



General Assembly

January Session, 2009

Amendment

LCO No. 9194

SB0089109194SD0

Offered by:

SEN. WILLIAMS, 29th Dist.
SEN. MEYER, 12th Dist.
SEN. DAILY, 33rd Dist.
SEN. STILLMAN, 20th Dist.
SEN. MAYNARD, 18th Dist.
SEN. PRAGUE, 19th Dist.
SEN. DEFRONZO, 6th Dist.

SEN. RORABACK, 30th Dist.
SEN. GUGLIELMO, 35th Dist.
SEN. KISSEL, 7th Dist.
REP. MERRILL, 54th Dist.
REP. HURLBURT, 53rd Dist.
REP. LEWIS, 8th Dist.

To: Subst. Senate Bill No. 891

File No. 340

Cal. No. 275

"AN ACT MODERNIZING CONNECTICUT FERTILIZER LAW."

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. Section 7-34a of the general statutes is amended by adding
4 subsection (f) as follows (*Effective from passage*):

5 (NEW) (f) Notwithstanding the provisions of subsection (e) of this
6 section, in addition to the fees for recording a document under
7 subsection (a) of this section, from the effective date of this section
8 until July 1, 2011, town clerks shall receive a fee of forty dollars for
9 each document recorded in the land records of the municipality. The
10 town clerk shall retain one dollar of any fee paid pursuant to this

11 subsection and three dollars of such fee shall become part of the
12 general revenue of the municipality and be used to pay for local capital
13 improvement projects, as defined in section 7-536. Not later than the
14 fifteenth day of each month, from the effective date of this section until
15 July 1, 2011, town clerks shall remit thirty-six dollars of the fees paid
16 pursuant to this subsection during the previous calendar month to the
17 State Treasurer. Upon deposit in the General Fund, such amount shall
18 be credited to the community investment account established pursuant
19 to section 4-66aa, as amended by this act. The provisions of this
20 subsection shall not apply to any document recorded on the land
21 records by an employee of the state or of a municipality in conjunction
22 with such employee's official duties. As used in this subsection,
23 "municipality" includes each town, consolidated town and city, city,
24 consolidated town and borough, borough, and district, as defined in
25 chapter 105 or 105a, any municipal corporation or department thereof
26 created by a special act of the General Assembly, and each municipal
27 board, commission and taxing district not previously mentioned.

28 Sec. 502. Section 4-66aa of the general statutes is repealed and the
29 following is substituted in lieu thereof (*Effective from passage*):

30 (a) There is established, within the General Fund, a separate,
31 nonlapsing account to be known as the ["land protection, affordable
32 housing and historic preservation account"] "community investment
33 account". The account shall contain any moneys required by law to be
34 deposited in the account. The funds in the account shall be distributed
35 every three months as follows: (1) Twenty-five per cent to the
36 Connecticut Commission on Culture and Tourism to use as follows:
37 (A) Two hundred thousand dollars, annually, to supplement the
38 technical assistance and preservation activities of the Connecticut
39 Trust for Historic Preservation, established pursuant to special act 75-
40 93, and (B) the remainder to supplement historic preservation activities
41 as provided in sections 10-409 to 10-415, inclusive; (2) twenty-five per
42 cent to the Connecticut Housing Finance Authority to supplement new
43 or existing affordable housing programs; (3) twenty-five per cent to the
44 Department of Environmental Protection for municipal open space

45 grants; and (4) twenty-five per cent to the Department of Agriculture
46 to use as follows: (A) Five hundred thousand dollars annually for the
47 agricultural viability grant program established pursuant to section 22-
48 26j, as amended by this act; (B) five hundred thousand dollars,
49 annually for the farm transition program established pursuant to
50 section 22-26k, as amended by this act; (C) one hundred thousand
51 dollars annually to encourage the sale of Connecticut Grown food to
52 schools, restaurants, retailers, and other institutions and businesses in
53 the state; (D) seventy-five thousand dollars annually for the
54 Connecticut farm link program established pursuant to section 22-26l;
55 and (E) the remainder for farmland preservation programs pursuant to
56 chapter 422. Each agency receiving funds under this section may use
57 not more than ten per cent of such funds for administration of the
58 programs for which the funds were provided.

59 (b) Notwithstanding the provisions of subsection (a) of this section,
60 from the effective date of this section until July 1, 2011, the funds in the
61 community investment account established pursuant to said
62 subsection shall be distributed every three months as follows: (1)
63 Twenty per cent to the Connecticut Commission on Culture and
64 Tourism to use as follows: (A) Two hundred thousand dollars,
65 annually, to supplement the technical assistance and preservation
66 activities of the Connecticut Trust for Historic Preservation,
67 established pursuant to special act 75-93, and (B) the remainder to
68 supplement historic preservation activities as provided in sections 10-
69 409 to 10-415, inclusive; (2) twenty per cent to the Connecticut Housing
70 Finance Authority to supplement new or existing affordable housing
71 programs; (3) twenty per cent to the Department of Environmental
72 Protection for municipal open space grants; and (4) forty per cent to
73 the Department of Agriculture to use as follows: (A) Five hundred
74 thousand dollars annually for the agricultural viability grant program
75 established pursuant to section 22-26j, as amended by this act; (B) five
76 hundred thousand dollars, annually, for the farm transition program
77 established pursuant to section 22-26k, as amended by this act; (C) one
78 hundred thousand dollars, annually, to encourage the sale of

79 Connecticut Grown food to schools, restaurants, retailers, and other
80 institutions and businesses in the state; (D) seventy-five thousand
81 dollars, annually, for the Connecticut farm link program established
82 pursuant to section 22-26l; and (E) the remainder to the agricultural
83 sustainability account established pursuant to section 503 of this act.
84 Each agency receiving funds under this section may use not more than
85 ten per cent of such funds for administration of the programs for
86 which the funds were provided, except the Department of Agriculture
87 may also use such funds for the administration of farmland
88 preservation programs pursuant to chapter 422.

89 Sec. 503. (NEW) (*Effective from passage*) There is established an
90 account to be known as the "agricultural sustainability account" which
91 shall be a separate, nonlapsing account within the General Fund. The
92 account shall contain any moneys required by law to be deposited in
93 the account. Moneys in the account shall be expended by the
94 Commissioner of Agriculture for the purpose of providing agricultural
95 assistance pursuant to section 504 of this act.

96 Sec. 504. (*Effective from passage*) (a) For purposes of this section:

97 (1) "Federal pay price" means the northeast monthly uniform price
98 for milk at Hartford zone pursuant to the United States Department of
99 Agriculture Northeast Federal Milk Marketing Order;

100 (2) "Milk producer" means a person, firm or corporation registered
101 pursuant to section 22-172 of the general statutes; and

102 (3) "Minimum sustainable monthly cost of production" means
103 eighty-two per cent of the baseline determined by the United States
104 Department of Agriculture's Economic Research Service monthly
105 average cost of production for a New England state.

106 (b) (1) Commencing on the date the first deposit is made into the
107 agricultural sustainability account established pursuant to section 503
108 of this act and subject to subdivisions (2) and (3) of this subsection, a
109 milk producer shall be entitled to a grant as specified in this

110 subsection. For each month that the federal pay price is below the
111 minimum sustainable monthly cost of production, the milk producer
112 shall be entitled to an amount equal to the dollar amount such federal
113 pay price was below the minimum sustainable monthly cost of
114 production, multiplied by the amount of milk produced by such milk
115 producer during such month. The Commissioner of Agriculture shall
116 make such grants to such milk producers on a quarterly basis,
117 beginning on the date three months after the first deposit is made into
118 the agricultural sustainability account established pursuant to section
119 503 of this act. Such grant payments shall be made by the
120 commissioner from said account. In the event the amount of available
121 funds in said account at the time such quarterly grants are due is less
122 than the aggregate amount of grants to which producers are entitled
123 pursuant to this section, the commissioner shall distribute all of the
124 funds in the account to such milk producers on a proportionate basis
125 based on their relative levels of milk production.

126 (2) For purposes of calculating a grant due a milk producer
127 pursuant to subdivision (1) of this subsection, each milk producer or
128 handler, as defined in section 22-127 of the general statutes, who
129 receives milk from producers in the state, shall file with the
130 Commissioner of Agriculture, in such form and at such times as said
131 commissioner shall direct, information as to the amount of milk
132 produced by each producer.

133 (3) Prior to receiving a grant pursuant to subdivision (1) of this
134 subsection, a milk producer shall file with the Commissioner of
135 Agriculture, in such form and at such times as said commissioner shall
136 direct, proof that such milk producer has completed an energy audit,
137 as defined in section 16a-38 of the general statutes.

138 (c) The provisions of this section shall terminate July 1, 2011.

139 Sec. 505. Section 22-26k of the general statutes is repealed and the
140 following is substituted in lieu thereof (*Effective from passage*):

141 (a) There is established a farm transition grant program which shall

142 be administered by the Department of Agriculture. Matching grants
143 shall be made to farmers [, agricultural not-for-profit organizations]
144 and agricultural cooperatives for diversification of existing farm
145 operations, transitioning to value added agricultural production and
146 sales, and developing farmers' markets and other venues in which a
147 majority of products sold are grown in the state.

148 (b) The Commissioner of Agriculture shall adopt regulations, in
149 accordance with the provisions of chapter 54, for the administration of
150 the program established by this section. Such regulations shall require
151 the development of business plans by applicants as part of the
152 application process.

153 Sec. 506. Section 22-26j of the general statutes is repealed and the
154 following is substituted in lieu thereof (*Effective from passage*):

155 The Department of Agriculture shall establish and administer a
156 farm viability matching grant program to any agricultural not-for-
157 profit organization, municipality, group of municipalities, regional
158 planning agency organized under the provisions of chapter 127,
159 regional council of elected officials organized under the provisions of
160 chapter 50, regional council of governments organized under the
161 provisions of sections 4-124i to 4-124p, inclusive, or group of
162 municipalities which have established a regional interlocal agreement
163 pursuant to sections 7-339a to 7-339l, inclusive, to further agricultural
164 viability. Such grants may be used for the following purposes: (1)
165 Local capital projects that foster agricultural viability, including, but
166 not limited to, processing facilities and farmers' markets; [and] (2) the
167 development and implementation of agriculturally-friendly land use
168 regulations and local farmland protection strategies that sustain and
169 promote local agriculture, and (3) the development of new marketing
170 programs and venues through or in which a majority of products sold
171 are grown in the state."