

FACT SHEET ON CONSTITUTIONAL AMENDMENT TO BETTER PROTECT YOUR PUBLIC LANDS

Why do we need a Constitutional Amendment to better protect your public lands?

The “Conveyance Act” gives the General Assembly the ability to sell, trade, and give away public lands to a town, business, or even an individual. Minor boundary adjustments or transfers of state highway lands to a municipality can be benign; however, the Conveyance Act also proposes giving away sections of State Parks and Forests for no compensation and for non-conservation purposes. This can be done without a public hearing and through late-session amendments. Legislative conveyances of public lands have several damaging impacts:

1. Fragmentation and loss of state holdings that are ecologically valuable, important for healthful outdoor recreation, and necessary for viable farming;
2. Landowners are dissuaded from giving property to the state even if their donation contains a deed restriction;
3. It wastes state and private resources researching and fighting potential losses; and
4. It breaks faith with our predecessors who worked hard to preserve these lands, and with future generations who deserve such special places in an increasingly urbanized future.

Wouldn't a Legislative change or Rules change fix this problem?

Each section of the Conveyance Act begins with the words “Notwithstanding any provision of the general statutes ...” This powerful and outrageous language essentially states “we hereby ignore any laws that we have passed previously,” and it would override any legislative changes that might be protective of public lands. A Constitutional Amendment cannot be ignored easily.

A change in the joint rules of the House and Senate that would, for example, encourage the Conveyance Act be heard by the Environment Committee could be helpful. However, at the end of each Legislative session when the Conveyance Act is typically voted upon, the rules are typically suspended for expediency, and any rules change would not protect against a late session amendment.

What Principles should be in a Constitutional Amendment to better protect public lands?

We believe that public lands with agricultural, conservation, or recreational values:

- Should not be given away, sold, traded, or have their uses changed without a public hearing in the town or towns where the public lands are located;
- Should not be given away without compensation that equals or exceeds the values being lost in the region where they are being lost;
- Should have a higher standard than a simple majority vote (we recommend a 2/3 majority vote) to approve a conveyance of public lands;
- Should only be considered in separate bills so that bad proposals are not bundled with benign ones; and
- That conveyances of public lands should be the exception and not the rule.

How should S.J. 5 be improved?

S.J. 5 states that to change use or give away public conservation land or easements (inadequate) would require a two-thirds vote of the General Assembly (good), a public hearing (inadequate), and that any funds realized by the state from the sale of public lands would be used to acquire land with an equivalent conservation value (inadequate).

S.J.5 should be strengthened in a few ways, namely:

- S.J. 5 should be protective of lands that have agricultural, conservation, or recreational values (not just conservation value);
- S.J. 5 should include a requirement for a local public hearing (not just a public hearing);
- S.J. 5 shouldn't only recognize funds realized by a sale of public lands (often public lands are given away in the Conveyance Act without any compensation and SJ 5 as written would not account for the value of those lands being given away); and
- S.J. 5 does not address the need to have separate bills considered by the General Assembly when public lands with agricultural, conservation, or recreational values are proposed for conveyance.

Tips on Your Testimony

Be brief, be respectful, and use your own voice. If you have a personal example of the importance of State Parks, Forests, or other public lands to your life, please include it. Please copy me on your emailed testimony via chammerling@ctwoodlands.org and [copy your legislators](#) as well. There are a few important points that we hope you will include in your testimony:

- 1) This is an important issue for the General Assembly to address and that a Constitutional Amendment is necessary;
- 2) S.J. 5 can be improved in specific ways (see examples above); and
- 3) Thank them for holding a public hearing on the need to better protect your public lands.

Instructions to Submit Your Testimony

The Environment Committee will hold a public hearing on **Friday, February 19, 2016** at **10:30 A.M.** in **Room 2B** of the LOB. Signup for the hearing will take place at 8:15 A.M. in the First Floor Atrium of the LOB. Any individual wishing to sign up after the start of the public hearing may do so with Committee staff inside the hearing room. Please email written testimony in Word or PDF format to envtestimony@cga.ct.gov. PDF format is strongly preferred. Testimony should clearly state testifier name and related Bills. The Committee encourages witnesses to submit a written statement and to condense oral testimony to a summary of that statement. All public hearing testimony, written and spoken, is public information. As such, it will be made available on the CGA website and indexed by internet search engines. [excerpted from CGA Bulletin]

Additional Resources

- CEQ Report: [Preserved but Maybe Not – the Impermanence of State Conservation Lands](#)
- [CFPA's Conservation Agenda for 2016](#)
- Original [2015 Conveyance Act](#) (CFPA and others rallied successfully to remove sections 3, 8, 14, and 15 from this bill)