



General Assembly

Amendment

January Session, 2005

LCO No. 6932

SB0041006932SD0

Offered by:

SEN. WILLIAMS, 29th Dist.
SEN. COLEMAN, 2nd Dist.
SEN. RORABACK, 30th Dist.
SEN. FASANO, 34th Dist.

To: Subst. Senate Bill No. 410

File No. 390

Cal. No. 305

(As Amended by Senate Amendment Schedule "A")

"AN ACT CONCERNING FARM LAND PRESERVATION, LAND PROTECTION, AFFORDABLE HOUSING AND HISTORIC PRESERVATION."

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. Subsection (a) of section 22-26jj of the general statutes is
4 repealed and the following is substituted in lieu thereof (*Effective July*
5 *1, 2005*):

6 (a) The Commissioner of Agriculture, with the approval of the State
7 Properties Review Board, may acquire [, prior to July 1, 1995,] by
8 purchase or accept as a gift, on behalf of the state, the fee simple title of
9 any agricultural real property and any personal property related to

10 such real property, including, but not limited to, machinery,
11 equipment, fixtures and livestock. The state conservation and
12 development plan established pursuant to chapter 297 shall be used as
13 an advisory document in connection with acquisition of such property.
14 The commissioner, in deciding whether or not to acquire such
15 property, shall consider all of the factors stated in section 22-26cc and
16 shall further consider the likelihood of subsequent sale of such
17 property by the department for agricultural purposes, subject to the
18 state's retention of development rights. After a preliminary evaluation
19 of such factors, the Commissioner of Agriculture shall obtain and
20 review one or more fee appraisals of the property in order to
21 determine the value of such property. Each such appraisal shall
22 include an itemization of (1) the total value of the land, (2) the value of
23 the land as agricultural land, (3) the value of the development rights of
24 the land, and (4) the value of any related personal property proposed
25 to be included in any sale. The commissioner shall give notice of any
26 such appraisal to the Departments of Transportation, Economic and
27 Community Development and Environmental Protection and the
28 Office of Policy and Management. Any such appraisal may be obtained
29 by the owner of the property and, if performed in a manner approved
30 by the commissioner, shall be considered by the commissioner in
31 making such determination. The commissioner may purchase such
32 property for a lesser price than any price suggested by any such
33 appraisal provided all considerations for acquisition specified in this
34 subsection are taken into account. In determining the value of the
35 property, consideration shall be given to sales of comparable
36 properties in the general vicinity.

37 Sec. 2. (NEW) (*Effective July 1, 2005*) The Department of Agriculture
38 shall establish and administer a program of matching grants to
39 municipalities to further agricultural viability. Such grants may be
40 used for the following purposes: (1) Local capital projects that foster
41 agricultural viability, including, but not limited to, processing facilities
42 and farmers markets; and (2) the development and implementation of
43 agriculturally-friendly land use regulations and local farmland

44 protection strategies that sustain and promote local agriculture.

45 Sec. 3. (NEW) (*Effective July 1, 2005*) (a) There is established a Farm
46 Transition Program which shall be administered by the Department of
47 Agriculture. Matching grants shall be made to farmers, agricultural
48 not-for-profit organizations and agricultural cooperatives for
49 diversification of existing farm operations, transitioning to value
50 added agricultural production and sales, and developing farmers
51 markets and other venues in which a majority of products sold are
52 grown in the state.

53 (b) The Commissioner of Agriculture shall adopt regulations, in
54 accordance with the provisions of chapter 54 of the general statutes, for
55 the administration of the program established by this section. Such
56 regulations shall require the development of business plans by
57 applicants as part of the application process.

58 Sec. 4. (NEW) (*Effective July 1, 2005*) (a) The Department of
59 Agriculture shall establish and administer a Connecticut Farm Link
60 Program to establish a database of farmers and agricultural land
61 owners who intend to sell their farm operations or agricultural land.
62 The database shall be maintained by the Department of Agriculture
63 and shall be made available to the public on the department's web site.
64 Persons interested in starting an agricultural business or persons
65 interested in expanding a current agricultural business may notify the
66 department and have their names, contact information and intentions
67 regarding such businesses placed on the web site. The department
68 shall make reasonable efforts to facilitate contact between parties with
69 similar interests.

70 (b) The Department of Agriculture shall post educational materials
71 regarding the Connecticut Farm Link Program on the department's
72 web site, including, but not limited to, information regarding farm
73 transfer and farm succession planning, family farm estate planning,
74 farm transfer strategies, farm leasing, formation of farm partnerships
75 and information regarding starting a farm business.

76 Sec. 5. Section 7-34a of the general statutes is amended by adding
77 subsection (e) as follows (*Effective July 1, 2005*):

78 (NEW) (e) In addition to the fees for recording a document under
79 subsection (a) of this section, town clerks shall receive a fee of thirty
80 dollars for each document recorded in the land records of the
81 municipality. The town clerk shall retain one dollar of any fee paid
82 pursuant to this subsection and three dollars of such fee shall become
83 part of the general revenue of the municipality and used to pay for
84 local capital improvement projects, as defined in section 7-536 of the
85 general statutes. Not later than the fifteenth day of each month, town
86 clerks shall remit twenty-six dollars of the fees paid pursuant to this
87 subsection during the previous calendar month to the State Treasurer.
88 Upon deposit in the General Fund, such amount shall be credited to
89 the land protection, affordable housing and historic preservation
90 account established pursuant to section 6 of this act. The provisions of
91 this subsection shall not apply to any document recorded on the land
92 records by an employee of the state or of a municipality in conjunction
93 with said employee's official duties. As used in this subsection,
94 "municipality" includes each town, consolidated town and city, city,
95 consolidated town and borough, borough, district, as defined in
96 chapter 105 or 105a, and each municipal board, commission and taxing
97 district not previously mentioned.

98 Sec. 6. (NEW) (*Effective July 1, 2005*) There is established, within the
99 General Fund, a separate, nonlapsing account to be known as the "land
100 protection, affordable housing and historic preservation account". The
101 account shall contain any moneys required by law to be deposited in
102 the account. The funds in the account shall be distributed every three
103 months as follows: (1) Twenty-five per cent to the Connecticut
104 Commission on Culture and Tourism to use as follows: (A) Two
105 hundred thousand dollars, annually, to supplement the technical
106 assistance and preservation activities of the Connecticut Trust for
107 Historic Preservation, established pursuant to special act 75-93, and (B)
108 the remainder to supplement historic preservation activities as
109 provided in sections 10-409 to 10-415, inclusive, of the general statutes;

110 (2) twenty-five per cent to the Connecticut Housing Finance Authority
111 to supplement new or existing affordable housing programs; (3)
112 twenty-five per cent to the Department of Environmental Protection
113 for municipal open space grants; and (4) twenty-five per cent to the
114 Department of Agriculture to use as follows: (A) Five hundred
115 thousand dollars annually for the agricultural viability grant program
116 established pursuant to section 2 of this act; (B) five hundred thousand
117 dollars, annually for the Farm Transition Program established
118 pursuant to section 3 of this act; (C) one hundred thousand dollars
119 annually to encourage the sale of Connecticut Grown food to schools,
120 restaurants, retailers, and other institutions and businesses in the state;
121 (D) seventy-five thousand dollars annually for the Connecticut farm
122 link program established pursuant to section 4 of this act; and (E) the
123 remainder for farmland preservation programs pursuant to chapter
124 422 of the general statutes. Each agency receiving funds under this
125 section may use not more than ten per cent of such funds for
126 administration of the programs for which the funds were provided.

127 Sec. 7. (NEW) (*Effective July 1, 2005*) Any municipality may, by vote
128 of its legislative body, establish a land acquisition and development
129 authority to assist the municipality to acquire or develop any
130 agricultural, recreational or open space land or to assist the
131 municipality to acquire any easements, interest or rights therein and to
132 enter into covenants and agreements with owners of such land or
133 interests therein to acquire, maintain, improve, protect, limit the future
134 use of or otherwise conserve such land.

135 Sec. 8. Subsection (c) of section 12-91 of the general statutes is
136 repealed and the following is substituted in lieu thereof (*Effective from*
137 *passage and applicable to assessment years commencing on and after October*
138 *1, 2005*):

139 (c) Any municipality, upon approval by its legislative body, may
140 provide an exemption from property tax for any building [, to the
141 extent of an assessed value of one hundred thousand dollars,] used
142 actually and exclusively in farming, as defined in section 1-1, or for

143 any building used to provide housing for seasonal employees of such
 144 farmer. The municipality shall establish the amount of such exemption
 145 from the assessed value, provided such amount may not exceed one
 146 hundred thousand dollars with respect to each eligible building. Such
 147 exemption shall not apply to [any] the residence of such farmer and
 148 shall be subject to the application and qualification process provided in
 149 subsection (d) of this section."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2005</i>	22-26jj(a)
Sec. 2	<i>July 1, 2005</i>	New section
Sec. 3	<i>July 1, 2005</i>	New section
Sec. 4	<i>July 1, 2005</i>	New section
Sec. 5	<i>July 1, 2005</i>	7-34a
Sec. 6	<i>July 1, 2005</i>	New section
Sec. 7	<i>July 1, 2005</i>	New section
Sec. 8	<i>from passage and applicable to assessment years commencing on and after October 1, 2005</i>	12-91(c)