



General Assembly

February Session, 2010

Raised Bill No. 5417

LCO No. 1873

01873_____ENV

Referred to Committee on Environment

Introduced by:
(ENV)

AN ACT CONCERNING OPEN SPACE AND THE CREATION OF TRAILS FOR ALL-TERRAIN VEHICLES.

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

1 Section 1. (NEW) (*Effective October 1, 2010*) The Commissioners of
2 Environmental Protection and Agriculture, in collaboration with the
3 chief elected official of each municipality, shall develop a central open
4 space and farmland preservation registry that contains information
5 concerning real property preserved as open space and agricultural
6 land in this state. Such registry may contain information on property
7 identified for preservation as open space or agricultural land. The
8 commissioners shall determine the scope of information contained in
9 such registry for each property. In developing such registry, the
10 commissioners may consult with the Farmland Preservation Advisory
11 Board established pursuant to section 22-261l of the general statutes.
12 The commissioners may seek funds as may be available from federal,
13 state or other sources for the development and maintenance of such
14 registry. Such registry shall be made available on-line to each
15 municipality and state agency for the purpose of monitoring,
16 coordinating and implementing open space, farmland preservation

17 and responsible growth goals.

18 Sec. 2. (NEW) (*Effective from passage*) (a) A municipality may impose
19 a buyer's tax on the conveyance of real property, occurring on or after
20 July 1, 2010, at the rate of not more than one per cent of the
21 consideration paid by the buyer in excess of one hundred fifty
22 thousand dollars. Such tax may be retained by the municipality, shall
23 be kept in a separate account and shall be used for any of the following
24 purposes approved by the Office of Policy and Management: (1)
25 Purchase of development rights related to or the purchase of open
26 space land, forest land, farm land or waterfront property by the
27 municipality or by the municipality in cooperation with the state or
28 federal government or with a private organization such as a land trust,
29 (2) brownfield remediation, or (3) other environmental projects.

30 (b) Conveyances resulting in the preservation of open space land,
31 forest or farm land shall be exempt from any tax imposed pursuant to
32 the provisions of subsection (a) of this section.

33 Sec. 3. Section 23-26c of the general statutes is repealed and the
34 following is substituted in lieu thereof (*Effective from passage*):

35 The Commissioner of Environmental Protection shall evaluate the
36 properties under [his] the commissioner's jurisdiction and the
37 jurisdiction of other state agencies for their use by persons operating
38 all-terrain vehicles and shall, not later than July 1, 2010, make available
39 some of such properties for such use and commence development of
40 trails for the operation of all-terrain vehicles on such properties. In
41 making such properties available the commissioner shall consider
42 minimizing the impact of all-terrain vehicles on the environment.
43 Before making any property available that is under the jurisdiction of
44 another state agency, the commissioner shall consult with such agency.

45 Sec. 4. Section 14-381 of the general statutes is repealed and the
46 following is substituted in lieu thereof (*Effective from passage*):

47 Any owner required to register a snowmobile or all-terrain vehicle
 48 shall apply to the commissioner and shall file evidence of ownership
 49 by affidavit or document. Upon receipt of an application in proper
 50 form and the registration fee, the commissioner shall assign an
 51 identification number and provide the owner with a certificate of
 52 registration and registration plate. The registration plate, which shall
 53 be affixed by the owner, shall be displayed on the snowmobile or all-
 54 terrain vehicle at a place and in a manner prescribed by the
 55 commissioner. In addition to such registration plate, each snowmobile
 56 and all-terrain vehicle so registered shall display its registration
 57 number on each side of its front section, midway between the top and
 58 bottom of said front section, in letters or numbers at least three inches
 59 in height and made of a reflective material. The certificate of
 60 registration shall be carried on such snowmobile or all-terrain vehicle
 61 and shall be available for inspection whenever such snowmobile or all-
 62 terrain vehicle is being operated. The owner shall pay a fee of twenty
 63 dollars for each snowmobile or all-terrain vehicle so registered. Each
 64 such certificate of registration shall expire biennially on the last day of
 65 March. Any fee collected pursuant to this section for the registration of
 66 an all-terrain vehicle shall be deposited in the General Fund and
 67 credited to the appropriations of the Department of Environmental
 68 Protection for the purpose of establishing trails pursuant to section 23-
 69 26c, as amended by this act.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2010</i>	New section
Sec. 2	<i>from passage</i>	New section
Sec. 3	<i>from passage</i>	23-26c
Sec. 4	<i>from passage</i>	14-381

Statement of Purpose:

To establish a central registry for land preserved as open space and farmland, enable municipalities to impose a conveyance tax on certain real property sales in order to generate funds for the preservation of

open space and to require the development of trails for use by all-terrain vehicle operators.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]