



General Assembly

January Session, 2015

Committee Bill No. 5686

LCO No. 3942



Referred to Committee on ENVIRONMENT

Introduced by:
(ENV)

AN ACT CONCERNING THE APPROVAL OF LAND SWAPS.

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

1 Section 1. (NEW) (*Effective from passage*) (a) Notwithstanding any
2 provision of the general statutes, prior to entering any agreement for
3 the exchange of land or interest in land that is under the care, custody
4 or control of the Commissioner of Energy and Environmental
5 Protection or the Commissioner of Agriculture, the respective
6 commissioner shall assure that: (1) The exchange is not contrary to the
7 terms or conditions under which the acquisition, gift, or bequest of
8 such land or interest in land to be conveyed by the Department of
9 Energy and Environmental Protection or the Department of
10 Agriculture, as applicable, in such exchange was accepted; (2) the land
11 or interest in land to be conveyed by the applicable department in such
12 exchange was evaluated by the applicable department and determined
13 not to be integral or significant to the resource management programs
14 of the applicable department; (3) appraisals demonstrate that the fair
15 market value of the land or interest in land to be received by the
16 applicable department in such exchange is equal to or greater than the
17 fair market value of the land or interest in land to be conveyed by the

18 applicable department; (4) the land or interest in land to be received by
19 the applicable department in such exchange provides substantially
20 greater utility to the resource management programs of the applicable
21 department than the land or interest in land to be conveyed by the
22 applicable department in such exchange; (5) any proposed use of the
23 land or interest in land to be conveyed by the applicable department in
24 such exchange, if known at the time of the exchange, is consistent with
25 the state plan of conservation and development; and (6) unless the
26 respective commissioner determines that it is in the best interests of the
27 state to not require such encumbrance, the land or interest in land to be
28 conveyed by the applicable department in such exchange shall be
29 conveyed subject to: (A) A conservation or other easement or similar
30 encumbrance in favor of the state ensuring that any restriction on such
31 land or interest in land that was in effect immediately prior to the
32 exchange remains in effect after the exchange, and (B) a reverter clause
33 stipulating that the land or interest in land shall revert back to the state
34 if the easement or similar encumbrance is violated or not upheld.

35 (b) Prior to undertaking the requirements of subsection (a) of this
36 section, the Commissioner of Energy and Environmental Protection or
37 the Commissioner of Agriculture, as applicable, shall post notice of the
38 proposed exchange of land or interest in land on the Internet web site
39 of his or her department. If the respective commissioner receives
40 twenty-five or more written requests from twenty-five or more
41 individuals for a public hearing on such proposed exchange, said
42 commissioner shall hold a public hearing on such proposed exchange
43 in the town in which such land or interest in land to be conveyed by
44 the applicable department is located. In the event such land or interest
45 in land is located in more than one town, the respective commissioner
46 shall hold such public hearing in the town where the greater number
47 of members of the public can be accommodated.

This act shall take effect as follows and shall amend the following sections:

Section 1	<i>from passage</i>	New section
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Statement of Purpose:

To require certain notice, public hearing opportunity and assurances prior to the exchange of land or interest in land that is under the care, custody or control of the Commissioners of Energy and Environmental Protection and Agriculture.

[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.]

Co-Sponsors: REP. WILLIS, 64th Dist.

H.B. 5686