



# Senate

General Assembly

**File No. 265**

February Session, 2016

Senate Bill No. 230

*Senate, March 29, 2016*

The Committee on Environment reported through SEN. KENNEDY of the 12th Dist., Chairperson of the Committee on the part of the Senate, that the bill ought to pass.

***AN ACT CONCERNING TECHNICAL AND CONFORMING REVISIONS TO ENVIRONMENT-RELATED STATUTES.***

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

1 Section 1. Subsection (a) of section 22-6k of the general statutes is  
2 repealed and the following is substituted in lieu thereof (*Effective from*  
3 *passage*):

4 (a) Each authorized farmers' market shall maintain records of  
5 operation which shall be provided to the department and which shall  
6 include posted hours and days and shall be signed by a duly  
7 authorized representative of the farmers' market. Farmers' market  
8 assurances shall be submitted in a manner outlined by the department  
9 and shall provide evidence of:

10 (1) Whether a farmers' market possesses the capability to serve the  
11 additional demands brought about by distribution of vouchers in the  
12 area without causing undue harm to the existing farmers' market  
13 consumer base; and

14 (2) A willingness by persons associated with the farmers' market to  
15 meet all CFM/WIC requirements. Information submitted by a farmers'  
16 market shall include, but not be limited to:

17 (A) The number of Connecticut-grown fresh produce vendor  
18 participants; [.]

19 (B) Hours of operation to be maintained per week; [.]

20 (C) Season of operation; [.] and

21 (D) Accessibility and consistency of farmers' market location.

22 Sec. 2. Subsection (b) of section 51-164n of the 2016 supplement to  
23 the general statutes is repealed and the following is substituted in lieu  
24 thereof (*Effective from passage*):

25 (b) Notwithstanding any provision of the general statutes, any  
26 person who is alleged to have committed (1) a violation under the  
27 provisions of section 1-9, 1-10, 1-11, 4b-13, 7-13, 7-14, 7-35, 7-41, 7-83, 7-  
28 283, 7-325, 7-393, 8-12, 8-25, 8-27, 9-63, 9-322, 9-350, 10-193, 10-197, 10-  
29 198, 10-230, 10-251, 10-254, 12-52, 12-170aa, 12-292, 12-314b or 12-326g,  
30 subdivision (4) of section 12-408, subdivision (3), (5) or (6) of section  
31 12-411, section 12-435c, 12-476a, 12-476b, 12-487, 13a-71, 13a-107, 13a-  
32 113, 13a-114, 13a-115, 13a-117b, 13a-123, 13a-124, 13a-139, 13a-140, 13a-  
33 143b, 13a-247 or 13a-253, subsection (f) of section 13b-42, section 13b-  
34 90, 13b-221, 13b-292, 13b-336, 13b-337, 13b-338, 13b-410a, 13b-410b or  
35 13b-410c, subsection (a), (b) or (c) of section 13b-412, section 13b-414,  
36 subsection (d) of section 14-12, section 14-20a or 14-27a, subsection (e)  
37 of section 14-34a, subsection (d) of section 14-35, section 14-43, 14-49,  
38 14-50a or 14-58, subsection (b) of section 14-66, section 14-66a, 14-66b  
39 or 14-67a, subsection (g) of section 14-80, subsection (f) of section 14-  
40 80h, section 14-97a, 14-100b, 14-103a, 14-106a, 14-106c, 14-146, 14-152,  
41 14-153 or 14-163b, a first violation as specified in subsection (f) of  
42 section 14-164i, section 14-219 as specified in subsection (e) of said  
43 section, subdivision (1) of section 14-223a, section 14-240, 14-249, 14-  
44 250 or 14-253a, subsection (a) of section 14-261a, section 14-262, 14-264,

45 14-267a, 14-269, 14-270, 14-275a, 14-278 or 14-279, subsection (e) or (h)  
46 of section 14-283, section 14-291, 14-293b, 14-296aa, 14-319, 14-320, 14-  
47 321, 14-325a, 14-326, 14-330 or 14-332a, subdivision (1), (2) or (3) of  
48 section 14-386a, section 15-25 or 15-33, subdivision (1) of section 15-97,  
49 subsection (a) of section 15-115, section 16-44, 16-256e, 16a-15 or 16a-22,  
50 subsection (a) or (b) of section 16a-22h, section 17a-24, 17a-145, 17a-149,  
51 17a-152, 17a-465, 17a-642, 17b-124, 17b-131, 17b-137 or 17b-734,  
52 subsection (b) of section 17b-736, section 19a-30, 19a-33, 19a-39 or 19a-  
53 87, subsection (b) of section 19a-87a, section 19a-91, 19a-105, 19a-107,  
54 19a-113, 19a-215, 19a-219, 19a-222, 19a-224, 19a-286, 19a-287, 19a-297,  
55 19a-301, 19a-309, 19a-335, 19a-336, 19a-338, 19a-339, 19a-340, 19a-425,  
56 19a-502, 20-7a, 20-14, 20-158, 20-231, 20-249, 20-257, 20-265, 20-324e, 20-  
57 341l, 20-366, 20-597, 20-608, 20-610, 21-1, 21-30, 21-38, 21-39, 21-43, 21-  
58 47, 21-48, 21-63 or 21-76a, subdivision (1) of section 21a-19, section 21a-  
59 21, subdivision (1) of subsection (b) of section 21a-25, section 21a-26 or  
60 21a-30, subsection (a) of section 21a-37, section 21a-46, 21a-61, 21a-63  
61 or 21a-77, subsection (b) of section 21a-79, section 21a-85 or 21a-154,  
62 subdivision (1) of subsection (a) of section 21a-159, subsection (a) of  
63 section 21a-279a, section 22-12b, 22-13, 22-14, 22-15, 22-16, 22-26g, 22-  
64 29, 22-34, 22-35, 22-36, 22-38, as amended by this act, 22-39, 22-39a, 22-  
65 39b, 22-39c, 22-39d, 22-39e, 22-49 [ ] or 22-54, subsection (d) of section  
66 22-84, section 22-89, 22-90, 22-98, 22-99, 22-100, 22-111o, 22-167, 22-279,  
67 22-280a, 22-318a, 22-320h, 22-324a, 22-326 or 22-342, subsection (b), (e)  
68 or (f) of section 22-344, section 22-359, 22-366, 22-391, 22-413, 22-414,  
69 22-415, 22a-66a or 22a-246, subsection (a) of section 22a-250, subsection  
70 (e) of section 22a-256h, section 22a-363 or 22a-381d, subsections (c) and  
71 (d) of section 22a-381e, section 22a-449, 22a-461, 23-37, 23-38, 23-46 or  
72 23-61b, subsection (a) or subdivision (1) of subsection (c) of section 23-  
73 65, section 25-37 or 25-40, subsection (a) of section 25-43, section 25-  
74 43d, 25-135, 26-16, 26-18, 26-19, 26-21, 26-31, 26-31c, 26-40, 26-40a, 26-  
75 42, 26-49, 26-54, 26-55, 26-56, 26-58 or 26-59, subdivision (1) of  
76 subsection (d) of section 26-61, section 26-64, subdivision (1) of section  
77 26-76, section 26-79, 26-87, 26-89, 26-91, 26-94, 26-97, 26-98, 26-104, 26-  
78 105, 26-107, 26-117, 26-128, 26-131, 26-132, 26-138 or 26-141, subdivision  
79 (2) of subsection (j) of section 26-142a, subdivision (1) of subsection (b)

80 of section 26-157b, subdivision (1) of section 26-186, section 26-207, 26-  
81 215, 26-217 or 26-224a, subdivision (1) of section 26-226, section 26-227,  
82 26-230, 26-232, 26-244, 26-257a, 26-260, 26-276, 26-284, 26-285, 26-286,  
83 26-288, 26-294, 28-13, 29-6a, 29-25, 29-109, 29-143o, 29-143z or 29-156a,  
84 subsection (b), (d), (e) or (g) of section 29-161q, section 29-161y or 29-  
85 161z, subdivision (1) of section 29-198, section 29-210, 29-243 or 29-277,  
86 subsection (c) of section 29-291c, section 29-316, 29-318, 29-381, 30-48a,  
87 30-86a, 31-3, 31-10, 31-11, 31-12, 31-13, 31-14, 31-15, 31-16, 31-18, 31-23,  
88 31-24, 31-25, 31-32, 31-36, 31-38, 31-40, 31-44, 31-47, 31-48, 31-51, 31-52,  
89 31-52a or 31-54, subsection (a) or (c) of section 31-69, section 31-70, 31-  
90 74, 31-75, 31-76, 31-76a, 31-89b or 31-134, subsection (i) of section 31-  
91 273, section 31-288, subdivision (1) of section 35-20, section 36a-787, 42-  
92 230, 45a-283, 45a-450, 45a-634 or 45a-658, subdivision (13) or (14) of  
93 section 46a-54, section 46a-59, 46b-22, 46b-24, 46b-34, 47-34a, 47-47, 49-  
94 8a, 49-16, 53-133, 53-199, 53-212a, 53-249a, 53-252, 53-264, 53-280, 53-  
95 302a, 53-303e, 53-311a, 53-321, 53-322, 53-323, 53-331 or 53-344,  
96 subsection (c) of section 53-344b, or section 53-450, or (2) a violation  
97 under the provisions of chapter 268, or (3) a violation of any regulation  
98 adopted in accordance with the provisions of section 12-484, 12-487 or  
99 13b-410, or (4) a violation of any ordinance, regulation or bylaw of any  
100 town, city or borough, except violations of building codes and the  
101 health code, for which the penalty exceeds ninety dollars but does not  
102 exceed two hundred fifty dollars, unless such town, city or borough  
103 has established a payment and hearing procedure for such violation  
104 pursuant to section 7-152c, shall follow the procedures set forth in this  
105 section.

106 Sec. 3. Subsection (c) of section 22-38 of the 2016 supplement to the  
107 general statutes is repealed and the following is substituted in lieu  
108 thereof (*Effective from passage*):

109 (c) In addition to the provisions of subsection (b) of this section, any  
110 person who sells any farm product as "Connecticut-Grown" at a  
111 farmers' market in this state shall offer such product for sale in the  
112 immediate proximity of a sign that is: (1) Readily visible to consumers,  
113 (2) not less than three inches by five inches in size, and (3) in a form

114 that is substantially as follows:

115 THIS FARM PRODUCT IS CONNECTICUT-GROWN. THIS FARM  
116 PRODUCT WAS GROWN OR PRODUCED BY THE FOLLOWING  
117 PERSON OR BUSINESS: (INSERT NAME AND ADDRESS OF  
118 PERSON OR BUSINESS).

119 The lettering on any such sign shall be of [such] a size, font or print  
120 that is clearly and easily legible. Such a sign shall accompany each type  
121 of farm product that any such person sells as "Connecticut-Grown".  
122 Any person who violates the provisions of this subsection shall receive  
123 a warning for the first violation and for any subsequent violation shall  
124 be fined one hundred dollars for each violation.

125 Sec. 4. Subsection (g) of section 22a-462a of the 2016 supplement to  
126 the general statutes is repealed and the following is substituted in lieu  
127 thereof (*Effective from passage*):

128 (g) (1) On or before August 15, 2016, the Commissioner of Energy  
129 and Environmental Protection shall accept an application on behalf of  
130 a manufacturer of a personal care product for the performance of a  
131 study, at the request of said commissioner, by the Connecticut  
132 Academy of Science and Engineering to determine if a biodegradable  
133 microbead is available for use in such personal care product that does  
134 not adversely impact the environment or publicly-owned treatment  
135 works in this state. Any such application shall require the  
136 manufacturer of such biodegradable microbead to disclose the  
137 chemical constituents or composition of such microbead. Upon receipt  
138 of any such application, in a format as prescribed by the commissioner,  
139 the commissioner shall request the Connecticut Academy of Science  
140 and Engineering to perform such study. Said academy may establish a  
141 fee for the performance of such study and such fee shall be remitted by  
142 the applicant to the Department of Energy and Environmental  
143 Protection. Upon receipt of such request and such fee from the  
144 commissioner, said academy shall commence such study. Such study  
145 shall, at a minimum, consist of: (A) A study committee appointed by  
146 said academy to oversee such study, (B) the use of an academy-

147 selected research team with expertise in matters relating to  
148 biodegradable microbeads to conduct relevant research for such study,  
149 including, but not limited to, the fate and transport of microbeads, and  
150 author a study report, and (C) study committee meetings that afford  
151 the opportunity for such applicant, department and interested persons  
152 to obtain information concerning the study's process. The academy  
153 shall complete any such study and issue a final study report for such  
154 study to the commissioner not later than December 15, 2017. Upon  
155 receipt of such final study report, the commissioner shall review such  
156 final study report and, not later than February 1, 2018, forward such  
157 final study report and any recommendations of said academy for  
158 legislation concerning the use of biodegradable microbeads in personal  
159 care products to the joint standing committee of the General Assembly  
160 having cognizance of matters relating to the environment.

161 (2) Any information or materials submitted by an applicant to the  
162 Department of Energy and Environmental Protection or the  
163 Connecticut Academy of Science and Engineering in connection with  
164 the performance of the study described in subdivision (1) of this  
165 subsection shall not be subject to disclosure pursuant to chapter 14  
166 provided such applicant indicates to the department or academy, at  
167 the time of submission, information or materials that such applicant  
168 deems a trade secret or privileged in any manner.

169 (3) In the event that the study described in subdivision (1) of this  
170 subsection is not completed on or before December 15, 2017, the  
171 manufacturing, selling, importing or offering for sale of any personal  
172 care product that contains an intentionally added biodegradable  
173 microbead shall be prohibited on and after July 1, 2018.

174 Sec. 5. Subsection (a) of section 22-332 of the 2016 supplement to the  
175 general statutes is repealed and the following is substituted in lieu  
176 thereof (*Effective from passage*):

177 (a) The Chief Animal Control Officer, any animal control officer or  
178 any municipal animal control officer shall be responsible for the  
179 enforcement of this chapter and shall make diligent search and inquiry

180 for any violation of any of its provisions. Any such officer may take  
181 into custody (1) any dog found roaming in violation of the provisions  
182 of section 22-364, (2) any dog not having a tag or plate on a collar about  
183 its neck or on a harness on its body as provided by law or which is not  
184 confined or controlled in accordance with the provisions of any order  
185 or regulation relating to rabies issued by the commissioner in  
186 accordance with the provisions of this chapter, or (3) any dog or other  
187 domestic animal found injured on any highway, neglected, abandoned  
188 or cruelly treated. The officer shall impound such dog or other  
189 domestic animal at the pound serving the town where the dog or other  
190 domestic animal is taken unless, in the opinion of a licensed  
191 veterinarian, the dog or other domestic animal is so injured or diseased  
192 that it should be destroyed immediately, in which case the municipal  
193 animal control officer of such town may cause the dog or other  
194 domestic animal to be mercifully killed by a licensed veterinarian or  
195 disposed of as the State Veterinarian may direct. The municipal animal  
196 control officer shall immediately notify the owner or keeper of any dog  
197 or other domestic animal so taken, if known, of its impoundment. Such  
198 officer shall immediately notify the owner or keeper of any other  
199 domestic animal which is taken into custody, if such owner or keeper  
200 is known. If the owner or keeper of any such dog or other domestic  
201 animal is unknown, the officer shall immediately tag or employ such  
202 other suitable means of identification of the dog or other domestic  
203 animal as may be approved by the Chief Animal Control Officer and  
204 shall promptly cause (A) a description of such dog or other domestic  
205 animal to be published once in the lost and found column of a  
206 newspaper having a circulation in such town or that has a state-wide  
207 circulation, and (B) a photograph or description of such dog or other  
208 domestic animal and the date on which such dog or other domestic  
209 animal is no longer legally required to be impounded to be posted on a  
210 national pet adoption Internet web site or an Internet web site that is  
211 maintained or accessed by the animal control officer and that is  
212 accessible to the public through an Internet search, except such posting  
213 shall not be required if: (i) The dog or other domestic animal is held  
214 pending the resolution of civil or criminal litigation involving such dog

215 or other domestic animal, (ii) the officer has a good faith belief that the  
 216 dog or other domestic animal would be adopted by or transferred to a  
 217 public or private nonprofit rescue organization for the purpose of  
 218 placing such dog or other domestic animal in an adoptive home even  
 219 in the absence of such posting, (iii) the dog or other domestic animal's  
 220 safety will be placed at risk, or (iv) such animal control officer  
 221 determines that such dog or other domestic animal is feral and not  
 222 adoptable. If any animal control officer does not have the technological  
 223 resources to post such information on an Internet web site as required  
 224 by subparagraph (B) of this subdivision, such officer may contact a  
 225 public or private animal rescue organization and request that such  
 226 organization post such information, at such organization's expense, on  
 227 an Internet web site that is accessible to the public through an Internet  
 228 search. To the extent practicable, any such posting by an animal  
 229 control officer or a public or private animal rescue organization shall  
 230 remain posted for the duration of such [dog] dog's or other domestic  
 231 animal's impoundment in the municipal or regional dog pound.

232 Sec. 6. Subsection (a) of section 10a-150e of the 2016 supplement to  
 233 the general statutes is repealed and the following is substituted in lieu  
 234 thereof (*Effective from passage*):

235 (a) For purposes of this section, "animal adoption or animal rescue  
 236 organization" means any collaboration of individuals or any nonprofit  
 237 organization that is exempt from taxation pursuant to Section 501(c)(3)  
 238 of the Internal Revenue Code of 1986, or any subsequent  
 239 corresponding internal revenue code of the United States, as amended  
 240 from time to time, that has, as part of such collaboration's or  
 241 organization's purposes, the sale or placement of animals that were  
 242 removed from animal shelters, municipal dog pounds or an  
 243 individual's home.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	22-6k(a)
Sec. 2	<i>from passage</i>	51-164n(b)



Sec. 3	<i>from passage</i>	22-38(c)
Sec. 4	<i>from passage</i>	22a-462a(g)
Sec. 5	<i>from passage</i>	22-332(a)
Sec. 6	<i>from passage</i>	10a-150e(a)

**ENV**      *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

***OFA Fiscal Note******State Impact:*** None***Municipal Impact:*** None***Explanation***

The bill, which makes technical changes to various environment laws, does not result in a fiscal impact.

***The Out Years******State Impact:*** None***Municipal Impact:*** None

**OLR Bill Analysis**

**SB 230**

***AN ACT CONCERNING TECHNICAL AND CONFORMING REVISIONS TO ENVIRONMENT-RELATED STATUTES.***

**SUMMARY:**

This bill makes technical changes to various environment-related statutes.

EFFECTIVE DATE: Upon passage

**COMMITTEE ACTION**

Environment Committee

Joint Favorable

Yea 29 Nay 0 (03/11/2016)