

## **CONSTITUTIONAL AMENDMENT TO PROTECT PUBLIC LANDS FREQUENTLY ASKED QUESTIONS (FAQ)**

Every year, the CT General Assembly proposes state-owned public lands to be sold, traded, or given away in the “Conveyance Act.” State Parks, State Forests, Wildlife Management Areas, and other valuable public lands can be sold, traded, or given away through a late session amendment to the Conveyance Act that typically happens without public input or scrutiny by most Legislators. Your public lands should not be put at risk every year without any opportunity for your public input.

### **Why is this so important?**

- All State-owned lands are held on behalf of the public, and there is clear public interest in how these lands – your lands – are sold, traded, or given away.
- Many public lands were gifts to the State. The state should honor these gifts or risk discouraging future land donations for public benefit.
- Public input on the sale, trade, and giveaway of some of our state’s most valuable assets is especially important given our current budget climate.
- The public hearing process has been critical both to raise concerns and make improvements to conveyance proposals.

### **What would the Constitutional Amendment ([SJ 35](#)) do?**

Before the General Assembly could sell, trade, or give away public lands, they must:

- Hold a public hearing in the General Assembly; and
- Achieve a 2/3rds vote for any public lands held by the Department of Energy & Environmental Protection (State Parks, Forests, etc.) or the Department of Agriculture (state-owned agricultural lands or easements).

### **What would the Constitutional Amendment NOT do?**

- It would not end all Conveyances of public land, but it would ensure a more deliberative and transparent public process before they could happen.
- It would not interrupt the ability of state agencies to do the following:
  - Enter into or renew lease agreements with municipalities and others;
  - Use utility, road, or other easements necessary for work on public lands;
  - Make boundary adjustments with adjacent landowners/municipalities; or
  - Convey state lands through the existing administrative/surplus land processes governed by statute.
- It would not apply to lands without a state ownership interest such as municipal or privately owned lands.

### **Is a Constitutional Amendment necessary?**

Yes. The Conveyance Act is written with powerful language (“Notwithstanding any provision of the general statutes ...”) which overrides any laws that might be more protective of public lands. Only a Constitutional Amendment would ensure that a public process with public input is honored.

### **How do you amend the State Constitution?**

There are two primary pathways: 1) pass a resolution in the General Assembly with a 3/4ths majority in both chambers; or 2) pass a resolution in two successive Legislatures by a simple majority. If either pathway is achieved this year, a referendum question on amending the Constitution would go on the November, 2018 ballot.

### **Is this all about the Haddam Land Swap?**

No, although the Haddam Land Swap did help to bring to light the concerns about conveying valuable public lands as part of political horse-trading. Every year since the Haddam Land Swap made headlines, the Conveyance Act has continued to sell, trade, or give away your public lands without appropriate public input.

### **Why should you support the Constitutional Amendment?**

- This bill has strong bipartisan support and was approved unanimously by the Government Administration & Elections (GAE) Committee in both 2016 and 2017;
- Maine, Massachusetts, and New York have constitutional amendments to better protect state lands, and this has both helped to protect public lands and make clear the process that must be used if they are to be conveyed. It's time for Connecticut to take this important step as well; and
- As the CEQ report [\*Preserved But Maybe Not – the Impermanence of State Conservation Lands\*](#) makes clear, State Parks, Forests, and other valuable state-owned public lands are vulnerable to being lost unless the existing conveyance process is reformed through amending the state constitution.

If you have any questions, please contact Eric Hammerling at the Connecticut Forest & Park Association (CFPA) via [ehammerling@ctwoodlands.org](mailto:ehammerling@ctwoodlands.org) or 860/346-TREE.