



General Assembly

Substitute Bill No. 188

February Session, 2006

* SB00188GAE__032406__*

**AN ACT CONCERNING ENVIRONMENTAL REVIEW FOR CERTAIN
STATE LAND TRANSFERS.**

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

1 Section 1. Subsection (b) of section 4b-21 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective from*
3 *passage*):

4 (b) Any state agency, department or institution having custody and
5 control of land, an improvement to land or interest in land, belonging
6 to the state, shall inform the Secretary of the Office of Policy and
7 Management, in writing, when such land, improvement or interest or
8 any part thereof is not needed by the agency, department or
9 institution. Upon receipt of such notification, the secretary shall
10 arrange for such agency, department or institution to forthwith
11 transfer custody and control of such land, improvement or interest to
12 the Department of Public Works, along with adequate funding for
13 personnel and other operating expenses required for the maintenance
14 of such land, improvement or interest, and shall notify all state
15 agencies, departments and institutions that such land, improvement or
16 interest is available. Within ninety days of receipt of such notification
17 from the secretary, any state agency, department or institution that is
18 interested in utilizing the land, improvement or interest shall submit a
19 plan to the secretary that sets forth the proposed use for the land,

20 improvement or interest and a budget and timetable for such use. For
21 any land that may have significant natural resources or a public
22 recreational value, the Commissioner of Environmental Protection
23 shall review the land and make a recommendation to the secretary as
24 to whether all or a portion of the land should be preserved by transfer
25 of the property or a conservation easement therein to the Department
26 of Environmental Protection, imposition of restrictions or conditions
27 upon such transfer or transfer of all or a portion of the land, or a
28 conservation easement interest therein, to a third party. Such review
29 and any such recommendations shall be published in the
30 Environmental Monitor and shall provide for a written public
31 comment period. If the Commissioner of Environmental Protection
32 recommends that all or a portion of the land should be preserved, the
33 secretary, in making a final determination, shall confer with the
34 Commissioner of Environmental Protection as to the most appropriate
35 method to accomplish such preservation. If the Commissioner of
36 Economic and Community Development determines that such land,
37 improvement or interest can be utilized or adapted for use as an
38 emergency shelter or transitional living facility for homeless persons or
39 can be utilized or exchanged for property which can be utilized for the
40 construction, rehabilitation or renovation of housing for persons and
41 families of low and moderate income, said commissioner may (1)
42 within such ninety-day period, submit to the secretary, in lieu of such
43 plan, a preliminary plan indicating that the land, improvement or
44 interest can be utilized, adapted or exchanged for such housing
45 purposes and stating the type of housing that is planned, and (2)
46 within six months after the end of such ninety-day period, submit a
47 comprehensive plan for the development of such housing to the
48 secretary, in a form prescribed by the secretary. If the Commissioner of
49 Economic and Community Development submits preliminary and
50 comprehensive plans to the secretary within such periods, the agency,
51 department or institution having custody and control of the land,
52 improvement or interest shall transfer custody and control to the
53 Commissioner of Economic and Community Development in
54 accordance with such procedures as the secretary may prescribe. If (A)

55 the Commissioner of Economic and Community Development does
56 not submit a preliminary plan to the secretary within such ninety-day
57 period or so submits a preliminary plan but does not submit a
58 comprehensive plan to the secretary within such six-month period,
59 and (B) one or more agencies, departments or institutions submit a
60 plan for such land, improvement or interest to the secretary within
61 such ninety-day period, the secretary shall analyze such agency,
62 department or institution plan or plans and determine whether (i)
63 custody and control of the land, improvement or interest shall be
64 transferred to one of such agencies, departments or institutions, in
65 which case the agency, department or institution having custody of the
66 land, improvement or interest shall make such transfer, or (ii) the land,
67 improvement or interest shall be treated as surplus.

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| This act shall take effect as follows and shall amend the following sections: | | |
| Section 1 | <i>from passage</i> | 4b-21(b) |

GAE *Joint Favorable Subst.*