



House Bill No. 6542

Public Act No. 13-90

AN ACT CONCERNING THE PRESERVATION OF FARMLAND AT THE SOUTHBURY TRAINING SCHOOL.

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

Section 1. (NEW) (*Effective from passage*) (a) Notwithstanding any provision of the general statutes, the Commissioner of Developmental Services shall transfer the care, custody and control of the land and buildings that comprise the property that is known as the "Farm at the Southbury Training School" and that is further described in a map entitled "Compilation Plan of Property Prepared For State of Connecticut Department of Agriculture 'Southbury Training School' Southbury & Roxbury, Connecticut", scale 1" = 200', dated February 15, 2012, revised January 28, 2013, prepared by Brian D. Florek, L.S., to the Commissioner of Agriculture. The Commissioner of Agriculture shall acquire a property survey of the Farm at the Southbury Training School conforming to a Class A-2 horizontal survey.

(b) The Commissioner of Agriculture shall grant to a nonprofit organization, as defined in Section 501(c)(3) of the Internal Revenue Code of 1986, or any subsequent corresponding Internal Revenue Code of the United States, as amended from time to time, a permanent conservation easement on the Farm at the Southbury Training School based upon such Class A-2 survey. The mission of any such nonprofit

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organization shall include, but need not be limited to, the protection of agricultural lands for agricultural use. Such permanent conservation easement shall provide for the conservation of said farm for agricultural use and shall allow for the lease, permit or license by the Commissioner of Agriculture of any portion of said farm to one or more persons or entities for the purpose of engaging in agriculture, as defined in section 1-1 of the general statutes. Such permanent conservation easement shall be subject to the review and approval of the State Properties Review Board. The State Properties Review Board shall complete a review of such permanent conservation easement not later than thirty days after receipt of a proposed permanent conservation easement from the Commissioner of Agriculture.

(c) The Commissioner of Agriculture may lease, permit or license all or part of said farm to one or more persons for the purpose of engaging in agriculture, as defined in section 1-1 of the general statutes. Any such lease, permit or license shall be for a period not to exceed fifteen years and shall contain, as a condition thereof, compliance with the provisions of the permanent conservation easement granted pursuant to subsection (b) of this section. Any such lease, permit or license may be renewed for a period not to exceed fifteen years. Any property leased, permitted or licensed pursuant to this subsection shall be exempt from taxation by the municipality in which said property is located. The assessed valuation of said property shall be included in the assessed valuation of state-owned land and buildings for purposes of determining the state's grant in lieu of taxes pursuant to the provisions of section 12-19a of the general statutes. Any such lease, permit or license shall be subject to the review and approval of the State Properties Review Board. The State Properties Review Board shall complete a review of each lease, permit or license not later than thirty days after receipt of a proposed lease, permit or license from the Commissioner of Agriculture.

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(d) Any permanent conservation easement pursuant to subsection (b) of this section shall provide that all agricultural activities conducted on the Farm at the Southbury Training School shall be conducted in accordance with a conservation plan prepared by the United States Department of Agriculture, Natural Resources Conservation Service, and approved by the Commissioner of Agriculture. Such conservation plan shall be updated periodically and whenever the nature of any agricultural operation on said farm changes. Such plan shall provide for management of said farm in a manner that: (1) Is consistent with generally accepted agricultural practices, including, but not limited to, practices identified by the Natural Resources Conservation Service Field Office Technical Guide, and (2) is consistent with the protection of the agricultural and conservation values of said farm.

Approved June 6, 2013