



Senate

General Assembly

File No. 582

February Session, 2016

Senate Joint Resolution No. 36

Senate, April 11, 2016

The Committee on Government Administration and Elections reported through SEN. CASSANO, S. of the 4th Dist., Chairperson of the Committee on the part of the Senate, that the joint resolution ought to be adopted.

RESOLUTION PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE STATE TO PROTECT CERTAIN PROPERTY HELD OR CONTROLLED BY THE STATE FOR CONSERVATION, RECREATIONAL, OPEN SPACE OR AGRICULTURAL PURPOSES.

Resolved by this Assembly:

1 That the following be proposed as an amendment to the
2 Constitution of the State, which, when approved and adopted in the
3 manner provided by the Constitution, shall, to all intents and
4 purposes, become a part thereof:

5 Article third of the Constitution is amended by adding section 19 as
6 follows:

7 Sec. 19. State park or forest land, farm land or other real property
8 held by the state in fee or in easement for conservation, recreational,
9 open space or agricultural purposes, may not be sold, transferred to
10 any person or other entity or converted to another use, except
11 following a public hearing conducted by the state agency having
12 custody or control of such property or easement in the town or towns

13 where such property or easement is located and by passage of a special
14 act of the general assembly by a yea vote of at least two-thirds of the
15 membership of each house. Any such special act shall be limited in
16 subject matter to provisions concerning such sale, transfer or
17 conversion and shall contain an appropriation to the state agency
18 having custody or control of such property or easement in an amount
19 equal to the fair market value of the property or easement for the sole
20 purpose of purchasing additional real property or an easement of
21 similar value for conservation, recreational, open space or agricultural
22 purposes and in as close proximity as feasible to the property or
23 easement being sold, transferred or converted to another use.

24 RESOLVED: That the foregoing proposed amendment to the
25 Constitution be continued to the next session of the General Assembly
26 elected at the general election to be held on November 8, 2016, and
27 published with the laws passed at the present session, or be presented
28 to the electors at the general election to be held on November 8, 2016,
29 whichever the case may be, according to article sixth of the
30 amendments to the Constitution. The designation of said proposed
31 amendment to be used on the ballots at such election shall be "Shall the
32 Constitution of the State be amended to (1) require a public hearing
33 and a two-thirds vote of the General Assembly to authorize any sale,
34 transfer or conversion of state-owned or state-controlled park land,
35 forest land, farm land or other property or easement used for
36 conservation, recreational, open space or agricultural purposes, and (2)
37 require that funds be appropriated to acquire property or an easement
38 to replace any such sold, transferred or converted property or
39 easement?"

GAE *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 17 \$	FY 18 \$
Secretary of the State	GF - Cost	5,000	None

Note: GF=General Fund

Municipal Impact: None

Explanation

This resolution proposes an amendment to the State Constitution to, with limited exceptions, prohibit the sale, transfer, or conversion of state park or forest land, farm land, or other real property the state holds in fee or in easement for conservation, recreational, open space, or agricultural purposes. The Secretary of the State is anticipated to incur a cost of \$5,000 in FY 17 (for the November 2016 election) for providing posters with the proposed constitutional amendment question and explanation to each polling place in every municipality. The FY 17 cost may be shifted into FY 19 pursuant to the requirements of the constitutional amendment process.

This cost will cover the printing and mailing of the posters. Since all materials required for placing a constitutional amendment on the ballot are supplied by the State, and the vote will occur in a regularly scheduled statewide election, no costs will be incurred by municipalities.

The Out Years

The cost identified above is one-time. However, the FY 17 cost may be shifted into FY 19 pursuant to the requirements of the constitutional amendment process, as noted above.

OLR Bill Analysis**SJ 36****RESOLUTION PROPOSING AN AMENDMENT TO THE CONSTITUTION OF THE STATE TO PROTECT CERTAIN PROPERTY HELD OR CONTROLLED BY THE STATE FOR CONSERVATION, RECREATIONAL, OPEN SPACE OR AGRICULTURAL PURPOSES.****SUMMARY:**

This resolution proposes a constitutional amendment that, with limited exceptions, prohibits the sale, transfer, or conversion of state park or forest land, farm land, or other real property the state holds in fee or in easement for conservation, recreational, open space, or agricultural purposes. (The resolution does not define these terms.)

In order to undertake these actions, the (1) state agency with custody or control of the property must hold a hearing in the municipality where the property is located, and (2) legislature must pass a special act with a two-thirds majority of the membership of each house. The special act must (1) be limited to the sale, transfer, or conversion at issue and (2) appropriate funds to the applicable state agency to purchase, for the above purposes, additional property or an easement of similar value as close as feasible to the original property or easement. The appropriation must be for the fair market value of the original property or easement.

The ballot designation to be used when the amendment is presented at the general election is: "Shall the Constitution of the State be amended to (1) require a public hearing and a two-thirds vote of the General Assembly to authorize any sale, transfer or conversion of state-owned or state-controlled park land, forest land, farm land or other property or easement used for conservation, recreational, open space or agricultural purposes, and (2) require that funds be

appropriated to acquire property or an easement to replace any such sold, transferred or converted property or easement?"

EFFECTIVE DATE: If the resolution passes by at least three-fourths of the membership of each house of the General Assembly, it will be placed on the 2016 general election ballot. If it passes by a majority of the membership of each house but less than three-fourths, it will be referred to the 2017 session of the legislature. If it passes in that session by a majority of each house, it will appear on the 2018 general election ballot. If a majority of those voting in the general election approves the amendment, it will become part of the state constitution.

COMMITTEE ACTION

Government Administration and Elections Committee

Joint Favorable

Yea 14 Nay 0 (03/21/2016)