



Connecticut Department of  
**ENERGY &  
ENVIRONMENTAL  
PROTECTION**

**STATE OF CONNECTICUT  
DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION**

Public Hearing – February 24, 2014  
Planning and Development Committee

Testimony Submitted by Interim Commissioner Robert J. Klee  
Presented by Deputy Commissioner Susan Whalen

**House Bill No.5057 (Raised) –AN ACT CONCERNING THE ASSESSMENT OF HORSES AND PONIES AND FARM MACHINERY AND THE TRANSFER OF LAND CLASSIFIED AS FARM LAND, OPEN SPACE LAND, FOREST LAND AND MARINE HERITAGE LAND.**

Thank you for the opportunity to present testimony regarding House Bill No. 5057– AN ACT CONCERNING THE ASSESSMENT OF HORSES AND PONIES AND FARM MACHINERY AND THE TRANSFER OF THE LAND CLASSIFIED AS FARM LAND, OPEN SPACE LAND, FOREST LAND AND MARINE HERITAGE LAND. The Department of Energy and Environmental Protection (DEEP) welcomes the opportunity to offer the following testimony.

DEEP supports Section 5 of this preliminary proposal, with minor amendment requested, to the extent that the proposal clarifies the use property tax assessment program for forest lands as defined in section 12-107b of the general statutes. Privately owned classified forest land comprises approximately 370,000 acres .

Prior to 2004, property owners wishing to classify their land as “forest land “applied to the State Forester. Public Act 04-115 eliminated this requirement placing authority with municipal assessors to determine application completeness based upon forested conditions evaluated by DEEP trained private foresters certified through Connecticut’s Forest Practices Act (section 23-65h of the general statutes). These “qualified” foresters inventory and assess forested land against standards set by the State Forester in sections 12-107d-1 to 12-107d-5 of the Regulations of Connecticut State Agencies(RCSA) [Policies and Standards for Evaluating Land Proposed for Classification as Forest Land](#). A qualified forester’s report is then provided to the property owner for a complete application submitted to the assessor in the town where the forest land is located.

Classified forest land is commonly held by the same property owner for more than 10 years therefore many classified acres have not been evaluated by current forest land standards. Forest land classification is tied to the property owner and is not transferable to new owners should the property be sold or conveyed. Upon sale or conveyance, the classification is terminated and a revised application is required if the new property owner wishes to classify their land as forest land (section 12-504a of the general statutes). Provisions of section 12-504a of the general statutes do not apply for excepted

transfers listed in section 12-504c of the general statutes. Therefore an evaluation by a qualified forester affirming classifying standards is not required.

HB 5057 seeks to assure assessors and those new property owners wishing to continue forest land classification current standards are met by requiring a complete new application including a recent qualified forester's evaluation and report.

For this report to be in compliance with RCSA 12-107d(d)(4) data collected and analyzed by a qualified forester must be *"not more than ten (10) years previous to the date the report is issued to the owner"*. Therefore DEEP requests proposed language further specify "within ten years" prior to the change of ownership be added to the HB 5057 as it is currently proposed.

Sec. 5. Section 12-504c

4(b) In addition to the notice required under this subsection, any person who obtains title to land classified as forest land shall submit a report issued by a certified forester in accordance with section 12-107d, as amended by this act, if such a report has not been submitted **within ten years** prior to the change of ownership.

Thank you for the opportunity to present testimony on this proposal. If you should require any additional information, please contact Robert LaFrance, DEEP's Director of Governmental Affairs, at 860.424.3401 or [Robert.LaFrance@ct.gov](mailto:Robert.LaFrance@ct.gov) (or, Elizabeth McAuliffe, DEEP Legislative Liaison, at 860.424.3458 or [Elizabeth.McAuliffe@ct.gov](mailto:Elizabeth.McAuliffe@ct.gov) ).