



General Assembly

Raised Bill No. 1000

January Session, 2019

LCO No. 4811



Referred to Committee on ENVIRONMENT

Introduced by:
(ENV)

AN ACT CONCERNING APPLE ASSESSMENTS.

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

1 Section 1. Section 22-54r of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2019*):

3 (a) There shall be paid by each apple producer to the Commissioner
4 of Agriculture an assessment sufficient to cover the costs in the budget
5 for implementation of the apple market order. The amount of the
6 assessment shall be determined by the commissioner except that: (1)
7 Such assessment shall not be less than one hundred dollars for any
8 apple producer, and (2) any assessment in excess of six cents per first
9 sale unit shall be approved by a referendum conducted in accordance
10 with the provisions of subsection (c) of section 22-54q. The initial one
11 thousand first sale units of any apple producer in each market season
12 shall be exempt from the assessment.

13 (b) Each apple producer subject to the assessment shall submit a
14 return to the commissioner either annually on the fifteenth day of each
15 November or quarterly on the fifteenth day of each November,
16 February, May and August. The amount due shall be: (1) One hundred

17 dollars, or (2) based on the number of apples sold or removed from
18 storage on or before the last day of the month preceding the month the
19 assessment is due, whichever is greater. If the apple producer elects to
20 submit a return annually he or she shall calculate the amount due by
21 considering seventy-five per cent of his or her total harvest to be first
22 sale units. The commissioner may require a producer to submit
23 additional documentation regarding the number of first sale units in
24 order to ensure that the assessment is proper. Any apple producer who
25 fails to pay the assessment required under this section may be assessed
26 a civil penalty of not more than one thousand dollars for each day
27 during which such nonpayment continues after receipt of an
28 assessment under this subsection.

29 (c) Any revenues received during any marketing season and not
30 expended may be paid by the commissioner at the end of the
31 marketing season on a pro-rata basis to those apple producers who
32 paid the assessment or may be carried over to the next marketing
33 season as the commissioner deems necessary.

34 (d) Any broker, distributor or handler who, at the request of the
35 producer, deducts the amount of the assessment due on the first sale
36 units sold or transferred from storage, shall be liable for accounting
37 and payment of such assessment.

38 (e) Any money collected by the commissioner pursuant to the
39 provisions of this section shall not be deemed state funds and shall be
40 deposited pursuant to section 4-33, in a qualified public depository in
41 Connecticut. Such funds shall be expended by the commissioner for
42 expenses incurred in administering the budget recommended by the
43 board.

This act shall take effect as follows and shall amend the following sections:		
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Section 1	<i>July 1, 2019</i>	22-54r
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ENV Joint Favorable