



General Assembly

February Session, 2000

Amendment

LCO No. 3329

Offered by:

REP. SIMMONS, 43rd Dist.

To: Subst. House Bill No. 5204

File No. 297

Cal. No. 244

"An Act Revising Certain Transportation Laws."

1 After line 698, insert a new section as follows and renumber the
2 remaining section:

3 "Sec. 37. (NEW) (a) The towns of East Lyme, Montville, Salem and
4 Waterford may, by ordinance consistent with the provisions of
5 subsections (b) and (c) of this section, establish a Route 11 Greenway
6 Authority Commission which shall be deemed established at such time
7 as the last of the four towns has adopted such ordinance.

8 (b) Such ordinance shall specify the membership of the commission,
9 which shall consist of the Commissioner of Transportation or said
10 commissioner's designee, a member and alternate member from each
11 of the towns of East Lyme, Montville, Salem and Waterford, appointed
12 by the first selectman of each of said towns, and a member and
13 alternate member of the Southeastern Connecticut Council of
14 Governments appointed by said agency. Each member and alternate
15 member shall serve for a term of two years and until such member's
16 successor is appointed and has qualified. Such appointments may be

17 made at a meeting of the town's legislative body, to take effect when
18 the last of the four towns has adopted such ordinance. An alternate
19 member shall be empowered to vote on said commission in the
20 absence of the member for whom such person is an alternate. The
21 initial terms of members shall commence when the last of the four
22 towns adopting such ordinance has appointed a member and an
23 alternate member. Any vacancy on the commission shall be filled in
24 the same manner as the original appointment for the balance of the
25 unexpired term. No appointed member shall receive any
26 compensation for service on said commission. Said commission shall
27 elect from its members a chairperson and such other officers as it
28 deems necessary and shall establish its own rules of procedure. The
29 commission shall be an autonomous body within the Department of
30 Transportation for administrative purposes only. The commission may
31 employ experts and such other assistants as it judges necessary and
32 may accept funds from any source. Notwithstanding any other
33 provision of the general statutes, any funds appropriated to the
34 commission, or received by the commission from any other source,
35 shall be held in the custody of the commission and expended by the
36 commission for the purposes set forth in this section.

37 (c) Such ordinance shall also require the Commissioner of
38 Transportation, not later than sixty days after the effective date of this
39 section, to call a meeting of said commission which shall, within ninety
40 days thereafter:

41 (1) Hold public hearings for the purpose of developing standards
42 for (A) defining the initial boundaries of the Route 11 Greenway, (B)
43 planning the design, construction, maintenance and management of
44 the Route 11 Greenway trail system and intermodal transportation
45 access system, (C) identifying and prioritizing lands that should be
46 added to the Route 11 Greenway, (D) recommending land use within
47 the Route 11 Greenway, and (E) acquiring land and securing
48 conservation easements for the Route 11 Greenway, except that
49 nothing in this section shall be construed to prohibit the acquisition of
50 land within the Route 11 Greenway by a municipality; and

51 (2) Establish by-laws by which the commission shall (A) conduct its
52 meetings, including a provision specifying that no action by the
53 commission shall be effective except by the concurring vote of at least
54 four members, (B) protect and preserve the lands under its custody,
55 (C) supervise staff, (D) maintain its records, and (E) report to the
56 General Assembly as required under subsection (d) of this section.

57 (d) Notwithstanding any other provision of this section or the
58 general statutes, the commission may: (1) Acquire or convey by
59 purchase, gift, lease, devise, exchange or otherwise, any land or
60 interest therein including, but not limited to, conservation easements,
61 provided such acquisition does not utilize funds furnished by the state;
62 (2) transfer, with the approval of the commissioner, any land or
63 interest therein to the state with or without consideration, provided
64 any funds received therefor shall not be deemed funds furnished by
65 the state for the purposes of this section, and (3) contribute or transfer
66 funds to, and enter into agreements with, land trusts or other
67 conservation organizations, to carry out the purposes of this section.
68 The commission shall report to the General Assembly, on or before
69 February fifteenth, annually, on its activities of the preceding year and
70 on its finances. The existence of the commission shall terminate at such
71 time as all of its member towns have withdrawn or it is abolished by
72 the General Assembly."