

My name is Eric Lukingbeal, and I live at 168 Day Street, Granby CT 06035. I am submitting the following testimony on Senate Joint Resolution No. 5 and LCO No. 166, on my own behalf.

I am a retired lawyer, having practiced in Hartford for 40 years. With the exception of military service and education, I have lived my entire adult life in Connecticut. My wife and I decided to retire here, in part because the sheer physical beauty of our forests and woodlands is quite special. We enjoy living in a place where forested land is always close by. Over the past several decades, much of our open space has been developed, despite State efforts to preserve some of it through purchase. Of special concern now is the loss of intact forest blocks, which we are losing at a steady clip. Unfortunately, many of the remaining open spaces are not permanently preserved, even though they are owned by the State. State ownership should result in more protection for these lands; unfortunately, it has resulted in less.

The reason is that our legislature has had a tendency to sell, trade or give away public lands as part of the annual Conveyance Act. This has been done without any meaningful notice either to the public, or to the towns where the land is situated. There has been no opportunity to comment or object before the act has been passed, usually on the last day of the session, and late at night. As individuals, the legislators I have known are hard working and diligent. But there seems to be something in our legislative process that allows that body to play fast and loose with valuable public lands. The legislature has treated these lands as if it owned them, and not the public. The Haddam Land Swap is the most prominent recent example.

The only effective solution is to amend our state constitution to prevent the legislature from continuing this practice. Other states have done this. Anything less—such as a legislative fix—will not work. The reason it will not is that the legislature can always ignore its own laws by adding a simple preface to the Conveyance Act, as it does now. The language is: “Notwithstanding any provision of the General

Statutes to the contrary....” The proposed language for an amendment is a good start, because it assures that the public—who after all, owns these lands—will have a meaningful opportunity to weigh in on the wisdom of any sale or other transfer of title. The public deserves no less.

I urge the Committee on the Environment to support a proposed amendment to the state constitution to achieve this worthy goal.

Thank you for the opportunity to submit this testimony.

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