



General Assembly

**Amendment**

January Session, 2009

LCO No. 6422

\*HB0665906422HDO\*

Offered by:

REP. MCCLUSKEY, 20<sup>th</sup> Dist.

REP. OLSON, 46<sup>th</sup> Dist.

To: Subst. House Bill No. 6659

File No. 486

Cal. No. 356

**"AN ACT CONCERNING THE LEGISLATIVE COMMISSIONERS' RECOMMENDATIONS FOR TECHNICAL REVISIONS TO THE ENVIRONMENT STATUTES."**

1 Strike section 2 in its entirety, and substitute the following in lieu  
2 thereof:

3 "Sec. 2. Section 22-26nn of the general statutes is repealed and the  
4 following is substituted in lieu thereof (*Effective from passage*):

5 (a) The Commissioner of Agriculture may establish a community  
6 farms program for the preservation of farmland that does not meet the  
7 criteria of the farmland preservation program established pursuant to  
8 section 22-26cc for reasons of size, soil quality or location but that may  
9 contribute to local economic activity through agricultural production.  
10 The commissioner may purchase up to one hundred per cent of the  
11 value of development rights directly from an eligible owner, or may  
12 acquire development rights on qualifying farmland jointly with a  
13 municipality, [subject to the appraisal and review required by the

14 regulations adopted pursuant to this section] provided the  
15 commissioner shall obtain and review one or more appraisals prepared  
16 by an accredited real estate appraiser in order to determine the value  
17 of the development rights of such property. Any such appraisal shall  
18 be performed not more than one hundred twenty days before the date  
19 of the purchase. For the purposes of this section, "development rights"  
20 and "owner" shall have the same meaning as in section 22-26bb.

21 (b) If the Commissioner of Agriculture establishes a program in  
22 accordance with subsection (a) of this subsection, the commissioner  
23 shall, in consultation with the Farmland Preservation Advisory Board  
24 established under section 22-26ll, establish criteria for said program.  
25 Such criteria shall give preference to farms that produce food or fiber,  
26 and at a minimum shall consider (1) the probability that the land will  
27 be sold for nonagricultural purposes, (2) the current productivity of  
28 the land and the likelihood of continued productivity of such land, (3)  
29 the suitability of the land for agricultural use, including whether the  
30 soil is classified as locally important soils by the United States  
31 Department of Agriculture, and (4) the demonstrated level of  
32 community support for preservation of the parcel. The commissioner  
33 shall, in consultation with said board, consider mechanisms that  
34 encourage continuation of the land in agricultural production to  
35 maintain its long-term availability and affordability for future  
36 generations of farmers, including, but not limited to, deed restrictions  
37 or stewardship requirements.

38 (c) The Commissioner of Agriculture may adopt regulations, in  
39 accordance with the provisions of chapter 54, to implement the  
40 provisions of this section."