



General Assembly

January Session, 2011

**Raised Bill No. 829**

LCO No. 2338

\*02338\_\_\_\_\_ENV\*

Referred to Committee on Environment

Introduced by:  
(ENV)

***AN ACT ESTABLISHING AN OPEN SPACE REGISTRY.***

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

1 Section 1. (NEW) (*Effective October 1, 2011*) (a) 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 any funds available from federal, state or  
13 other sources for the development and maintenance of such registry.  
14 Such registry shall be made available on-line to each municipality and  
15 state agency for the purpose of monitoring, coordinating and  
16 implementing open space, farmland preservation and responsible  
17 growth goals. The Commissioner of Environmental Protection shall

18 analyze whether such preserved open space and agricultural lands are  
19 effective in protecting all species listed as endangered, threatened or of  
20 special concern, as established in Connecticut's Comprehensive  
21 Wildlife Conservation Strategy.

22 (b) The Commissioner of Environmental Protection shall create and  
23 maintain a map of all preserved open space and farmland contained in  
24 the registry created pursuant to subsection (a) of this section.

25 (c) The Commissioner of Environmental Protection shall identify  
26 lands in this state that need to be acquired in order to protect the  
27 habitats of species of greatest conservation need, as identified in  
28 Connecticut's Comprehensive Wildlife Conservation Strategy. Said  
29 commissioner shall establish priorities for acquisition of such lands.

30 Sec. 2. Subsections (b) to (e), inclusive, of section 7-131e of the  
31 general statutes are repealed and the following is substituted in lieu  
32 thereof (*Effective from passage*):

33 (b) There is established a Natural Heritage, Open Space and  
34 Watershed Land Acquisition Review Board to assist and advise the  
35 commissioner in carrying out the provisions of sections 7-131d to  
36 7-131g, inclusive, [and] sections 23-73 to 23-79, inclusive, and section 1  
37 of this act. Upon establishment of the review board and selection of a  
38 chairman under this section, the review board (1) shall provide  
39 comments on selection criteria, policies and procedures; (2) shall  
40 promote public participation; (3) shall provide guidance and conduct  
41 review of strategies for land protection, including strategies under  
42 section 23-8; (4) shall review and evaluate grant award policies and  
43 procedures; (5) shall make recommendations to the commissioner  
44 concerning the commissioner's duty to establish acquisition priorities  
45 pursuant to subsection (c) of section 1 of this act; and [(5)] (6) may  
46 provide comments on any application for funds not later than  
47 forty-five days after such application is submitted to the chairman.  
48 Upon establishment of the board, the commissioner shall take such  
49 comments into consideration in making any decisions regarding such

50 grants.

51 (c) The review board shall consist of twenty-one members as  
52 follows: (1) The chairpersons and ranking members of the bonding  
53 subcommittee of the joint standing committee of the General Assembly  
54 having cognizance of matters relating to finance, revenue and bonding;  
55 (2) one member of the joint standing committee of the General  
56 Assembly having cognizance of matters relating to the environment,  
57 appointed by the speaker of the House of Representatives, and one  
58 member of the joint standing committee of the General Assembly  
59 having cognizance of matters relating to planning and development,  
60 appointed by the president pro tempore of the Senate, each of whom  
61 shall be ex-officio members of the board; (3) the Secretary of the Office  
62 of Policy and Management, or his designee; (4) a representative of the  
63 business community and a person experienced in issues relating to  
64 access to public facilities by persons with disabilities, appointed by the  
65 Governor; (5) one representative from an investor-owned water utility,  
66 appointed by the minority leader of the Senate; (6) one representative  
67 from a municipal water utility, appointed by the minority leader of the  
68 House of Representatives; (7) one representative from a regional water  
69 utility, appointed by the minority leader of the Senate; (8) one  
70 representative who is a realtor or attorney with a minimum of five  
71 years experience in real estate transfers, appointed by the speaker of  
72 the House of Representatives; one representative with a minimum of  
73 five years experience in the construction industry or land  
74 development, appointed by the president pro tempore of the Senate;  
75 (9) two representatives of interest groups primarily concerned with the  
76 conservation of river watershed regions, appointed one each by the  
77 majority leaders of the House of Representatives and the Senate; (10)  
78 three representatives from nonprofit organizations primarily  
79 concerned with environmental protection or natural resource  
80 conservation with a minimum of five years experience in land  
81 conservation and acquisition, appointed one each by the Governor, the  
82 speaker of the House of Representatives and the president pro tempore  
83 of the Senate; and (11) one chief elected official of a town with a

84 population less than twenty thousand and one chief elected official of a  
85 town with a population greater than twenty thousand, appointed by  
86 the Governor. The members, other than the members described in  
87 subdivisions (1), (2) and (3) of this subsection, shall serve terms of  
88 three years provided the terms of the members described in  
89 subdivisions (4) to (8), inclusive, of this subsection who are appointed  
90 in the year after July 1, 1998, shall expire on October 1, 1999, and  
91 further provided the terms of the members described in subdivisions  
92 (9) to (11), inclusive, of this subsection shall expire on October 1, 2000.  
93 The board shall elect a chairman from among its members and shall  
94 make such election on or before October 1, 1998. Members of the board  
95 shall serve until reappointed or replaced.

96 (d) The board shall meet not less than once per calendar quarter.

97 ~~[(d)]~~ (e) Annually, on or before February fifteenth, the board shall  
98 submit a report regarding grant awards made in the previous calendar  
99 year and any findings and recommendations regarding the open space  
100 and watershed land acquisition program, ~~[and]~~ the recreation and  
101 natural heritage trust program established under section 23-73 and the  
102 commissioner's duty to establish acquisition priorities pursuant to  
103 subsection (c) of section 1 of this act to the General Assembly.

104 ~~[(e)]~~ (f) There is established an open space and watershed land  
105 acquisition account within the General Fund which shall consist of any  
106 funds required or allowed by law to be deposited into the account  
107 including, but not limited to, gifts or donations received for the  
108 purposes of section 7-131d. Investment earnings credited to the assets  
109 of the account shall become part of the assets of the account. Any  
110 balance remaining in the account at the end of any fiscal year shall be  
111 carried forward in the account for the fiscal year next succeeding.  
112 Payments from the account shall be made upon authorization by the  
113 Commissioner of Environmental Protection. Neither the proceeds of  
114 any general obligation bonds of the state nor the investment earnings  
115 of any such proceeds shall be deposited in the account. The

116 Commissioner of Environmental Protection may use funds in the  
117 account for purposes of section 7-131d.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2011</i>	New section
Sec. 2	<i>from passage</i>	7-131e(b) to (e)

**Statement of Purpose:**

To establish an open space registry and centralize information on property preserved as open space and identified for preservation.

*[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.]*