



# House of Representatives

General Assembly

**File No. 372**

January Session, 2009

House Bill No. 6076

*House of Representatives, March 31, 2009*

The Committee on Transportation reported through REP. GUERRERA of the 29th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

***AN ACT CONCERNING THE PURCHASE OF LAND OPTIONS BY THE ROUTE 11 GREENWAY AUTHORITY COMMISSION.***

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

1 Section 1. Subsection (d) of section 13a-142e of the general statutes is  
2 repealed and the following is substituted in lieu thereof (*Effective July*  
3 *1, 2009*):

4 (d) Notwithstanding any other provision of this section or the  
5 general statutes, the commission may: (1) Acquire or convey by  
6 purchase, gift, lease, devise, exchange or otherwise, any land or  
7 interest therein including, but not limited to, conservation easements,  
8 located wholly or partly in the conservation zone, or enter into  
9 covenants or agreements with owners of any land or interest therein to  
10 purchase options to acquire such land or interest therein, provided  
11 state funds may be used only to the extent that such funds have been  
12 authorized specifically by an act of the General Assembly for the  
13 acquisition of land located within two thousand feet of the Department  
14 of Transportation's right-of-way; (2) transfer, with the approval of the

15 commissioner, any land or interest therein to the state with or without  
 16 consideration, provided any funds received therefor shall not be  
 17 deemed funds furnished by the state for the purposes of this section;  
 18 (3) contribute or transfer funds to, and enter into agreements with,  
 19 land trusts or other conservation organizations, to carry out the  
 20 purposes of public act 00-148\*; and (4) request the Commissioner of  
 21 Transportation to acquire an interest in real property or an option to  
 22 purchase real property on behalf of the commission for use as part of  
 23 the Route 11 Greenway and, if acquired by said commissioner, accept  
 24 the transfer of custody and control of such interest from said  
 25 commissioner. Said commissioner may acquire any interest in real  
 26 property for use as part of the Route 11 Greenway in the same manner  
 27 and with like powers as authorized and exercised by said  
 28 commissioner in acquiring real property for highway purposes and  
 29 may, upon request of the commission, transfer custody and control of  
 30 such interest in real property to the commission. The commission shall  
 31 report to the General Assembly, on or before February fifteenth,  
 32 annually, on its activities of the preceding year and on its finances. The  
 33 existence of the commission shall terminate at such time as all of its  
 34 member towns have withdrawn or it is abolished by the General  
 35 Assembly.

|   |              |             |
|---|--------------|-------------|
| This act shall take effect as follows and shall amend the following sections: |              |             |
| Section 1   | July 1, 2009 | 13a-142e(d) |

**TRA**      *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:

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**OFA Fiscal Note**

**State Impact:**

| Agency Affected       | Fund-Effect    | FY 10 \$  | FY 11 \$  |
|-----------------------|----------------|-----------|-----------|
| Transportation, Dept. | TF - See Below | See Below | See Below |

Note: TF=Transportation Fund

**Municipal Impact:** None

**Explanation**

The bill is permissive. It allows the Department of Transportation to enter into covenants or agreements to purchase options to acquire land or interest in such on behalf of the Route 11 Greenway Authority Commission. It is unclear what funding source would be used to acquire such property.

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**OLR Bill Analysis****HB 6076*****AN ACT CONCERNING THE PURCHASE OF LAND OPTIONS BY  
THE ROUTE 11 GREENWAY AUTHORITY COMMISSION.*****SUMMARY:**

This bill explicitly authorizes the Route 11 Greenway Authority Commission to enter into covenants or agreements with landowners to purchase options to acquire, by purchase or other means, land or interests in land. Currently the commission has the authority to acquire or convey any land or an interest therein within its jurisdiction.

EFFECTIVE DATE: July 1, 2009

**BACKGROUND*****Route 11 Greenway Authority Commission***

State law authorizes East Lyme, Montville, Salem, and Waterford to create by ordinance a Route 11 Greenway Authority Commission. By law, the commission may develop standards, with respect to the greenway, for (1) defining its initial boundaries; (2) planning its design, construction, maintenance, and management and that of an intermodal transportation access system; (3) identifying and prioritizing land that should be added to it; (4) recommending land use within it; and (5) acquiring land and securing conservation easements for it.

**COMMITTEE ACTION**

Transportation Committee

Joint Favorable

Yea 36    Nay 0    (03/16/2009)