

CONNECTICUT Land Conservation Council

Testimony
Senate Joint Resolution No. 39
Government Administration and Elections Committee
Submitted by Amy Blaymore Paterson, Executive Director
February 27, 2017

Chairman Fox, Co-Chairs McLachlan and Winfield, Vice-Chairs Frantz, Slossberg, and Winkler, and Members of the Government Administration and Elections Committee:

Thank you for this opportunity to present testimony on behalf of the Connecticut Land Conservation Council (CLCC) in strong support of **Senate Joint Resolution No. 39, Resolution Proposing an Amendment to the State Constitution to Protect Real Property Held or Controlled by the State.** (S.J.39). We thank the Government Administration and Elections Committee for raising this bill in support of our public lands.

As the State's umbrella organization for the land conservation community, including its 137 land trusts, CLCC advocates for land conservation, stewardship, and funding, and works to ensure the long-term strength and viability of the land conservation community in Connecticut.

The State holds over 250,000 acres of State Parks, Forests, Wildlife Management Areas and other open spaces valuable for conservation, recreation and agricultural purposes. These lands were acquired with an expectation – on the part of the landowner conveying the land as well as on the part of the public -- that they would be preserved in trust for the benefit of Connecticut's citizens. Yet our public lands are largely unprotected; and year after year we find ourselves in a position of having to defend them.

As detailed in the Council on Environmental Quality's 2014 report, "*Preserved but Maybe Not: The Impermanence of State Conservation Lands*", most of the deeds to state open space lands do not include conservation restrictions (defined under Connecticut General Statutes Section 47-42(a)) expressly providing for the dedication and protection of the land *in perpetuity*. The resulting vulnerability of these public lands to conversion to non-conservation purposes is further exacerbated by a conveyance process that lacks a comprehensive system of review, provides limited, if any, opportunity for public comment, and is structured so that all proposed conveyances – good and bad – are bundled in one bill and voted on together.

A Constitutional Amendment offers the strongest and most unified mechanism for ensuring the best protections of our public lands, providing for a public hearing in the General Assembly and a 2/3 vote in each chamber on a bill limited to the state property required by the General Assembly to be conveyed.

A Constitutional Amendment will help to protect the millions in public and private investments that have already been made in acquiring the lands that protect our air and water, provide for critical habitat, enable us to grow our food, generate revenue through business and tourism, and provide the public with an opportunity to recreate and enjoy the landscapes that make Connecticut so special.

Other states, including neighboring Massachusetts, New York and Maine, have adopted this legal framework to protect their public lands; S.J. 39 provides an opportunity for Connecticut to follow suit.



Most importantly, a Constitutional Amendment will help to restore the confidence of the public – including, especially, landowners who want to conserve their land -- that there is a system in place to ensure that land entrusted to the state for conservation, agriculture and recreation will be protected for those purposes to the greatest extent possible.

With the state not even close to being on track to meeting its goal of conserving 21% of our open space by 2023, we can ill-afford allowing the public lands we *do* have, to be conveyed without the highest degree of scrutiny.

We respectfully ask that the Committee vote to approve S.J. 39 to provide the citizens of Connecticut with the opportunity to vote at the ballot box in 2018 on whether to amend the state constitution to better protect public lands.

On behalf of the Connecticut Land Conservation Council, I thank you for this opportunity to provide our comments on this critically important resolution. We would be happy to answer any questions you may have.