



House of Representatives

General Assembly

File No. 322

January Session, 2005

House Bill No. 5600

House of Representatives, April 13, 2005

The Committee on Environment reported through REP. ROY of the 119th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

AN ACT CONCERNING PROTECTION OF OPEN SPACE LAND SURROUNDING CANDLEWOOD LAKE.

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

1 Section 1. (NEW) (*Effective from passage*) (a) For purposes of this
2 section, "Candlewood Lake open space property" means
3 approximately four hundred fifty-four acres located in the town of
4 New Fairfield known as Vaughn's Neck, approximately two hundred
5 fifty-six acres located in the town of New Milford known as Great
6 Mountain or Candlewood Mountain, approximately fifty-two acres
7 located in the town of Sherman known as Deer Island and
8 approximately thirty-seven acres located in the town of Sherman
9 known as Green Island, and "open space or recreational purposes"
10 means use of lands for agriculture, parks, natural areas, forests,
11 camping, fishing, wetlands preservation, wildlife habitat, reservoirs,
12 hunting, golfing, boating, swimming and hiking.

13 (b) Upon a decision to lease, sell or dispose of Candlewood Lake
14 open space property, the owner of such property shall provide written
15 notice to the Commissioner of Environmental Protection of such

16 decision.

17 (c) Not later than thirty days after receipt of the notice pursuant to
18 subsection (b) of this section, the commissioner shall provide written
19 notice to the town in which the subject Candlewood Lake open space
20 property is located and the nonprofit land holding organizations that
21 have submitted information pursuant to subsection (b) of section 16-
22 50c of the general statutes.

23 (d) A recipient of a notice pursuant to subsection (c) of this section
24 may, not later than ninety days after receipt of the notice, provide
25 written notice to the commissioner and the owner of the subject
26 Candlewood Lake open space property by certified mail, return receipt
27 requested, of a desire to acquire such land. Each recipient shall have
28 the right to acquire the interest in the land which the owner of the
29 subject property has declared its intent to sell, lease or otherwise
30 dispose of, provided the recipient offers fair market value for such
31 property.

32 (e) When more than one person gives notice of a desire to acquire
33 the subject Candlewood Lake open space property, the right to acquire
34 such land shall be in the following order: (1) A water company, as
35 defined in section 25-32a of the general statutes, for water supply
36 purposes; (2) a municipality in which the land is located for water
37 supply, open space or recreational purposes; (3) the state for open
38 space or recreational purposes; (4) a private, nonprofit land holding
39 organization for open space or recreational purposes.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section

ENV *Joint Favorable*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 06 \$	FY 07 \$
Department of Environmental Protection	GF - None	None	None

Note: GF=General Fund

Municipal Impact:

Municipalities	Effect	FY 06 \$	FY 07 \$
New Fairfield; New Milford; Sherman	Cost	Potential Minimal	Potential Minimal

Explanation

Any increase in the administrative workload of the Department of Environmental Protection (DEP), the towns of New Fairfield, New Milford and Sherman due to the notification requirements in the bill are anticipated to be minimal and within the resources of the DEP and the towns involved.

OLR Bill Analysis

HB-5600

***AN ACT CONCERNING PROTECTION OF OPEN SPACE LAND
SURROUNDING CANDLEWOOD LAKE.***

SUMMARY:

The Office of Legislative Research does not analyze Special Acts.

COMMITTEE ACTION

Environment Committee

Joint Favorable Report

Yea 28 Nay 0