



STATE OF CONNECTICUT

MILITARY DEPARTMENT
WILLIAM A. O'NEILL ARMORY
360 BROAD STREET
HARTFORD, CONNECTICUT 06105-3795

March 16, 2015

Honorable Steve Cassano, State Senator
Honorable Ed Jutila, State Representative
Co-Chairs, Government Administration and Elections Committee
State of Connecticut
Hartford, CT 06106

IN RE Raised Bill 6998, "AAC the Conveyance of Certain Parcels of State Land"

I write to express the Military Department's concerns with Raised Bill 6998, "AAC the Conveyance of Certain parcels of State Land. Our concerns arise from two provisions within the bill. The first concern is that the bill provides for the parcel of land to be conveyed to Naugatuck contingent upon Naugatuck's legislative body approving the funds for the administrative cost of the conveyance. Although approval of funds by Naugatuck's legislative body is necessary and proper for funding the conveyance, the bill should specify the action to be taken should Naugatuck not approve the necessary funding to perfect the conveyance of the property. Inclusion of such language is necessary to protect the interests of the borough as well as the state.

The second concern arises from the inclusion of language that requires the Military Department to "have the sole responsibility for all other incidents of conveyance." This provision is open-ended. The language could be interpreted to require the Military Department to expend funds for the conveyance or in a manner that is contrary to the intent of conveying this property to Naugatuck "as-is," subject to any statutory requirements. To highlight the Military Department's concerns with the bill, I attach proposed substitute language to Section 7 that proposes substitute language.

Should you desire to discuss the Military Department's concerns relative to this bill as currently drafted or other matters concerning military/veteran legislation, please contact my legislative liaison, Lieutenant Colonel Timothy J. Tomcho, Judge Advocate, at (860) 548-3203 or via email at timothy.j.tomcho.mil@mail.mil.

Sincerely,


THADDEUS J. MARTIN
Major General
The Adjutant General

Enclosure:
Substitute Language

Copy Furnished:
Governor's Office

Sec. 7. (*Effective from passage*) (a) Notwithstanding any provision of the general statutes, the Military Department shall convey to the borough of Naugatuck a parcel of land located in the borough of Naugatuck and any improvements upon said parcel, at a cost equal to the administrative costs of making such conveyance, provided such costs are approved by the legislative body of the borough. If the borough's legislative body does not approve such costs, the Military Department shall continue to divest the property as surplus in accordance with C.G.S § 4b-21. Said parcel of land has an area of approximately 3.5 acres and is identified as the National Guard Armory located at 607 Rubber Avenue, and is further described in a Warranty Deed dated November 30, 1949, recorded in Volume 104 at pages 322 to 323 of the Land Records of the Borough of Naugatuck. The conveyance shall be subject to the approval of the State Properties Review Board.

(b) The borough of Naugatuck shall use said parcel of land and improvements for educational, parking or recreational purposes. If the borough of Naugatuck:

- (1) Does not use said parcel or improvements for said purposes;
 - (2) Does not retain ownership of all of said parcel or improvements; or
 - (3) Leases all or any portion of said parcel or improvements,
- the parcel shall revert to the state of Connecticut.

(c) The State Properties Review Board shall complete its review of the conveyance of said parcel of land and improvements not later than thirty days after it receives a proposed agreement from the Military Department. The land and improvements shall remain under the care and control of said department until a conveyance is made in accordance with the provisions of this section. The State Treasurer shall execute and deliver any deed or instrument necessary for a conveyance under this section, which deed or instrument shall include provisions to carry out the purposes of subsection (b) of this section. [The Military Department shall have the sole responsibility for all other incidents of such conveyance.]