITSKY: Commissioner, with regard to Senate Bill 870, I -- I just want to make sure I understand. Right now, the -- under the -- the current statute, the ACOs are only empowered to deal with dogs. Is that correct?

COMMISSIONER STEVEN REVICZKY: My understanding is -
- is that there are certain sections of the statute that speaks specifically to dogs. And the reality is -- is that they're dealing with other domestic animals and we want to make -- swear that there's consistency in the statutes

SENATOR KENNEDY: Okay. Now, as -- as many people know, we have -- I don't whether it's a formal or informal rule on this committee that the first hour is reserved for public officials.

Obviously, we've taken longer than an hour for that testimony. There's many other public officials who have signed up to testify on a number of different bills.

But in fairness to members of the public, who have also signed up, what we're going to do now is -- is alternate between people who have signed up to testify on these specific bills and, as you may know, we -- on this committee, we do go in order of -- of bills.

So at this point, I'm going to ask Henry Talmage to come forward for his three minutes. And we are going to really try to keep this testimony to three minutes.

I -- I don't want to be rude, but I think we want to be respectful for all the people who are here today. So I'm going to ask my committee clerk, Jared Savas, to keep time.

So please, don't be offended if I cut you off. Mr. Talmage, you have the floor and following your testimony, I'd like to ask Thomas Saadi from the Danbury City Council to be prepared to offer his testimony in a few minutes from now. Thank you.

SB 346
SB 348
HB 6731
HB 6732

HENRY TALMAGE: Good morning, Senator Kennedy, members of the committee. My name is Henry Talmage, executive director of the Connecticut Farm Bureau representing 5,000 farming families across the state from types of agriculture.

I've submitted written testimony on several

bills. I'd like to use my time to talk about a few of those.

First and foremost, Senate Bill 346, AN ACT CONCERNING THE FARMLAND RESTORATION AND VACANT LANDS PROGRAMS OF THE DEPARTMENT OF AG. The Farm Bureau supports this bill as we think it makes important changes to the -- to the Farmland Restoration Program that will enable lands to be opened up, especially for new and beginning farmers through leases and municipal lands.

It also makes some other changes, especially relating to -- to fencing being included in the restoration program. We think it's a -- it's a positive step forward and an improvement to the bill. We support it.

Senate 348, AN ACT CONCERNING THE SALE OF FARM PRODUCTS AS "CONNECTICUT-GROWN" AND CERTIFICATION FOR "CONNECTICUT-GROWN" MARKETS AND RESTAURANTS. Section two of this bill we fully support and have for the last several years.

The first section, section one, the Farm Bureau has adopted policy supporting farm of label origin -- labeling for -- for certified farmers markets. We believe there is a distinction between farmers markets where consumers have essentially the -- the expectation that the product they're buying is from the person who's selling it, and we would like to see this -- this provision put in place for the certified farmers markets, recognizing that other forms of retailing of Connecticut Grown may not have exactly that same representation.

And especially, the law of unintended consequences might be to discourage retailers from participating in -- in Connecticut Grown

and the town clerk that it's substantially in compliance with local requirements.

That being said, I wouldn't imply from that response that this bill should have so many layers of requirements prior to submitting the application, but that it is not an unfounded process to have some local sign-off or approval that it is compliant with local rules and regulations prior to applying to a state agency.

REP. ARCONTI: Thank you. And I do -- I think I can address Senator Chapin's question. The -- (inaudible) Resource Recovery Authority will be offering testimony to you later today.

It was signed off on by Mayor Bowen, also Mayor Murphy and (inaudible). Thanks.

SENATOR KENNEDY: Questions or comments from members of the committee? Hearing none, thank you very much for joining us today.

THOMAS SAADI: Thank you, Mr. Chairman and members of the committee.

SENATOR KENNEDY: Is my microphone on? Gordon Gibson is invited to testify, followed by Senator Formica.

GORDON GIBSON: Good morning, Senator Kennedy, Senator Chapin, Representative Shaban, members of the committee. I'm Gordon Gibson of Vernon, legislative liaison for the Connecticut State Grange.

In the interest of time, I'm going to try and summarize my written testimony this morning. I'm testifying on two bills.

The first one is Raised Bill 346 concerning

HB6731

farmland restoration and vacant lands programs. Connecticut has some of the best farmland in the world and I did not say in the United States. I said in the world.

It would be very productive farmland, could produce a lot of crops. But the flip side of that, where there's problems, if we had a warm climate, like they have in South America or in Africa, we would be living in the jungle. And I know, today, we'd all be happy with some warmer climate.

And this is the problem. A lot of this land has reverted to the point where the smaller farmers just cannot afford on their own to clear that land.

One example I will give on that is a farm in East Hartford where the farmer and his wife have grown vegetables for many years. He was leasing some land. He lost it to -- when it went to a development.

His family had some other land they offered to lease to him at a very good rate, but he just did not have the equipment to clear the trees that had grown up on that land. So he had to forego that. There would have been good convenient land for him.

We think Bill 346 will help the farmers restore this land and keep it in production.

The other bill I want to speak on this morning is 6631 concerning the treatment of certain farmland for purposes of the estate tax. In a lot of cases, the farmer's assets are tied up in the value of the land to the point that when the owner passes away, even though the family wants to keep it in -- in their name and keep it as farmland, it has to be sold to raise the

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Line 14



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

SB867 HB6727
HB6729 HB6731
HB6732

February 13, 2015

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 5,000 families dedicated to farming and the future of Connecticut agriculture.

Senator Kennedy, Representative Albis and members of the Environment Committee,

Testimony in support of:

S.B. No. 346 AN ACT CONCERNING THE FARMLAND RESTORATION AND VACANT LANDS PROGRAMS OF THE DEPARTMENT OF AGRICULTURE.

The Connecticut Farm Bureau supports S.B. 346 as it allows the Commissioner of Agriculture to reimburse farmers for the cost of farmland restoration plans including those that lease farmland (for at least 5 years) from the state or local municipalities and allows for cost reimbursement of such plans up to 90%. In addition it expands the use of restoration funds to include fencing to exclude wildlife and manage livestock and additional incidental land clearing activities. We believe these are important enhancements to Farmland Restoration Program and urge their adoption.

S.B. No. 348 AN ACT CONCERNING THE SALE OF FARM PRODUCTS AS "CONNECTICUT-GROWN" AND CERTIFICATION FOR "CONNECTICUT-GROWN MARKETS AND RESTAURANTS".

The Connecticut Farm supports "farm-of-origin" labeling as described in Sec. 1 of SB 348 at CT Certified Farmers Markets but does not support the provision that requires mandatory "farm-of-origin" labeling at all retail establishments selling CT Grown. We believe that because Certified Farmers Markets are "producer only" markets, consumers shopping at those markets do so with the expectation that the products being sold there are in fact produced by the people selling them. In contrast, consumers buying from other retailers selling CT Grown currently are presented with products that meet the definition of CT Grown without specific information about what farm in CT it came from. Whereas we encourage retailers of CT Grown to be accountable about the use of the CT Grown label we are concerned that retailers might choose to not participate in the CT Grown program if they find it too cumbersome to track and label produce from several CT farms. We therefore support limiting the mandatory "farm-of-origin" labeling provision described in Sec. 1 to CT Certified Farmers Markets.

The Connecticut Farm Bureau supports Sec. 2 as presented in SB 348. The current thresholds for the "Farm Fresh Market" program have proved to be unworkable and as a result there has not been participation in the program. The new thresholds as well as renaming the program to be consistent with the "CT Grown" programs will likely result in better utilization and expand consumer access to "CT Grown" products.



**WORKING
LANDS
ALLIANCE**

A Project of American Farmland Trust

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Farm Credit East

Kevin Sullivan
Chestnut Hill Nursery

Henry Talmage
CT Farm Bureau Association

STAFF
Lisa Bassani
Director

Testimony in support of HB 6731 and SB 346
Environment Committee

Submitted by: Lisa Bassani, Project Director, Working Lands Alliance
February 13, 2015

Senator Kennedy, Representative Albis, and Committee members:

The Working Lands Alliance appreciates this opportunity to submit testimony in support of **HB 6731**, An Act Concerning the Treatment of Certain Farmland for Purposes of the Estate Tax, and **SB 346**, An Act Concerning the Farmland Restoration and Vacant Lands Programs of the Department of Agriculture.

The Working Lands Alliance is a broad-based, statewide coalition dedicated to preserving Connecticut's farmland, and includes such organizations as American Farmland Trust, CT Forest & Park Association, CT Farmland Trust, End Hunger CT!, CT Farm Bureau, CT Land Conservation Council, among many others. Our efforts focus on increasing the pace of farmland preservation in the state and advancing the economic viability of Connecticut agriculture.

Our coalition supports HB 6731, which would increase the exemption for the transfer of qualified farmland under CT estate tax law to match that of federal estate tax law. Currently, the exemption under federal estate tax law is \$5,430,000, while the exemption under CT law is \$2,000,000. Under both federal and state law, there are provisions that allow for land to be valued at its current use value (PA 490 value) rather than its fair market value, provided that the land remains in agriculture use for 10 years. However, as a result of relatively low CT estate tax exemption and the comparatively high real estate values in our state, some farm families may still face a decision to sell farmland to settle estate taxes. In some cases, this may mean conversion of farmland out of agricultural use. By bringing the exemption under CT estate law in line with the federal level, this bill will help avoid threats to farm succession and help ensure that our farms can remain in agricultural production when transfers occur.

Our coalition also supports SB 346, which provides minor modifications and clarifications for the Farmland Restoration Program, a program created in 2011 to restore farmland acreage back into production. Our coalition supports the language in this bill clarifying that 'farmland restoration plan' as referenced within the original statute refers to a USDA-NRCS conservation plan or similar plan approved by the Commissioner of Agriculture. This is an important detail ensuring that our investments in farmland restoration efforts are done in

accordance with a conservation plan that has considered the soil, water and other natural resources on the property. As such, we also support allowing some funds from the program to reimburse farmers in part for developing, implementing, and complying with these plans, as provided for in this bill. In addition, we support the increased cost-share (up to 90%) for state-held and municipal lands that have agricultural leases of five years or more. This will provide incentive to bring more public land that is suitable for agriculture back into production.

On behalf of the Working Lands Alliance, I urge you to act favorably on HB 6371 and SB 346.

HB 6731

CONNECTICUT STATE GRANGE

TESTIMONY IN SUPPORT OF RAISED BILL NO. 346, AN ACT CONCERNING THE FARMLAND RESTORATION AND VACANT LANDS PROGRAMS OF THE DEPARTMENT OF AGRICULTURE

AND

IN SUPPORT OF RAISED BILL NO. 6731, AN ACT CONCERNING THE TREATMENT OF CERTAIN FARM LAND FOR PURPOSES OF THE ESTATE TAX

FEBRUARY 13, 2015

I am Gordon Gibson of Vernon, Legislative Liaison for the Connecticut State Grange, speaking in support of Raised Bill No. 346, An Act Concerning The Farmland Restoration and Vacant Lands Programs of the Department of Agriculture. Connecticut, and particularly the Connecticut River valley, has some of the most productive farmland in the world. I did not say in the United States, I said in the world. This is both good and bad. Properly managed, our farmland can produce tremendous crops, but left alone and uncared for, it quickly reverts to brush and trees which require much time and money to bring back into productive agriculture. The State, along with private organizations such as Connecticut Farmland Trust, Inc., has done much to protect our diminishing farmland base from being developed into homes, stores and factories which irretrievably remove it from agriculture. However, we also need to protect our farmland from reverting back to nature. The State owns a significant amount of farmland at places such as the University of Connecticut, Southbury Training School and the former Mansfield Training School. The Department of Energy and Environmental Protection also has custody and control of significant amounts of farmland throughout the state. Our municipalities own or control significant amounts of farmland which should be protected from reverting back to nature. Raised Bill 346 will authorize the Department of Agriculture to prepare the restoration plans required by the Natural Resources and Conservation Service of the United States Department of Agriculture so federal grants can be obtained to preserve our valuable farmland base.

The Grange also supports Raised Bill No. 6731, An Act Concerning the Treatment of Certain Farmland for Purposes of the Estate Tax. In too many cases a family wants to preserve their farm but finds they must sell part or all of it to raise the cash necessary to pay the inheritance taxes on the farmland. Raised Bill No. 6731 would exempt the value of land classified as farmland under the "490" program from being included in a decedent's

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Line 6

assets, thereby reducing the inheritance tax the survivors must pay. Hopefully this will eliminate the need for heirs to sell land they want to preserve just to raise the cash needed to pay the inheritance tax when the farm owner dies.

Thank you for your consideration of my testimony.

Gordon F. Gibson, Legislative Liaison
Connecticut State Grange
836 Hartford Turnpike
Vernon CT 06066
860-871-7757
gfgibson@aol.com

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REMARKS OF CONNECTICUT COMMISSIONER OF AGRICULTURE

STEVEN K. REVICZKY

BEFORE THE ENVIRONMENT COMMITTEE

FEBRUARY 13, 2015

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HB6729 SB870
SB346 HB6728

Good morning Chairmen Kennedy and Albis, Vice Chairs Moore and Arconti, Ranking Members Chapin and Shaban, and members of the committee. My name is Steve Reviczky. It is my honor to serve as the commissioner of the Connecticut Department of Agriculture, and to be here this morning to testify on the agency's 2015 legislative agenda.

Joining me is George Krivda, our chief of staff and legislative program manager, Jason Bowsza and Steve Jensen from my office. Also joining me is, Wayne Kacasek, assistant Bureau Director of the agency's Bureau of Regulation and Inspection, , David Carey, director of the Bureau of Aquaculture and Linda Piotrowicz, director of the Bureau of Agricultural Development and Resource Preservation.

Our legislative package contains proposals that have the potential to significantly help us Grow Connecticut Farms – for the benefit of not only our hard-working farm families but all residents of our state. Thank you in advance for thoughtfully considering our requests.

Let me begin with our number one priority H.B. No. 6732 AN ACT CONCERNING THE APPEAL OF RESTRAINT AND DISPOSAL ORDERS ISSUED BY ANIMAL CONTROL OFFICERS (Statutory Reference: Sec. 22-358). As it stands currently, the Department of Agriculture handles as many as fifteen disposal or restraint hearings per year. Unlike many state agencies our agency does not have an office or professional staff to adjudicate these matters. This is further complicated by state policies that prevent us from using personal service agreements to hire outside counsel specifically to hear these cases. Currently a bureau director or assistant bureau director, with counsel from an assistant attorney general, dedicates an inordinate amount of time to the hearing process. There are often complex legal questions that arise, including those resulting from motions and other filings, on which agency staff, serving as hearing officers, are required to make rulings that often have serious legal implications. These administrative appeals are almost always emotionally charged, very similar to issues before family court. Disposal and restraint order appeal hearings are held in accordance with the Uniform Administrative Procedures Act and the Department's regulations on Rules of Practice, and would be most properly handled by an agency with sufficient legal staff and training. The process begins with the filing of an appeal to the Department of Agriculture of an order issued by a municipal animal control officer. A hearing is then scheduled to provide the parties involved, i.e., the dog owner(s) and the municipality, both most-often represented by counsel, with an opportunity to present evidence and

business address of the farm where the product was grown or produced. This measure of transparency will allow consumers to better determine exactly where farm products were grown or produced and, thus, assist in making better-informed purchasing decisions. Clearly identifying Connecticut Grown farm products and differentiating them from those grown in other states will (1) strengthen the integrity of the Connecticut Grown brand, (2) bolster consumer confidence in that brand, and (3) empower consumers to better support Connecticut farm families and businesses by making better informed purchasing decisions.

H.B. No. 6729 AN ACT CONCERNING THE USE OF CERTAIN NOISE-MAKING DEVICES FOR AGRICULTURAL PURPOSES (Statutory Reference 22-26g). This proposal would take steps to ensure that noisemaking devices used for agricultural purposes are being used properly. The proposal allows the department flexibility regarding conducting an on-site inspection rather than requiring one to issue a permit. The proposal expands the information required when submitting an application for a permit for use to include an estimate of the potential crop loss as a percentage of the total crop attributable to wildlife damage.

It also requires that any noisemaking device permitted be operated according to the recommendations of the manufacturer of the device and any written conditions stated on the permit as stipulated by the commissioner or his designated issuing agent. The proposal also allows for the commissioner to consult with additional experts in wildlife damage to crops when determining if the issuance of a permit creates an undue hardship on homeowners or a neighborhood, or suspension or revocation of a permit to use a noise making device has created an undue hardship on a farmer. The proposal allows for the commissioner or his designee to issue a warning notice for any violation of the section. It establishes a process for a hearing regarding any suspension or revocation of a permit to operate a noise making device if it is appealed within fifteen (15) days. Any appeal would follow the Uniform Administrative Procedures Act and the Department's regulations on Rules of Practice, and the commissioner would be allowed to designate a hearing officer to hear any appeal. The appeal would only consider whether the violations leading to a suspension or revocation of a permit to operate a noise making device existed.

S.B. No. 870 AN ACT CONCERNING THE DUTIES OF ANIMAL CONTROL OFFICERS (Statutory Reference 22-331 and 22-332). The agency is proposing a minor change to sections 22-331 and 22-332 to include the phrase "or other domestic animal" where appropriate, to reflect that animal control officers are responsible for the well-being of all domestic animals, not limited only to dogs. This would provide consistency with section 22-330. This proposal expands the circumstances in which animal control officers may take custody of an animal found to be roaming, injured, neglected, abandoned or mistreated. As it stands now, ACO's have jurisdiction over only dogs in these circumstances. The changes to these sections are being requested to recognize circumstances that the agency is regularly called upon to address.

S.B. No. 346 AN ACT CONCERNING THE FARMLAND RESTORATION AND VACANT LANDS PROGRAMS OF THE DEPARTMENT OF AGRICULTURE (Statutory Reference 22-6c). This bill expands the items reimbursable to farmers under the farmland restoration program and

increases the maximum reimbursement for management or restoration plans for certain state and municipal lands. The program encourages farmers to restore farmland that has gone out of production. The bill allows the agriculture commissioner to reimburse a farmer for part of the cost of developing, implementing, and complying with a farm resources management plan or a farmland restoration plan, instead of only for developing a farm resources management plan.

The agency's final proposal this session, H.B. No. 6728 AN ACT CONCERNING MINOR REVISIONS TO ANIMAL IMPORTER RECORDS REQUIREMENTS (Statutory Reference:22-344f) The refinement offered in this proposal will require the reporting of necessary additional information within the existing framework of the law. The changes will assist the Department of Agriculture in knowing specifically when the dog or cat was adopted by the importer, thus giving the Department the opportunity to insure that the animal was examined by a Connecticut veterinarian, within fifteen days of purchase or adoption, as required by current law. By requiring the adopter's information, the change will assist with the collection of data allowing the Department to analyze how many imported animal adoptions in Connecticut are associated with persons entering Connecticut from neighboring States to purchase animals and circumvent their home State animal importation laws.

That concludes my testimony this morning. Thank you for your attention and for considering the merits of these proposals before you. If you have questions, I will be happy to answer and provide any additional information you would like.

Respectfully Submitted,

Steven K. Reviczky
Commissioner