



General Assembly

January Session, 2015

Raised Bill No. 6727

LCO No. 3331



Referred to Committee on ENVIRONMENT

Introduced by:
(ENV)

***AN ACT CONCERNING THE DESIGNATION OF HEARING OFFICERS
BY THE COMMISSIONER OF AGRICULTURE.***

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

1 Section 1. Section 22-4b of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2015*):

3 The Commissioner of Agriculture may designate as [his] an agent of
4 the commissioner: (1) [any] Any deputy commissioner or any
5 employee of the department to exercise all or part of the authority,
6 powers and duties of said commissioner in [his] the absence [or] of the
7 commissioner, (2) any deputy commissioner or any employee,
8 assistant or agent employed by the Department of Agriculture to
9 exercise such authority of the Commissioner of Agriculture as [he] the
10 commissioner delegates for the administration or enforcement of any
11 applicable statute, regulation, permit or order, (3) any deputy
12 commissioner, employee, assistant or agent employed by the
13 Department of Agriculture who is deemed qualified by the
14 commissioner to act as a hearing officer in administrative hearings, (4)
15 two or more qualified persons, one of whom shall be designated as the

16 presiding officer to conduct administrative hearings, and (5) any
17 qualified person to serve as a hearing officer for contested cases who
18 may be compensated for such service. Any such hearing officer
19 appointed by the commissioner shall render a proposed final decision
20 or the final decision as directed by the commissioner except that the
21 commissioner or deputy commissioner shall consider and make the
22 final decision when modification or reconsideration of a contested case
23 is requested by a party pursuant to section 4-181a.

24 Sec. 2. Section 22-6 of the general statutes is repealed and the
25 following is substituted in lieu thereof (*Effective October 1, 2015*):

26 The Commissioner of Agriculture shall be the administrative head
27 of the Department of Agriculture. [He] The commissioner shall
28 encourage and promote the development of agriculture within the
29 state and collect and publish information and statistics in regard to the
30 agricultural and animal industries and interests of the state and submit
31 the same to the Governor in [his] an annual report. [He] The
32 commissioner shall, annually, visit different sections of the state and
33 investigate the methods and wants of practical husbandry, the
34 adaptation of agricultural products to soil, climate and markets, and,
35 as far as practicable, visit agricultural fairs within the state, encourage
36 the establishment of farmers' clubs, agricultural libraries and reading
37 rooms and disseminate agricultural information by lectures or
38 otherwise. In cooperation with The University of Connecticut, [he] the
39 commissioner may prepare and publish bulletins containing
40 information concerning the cost of production of farm products. [He]
41 The commissioner is authorized to hold an annual state exhibit at the
42 Eastern States Exposition at West Springfield, Massachusetts. [He] The
43 commissioner is authorized to enter into an agreement with the United
44 States Department of Agriculture for cooperative work in the collection
45 and publication of agricultural statistics. The commissioner shall have
46 the authority to charge such fees as [he] the commissioner may deem
47 reasonable for publications of information by any of the component
48 agencies of the Department of Agriculture. The commissioner shall

49 review any proposed capital project [which] that would convert
50 twenty-five or more acres of prime farmland or one acre or more of
51 shellfish grounds to a nonagricultural use and if such project promotes
52 agriculture or the goal of agricultural land preservation or if there is no
53 reasonable alternative site for the project [he] the commissioner shall
54 file a statement with the Bond Commission so indicating. The
55 commissioner shall file a statement with the Bond Commission for any
56 proposed capital project [which] that would convert or impair any
57 shellfish grounds and shall include in such statement any comments
58 [he] the commissioner deems appropriate for the protection of such
59 grounds. The commissioner shall administer those provisions of
60 sections 12-107a, 12-107b, 12-107c and 12-107e [which] that address the
61 assessment of farmland and open space. The commissioner may
62 request the Attorney General to bring an action in the Superior Court
63 for injunctive relief requiring compliance with any statute, regulation,
64 order or permit administered, adopted or issued by [him] the
65 commissioner. [The Commissioner of Agriculture may designate as his
66 agent (1) any deputy commissioner to exercise all or part of the
67 authority, powers and duties of the commissioner in his absence and
68 (2) any deputy commissioner or any employee to exercise such
69 authority of the commissioner as he delegates for the administration or
70 enforcement of any applicable statute, regulation, permit or order,
71 except the authority to render a final decision after a hearing.]

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2015</i>	22-4b
Sec. 2	<i>October 1, 2015</i>	22-6

Statement of Purpose:

To provide the Commissioner of Agriculture with the authority to appoint persons to serve as hearing officers in certain administrative matters.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]