



General Assembly

**Amendment**

January Session, 2009

LCO No. 9135

**\*SB0089109135SD0\***

Offered by:

SEN. WILLIAMS, 29<sup>th</sup> Dist.  
SEN. MEYER, 12<sup>th</sup> Dist.  
SEN. DAILY, 33<sup>rd</sup> Dist.  
SEN. STILLMAN, 20<sup>th</sup> Dist.  
SEN. MAYNARD, 18<sup>th</sup> Dist.

SEN. PRAGUE, 19<sup>th</sup> Dist.  
SEN. DEFRONZO, 6<sup>th</sup> Dist.  
SEN. RORABACK, 30<sup>th</sup> Dist.  
SEN. GUGLIELMO, 35<sup>th</sup> Dist.  
SEN. KISSEL, 7<sup>th</sup> 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 shall  
128 file with the Commissioner of Agriculture, in such form and at such  
129 times as said commissioner shall direct, information as to the amount  
130 of milk produced by such producer.

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

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

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 Section 22-26k of the general statutes is repealed and the  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

139 (a) There is established a farm transition grant program which shall  
140 be administered by the Department of Agriculture. Matching grants  
141 shall be made to farmers [, agricultural not-for-profit organizations]  
142 and agricultural cooperatives for diversification of existing farm  
143 operations, transitioning to value added agricultural production and

144 sales, and developing farmers' markets and other venues in which a  
145 majority of products sold are grown in the state.

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

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 Section 22-26j of the general statutes is repealed and the  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

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