



General Assembly

Substitute Bill No. 589

February Session, 2004

* SB00589PD 040704 *

AN ACT CONCERNING THE PRESERVATION OF THE FAMILY FARM.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 8-37u of the general statutes is amended by
2 adding subsection (f) as follows (*Effective July 1, 2004*):

3 (NEW) (f) The Commissioner of Economic and Community
4 Development shall consult with the Commissioner of Agriculture and
5 Consumer Protection with regard to the policies, activities, plans and
6 programs specified in this section and the impact on and degree of
7 protection provided to agricultural land by such policies, activities,
8 plans and programs.

9 Sec. 2. Section 4a-51 of the general statutes is repealed and the
10 following is substituted in lieu thereof (*Effective July 1, 2004*):

11 (a) The Commissioner of Administrative Services shall: (1) Purchase,
12 lease or contract for all supplies, materials, equipment and contractual
13 services required by any state agency, except as provided in sections 4-
14 98 and 4a-57; (2) enforce standard specifications established in
15 accordance with section 4a-56; (3) establish store rooms and
16 warehouses for the storage of the state's property in such locations as
17 may best serve the requirements of the state agencies; (4) operate such
18 trucks and garages as are necessary to deliver supplies, materials and
19 equipment from such central store rooms and warehouses to any state

20 agency; (5) establish and operate a central duplicating and mailing
21 room for state agencies located in the city of Hartford and such other
22 places as he deems practical, provided the State Library photostat and
23 offset printing department and the duplicating facilities of the
24 Department of Public Health shall remain as constituted; and (6)
25 establish and operate or have supervisory control over central or
26 regional bakeries, meat cutting establishments, laundries and other
27 central supply services in such locations as may best serve the
28 requirements of the state agencies.

29 (b) The Commissioner of Administrative Services, when purchasing
30 or contracting for the purchase of dairy products, poultry, eggs, fruits
31 or vegetables pursuant to subsection (a) of this section, shall give
32 preference to dairy products, poultry, eggs, fruits or vegetables grown
33 or produced in this state, when such products, poultry, eggs, fruits or
34 vegetables are comparable in cost to other dairy products, poultry,
35 eggs, fruits or vegetables being considered for purchase by the
36 commissioner that have not been grown or produced in this state.

37 Sec. 3. Section 22-38a of the general statutes is repealed and the
38 following is substituted in lieu thereof (*Effective from passage*):

39 The Commissioner of Agriculture shall establish and administer a
40 program to promote the preservation of agricultural land, as defined in
41 subsection (a) of section 22-26bb, and for the marketing of farm
42 products grown and produced in Connecticut for the [purpose]
43 purposes of encouraging the development of agriculture and the
44 preservation of agricultural land in the state. The commissioner may,
45 within available appropriations, provide a grant-in-aid to any person,
46 firm, partnership or corporation engaged in the preservation of such
47 agricultural land or in the promotion and marketing of such farm
48 products, provided the words "CONNECTICUT-GROWN" are clearly
49 incorporated in such promotional and marketing activities, if
50 applicable. The commissioner may adopt [, in accordance with chapter
51 54, such regulations as he deems necessary] regulations, in accordance
52 with the provisions of chapter 54, to carry out the purposes of this

53 section.

54 Sec. 4. (NEW) (*Effective from passage*) (a) For the purposes of this
55 section, "grocery or food store" means a business that employs ten or
56 more persons and is engaged in the retail sale of produce, such as
57 fruits and vegetables, meats, poultry, seafood, nuts, dairy products,
58 bakery products or eggs.

59 (b) No grocery or food store shall be eligible for any state grant,
60 financial assistance, state loan or other state-funded incentive under
61 title 32 of the general statutes, unless such store is certified as a
62 "Connecticut Farm Fresh Market" by the Commissioner of Agriculture
63 pursuant to subsection (c) of this section.

64 (c) The Commissioner of Agriculture shall establish and administer
65 a program, within available resources, to certify grocery and food
66 stores as "Connecticut Farm Fresh Markets". A grocery or food store
67 may be certified by the commissioner as a Connecticut Farm Fresh
68 Market if proof is submitted, to the satisfaction of the commissioner,
69 that such store continuously stocks fifteen per cent or more of its shelf
70 space for retail produce and dairy with farm products grown or
71 produced in this state. Such products include, but are not limited to,
72 dairy products, meat, poultry, seafood, nuts, eggs, fruits and
73 vegetables. A grocery or food store certified as a Connecticut Farm
74 Fresh Market may use the words "Connecticut Farm Fresh Market" for
75 promotional and marketing activities. No store other than a store
76 certified as a Connecticut Farm Fresh Market may use such words for
77 promotional and marketing activities.

78 (d) The Commissioner of Agriculture shall establish and administer
79 a program, within available resources, to promote restaurants in the
80 state that serve farm products grown or produced in the state. The
81 commissioner shall, upon receiving proof satisfactory to said
82 commissioner that at least twenty per cent of food served by a
83 restaurant consists of farm products grown and produced in the state,
84 certify the restaurant to use the words "Connecticut Farm Fresh

85 Restaurant" for promotional and marketing activities. No restaurant
86 other than one certified as a Connecticut Farm Fresh Restaurant may
87 use such words for promotional and marketing activities.

88 (e) The Commissioner of Agriculture shall establish and administer
89 a program, within available resources, to promote schools in the state
90 that serve farm products grown or produced in the state. The
91 commissioner shall, upon receiving proof satisfactory to said
92 commissioner that at least twenty per cent of food served by a school
93 consists of farm products grown and produced in the state, certify the
94 school to use the words "Connecticut Farm Fresh School" in any
95 promotional materials or description of such school. No school other
96 than one certified as a Connecticut Farm Fresh School may use such
97 words for promotional activities. For purposes of this subsection,
98 "school" includes any public or nonpublic school and any public or
99 nonpublic institution of higher education.

100 (f) The Commissioner of Agriculture may adopt regulations, in
101 accordance with the provisions of chapter 54 of the general statutes, to
102 carry out the purposes of this section.

103 Sec. 5. (NEW) (*Effective July 1, 2004*) (a) The Commissioner of
104 Agriculture and Consumer Protection shall establish an agricultural
105 planning pilot program to expand agricultural market opportunities
106 and to maintain agricultural market viability in the state.

107 (b) Said pilot program shall be in effect for two years, commencing
108 on the effective date of this section. Said program shall:

109 (1) Utilize, to the extent possible, the assistance of agricultural
110 graduate students from The University of Connecticut and Yale
111 University.

112 (2) Employ staff experienced in agricultural marketing and statistics
113 to perform research and create marketing plans for farm products
114 grown and produced in this state to expand market opportunities and
115 maintain a viable agriculture industry in this state.

116 (3) Complete agricultural market studies and distribute such studies
117 and any findings and recommendations associated with such studies
118 to farmers in this state.

119 (4) Produce a cooperative agricultural product shipping and
120 packaging plan to assist farmers in this state to meet demands of
121 expanding markets, including, but not limited to, retailers, local and
122 regional school boards and governmental agencies.

123 (c) The Commissioner of Agriculture and Consumer Protection shall
124 submit an interim report on the status of the implementation of the
125 pilot program established in subsection (a) of this section, pursuant to
126 the provisions of section 11-4a of the general statutes, to the joint
127 standing committee of the General Assembly having cognizance of
128 matters relating to the environment, not later than July 1, 2005. The
129 commissioner shall submit a final report on the pilot program,
130 including any findings, recommendations and necessary legislation, to
131 said joint standing committee not later than January 1, 2006, at which
132 time said joint standing committee may extend the pilot program or
133 make said program permanent.

134 Sec. 6. (NEW) (*Effective July 1, 2004*) A municipality, town, city,
135 borough or district, as defined in section 7-324 of the general statutes,
136 that takes active agricultural land by eminent domain shall: (1)
137 Purchase an agricultural conservation easement on an equivalent
138 amount of active agricultural land of comparable or better soil quality
139 in such municipality, town, city, borough or district, or (2) if no
140 comparable active agricultural land is available for an agricultural
141 conservation easement as provided in subdivision (1) of this section,
142 pay a fee for the purchase of development rights to an equivalent
143 amount of active agricultural land of comparable or better soil quality
144 elsewhere in the state. Such purchase amount shall be paid to the
145 General Fund and credited to the state program for the preservation of
146 agricultural land established pursuant to chapter 422a of the general
147 statutes. The municipality, town, city, borough or district shall notify
148 the Commissioner of Agriculture and Consumer Protection of its intent

149 to comply with the provisions of subdivision (1) or (2) of this section.
150 The Commissioner of Agriculture and Consumer Protection shall
151 determine the amount of the payment to be made by such
152 municipality, town, city, borough or district for the purchase of an
153 agricultural conservation easement or the purchase of development
154 rights pursuant to subdivisions (1) or (2) of this section. The
155 municipality, town, city, borough or district shall not proceed unless
156 the Commissioner of Agriculture and Consumer Protection approves
157 the purchase of agricultural conservation easements pursuant to
158 subdivision (1) of this subsection. Such agricultural conservation
159 easements shall be jointly and severally held by the municipality,
160 town, city, borough or district and the state.

This act shall take effect as follows:	
Section 1	<i>July 1, 2004</i>
Sec. 2	<i>July 1, 2004</i>
Sec. 3	<i>from passage</i>
Sec. 4	<i>from passage</i>
Sec. 5	<i>July 1, 2004</i>
Sec. 6	<i>July 1, 2004</i>

ENV *Joint Favorable Subst.*

PD *Joint Favorable*