

complied within a timely manner by said Continental Information Systems Corporation.

Approved July 3, 1975

Substitute Senate Bill No. 771

SPECIAL ACT NO. 75-79

AN ACT CONCERNING HEALTH MAINTENANCE ORGANIZATIONS.

Section 1. There is established a commission on health maintenance organizations which shall consist of the commissioner of health, the commissioner of insurance and the executive director of the commission on hospitals and health care or their respective designees, the co-chairmen and ranking minority members of the joint standing committee on public health and safety of the general assembly and three members of the general public appointed by the governor. The governor shall appoint the public members to said commission on or before July 1, 1975, and shall fill any vacancy occurring in the membership of said commission. Notwithstanding the provisions of section 4-1, all members shall serve without compensation or reimbursement.

Sec. 2. The commission shall: (1) Study the provisions of the Health Maintenance Organization Act of 1973; (2) analyze the effect of said act as adopted in other jurisdictions; (3) investigate the feasibility of adopting any of its provisions in this state, and (4) submit to the governor and general assembly a report of its findings and legislative recommendations on or before November 1, 1975.

Sec. 3. All functions, duties and responsibilities of the commission shall terminate not later than November 15, 1975.

Approved June 30, 1975

Substitute Senate Bill No. 555

SPECIAL ACT NO. 75-80

AN ACT CONCERNING THE ESTABLISHMENT OF WEST ROCK RIDGE STATE PARK.

Section 1. The general assembly finds that the West Rock Ridge and surrounding lands possess unique scenic, ecological, scientific and historic value contributing to public enjoyment, inspiration and scientific study, that it is in the public interest that the provisions of this act be adopted to preserve such values, to provide active and passive recreational facilities and to prevent deterioration of the natural and traditional beauty of the area for the enjoyment of present and future generations of Connecticut citizens and that the powers of the commissioner of environmental protection, conferred by the provisions of section 22a-25 of the general statutes, should be exercised in the furtherance of the purposes hereof in conformity with his general responsibility to preserve the natural resources of the state.

Sec. 2. In furtherance of these objectives the general assembly hereby establishes West Rock Ridge state park and West Rock Ridge conservation area. All the following area is hereby designated as the West Rock Ridge conservation area, to be bounded and described as follows:

Starting at the overpass where the Wilbur Cross Parkway crosses Wintergreen Avenue in Hamden, northerly on the Westerly side of

Wintergreen Avenue, westerly and northerly on Main Street, easterly along the northerly side of Chauncey Road, northerly along the westerly side of Dunbar Hill Road, northerly along the westerly side of Hill Street (all in Hamden), and northerly along the extension of the westerly side of Hill Street to the Hamden-Bethany Town Line; thence north-westerly along the common boundary of Hamden and Bethany to intersection of this town line with Gaylord Mountain Road, thence southerly along Gaylord Mountain Road to the intersection of Gaylord Mountain Road, Brooks Road and Carmel Road in Bethany, thence westerly along the southerly side of Carmel Road to its intersection with Downs Road, thence southerly along the easterly side of Downs Road past Lake Watrous to the intersection of Downs Road with the Litchfield Turnpike (Connecticut Route 69), thence southerly along the easterly side of the Litchfield Turnpike, past Konold's Pond to the northerly property line of the property known as 1785 Litchfield Turnpike, thence easterly along said northerly boundary to the present shoreline of said Konold's Pond, thence southeasterly and northeasterly along such shoreline to the banks of the West River, and thence southerly to the bridge where Bradley Road crosses West River, thence northerly again along the banks of the West River to the point where north-running Bradley Road turns easterly, thence easterly along the northerly side of Bradley Road and the extension thereof to the base of the slope of West Rock Ridge, thence southerly along the base of said slope across the Wilbur Cross Parkway to the New Haven Town Line, thence generally southerly, easterly and northerly again along the existing baseline of West Rock Ridge within the city of New Haven as shown on an accurate survey, excluding portions of the land within West Rock Park within the city of New Haven including the West Rock Nature Center and proposed barnyard to the place and point of beginning.

Sec. 3. (a) Notwithstanding the provisions of sections 16-50b to 16-50d, inclusive, of the general statutes, the commissioner of environmental protection may acquire and may receive under such terms and conditions as he may establish, any property or interests therein within the bounds of the West Rock Ridge conservation area, except that property excluded by the provisions of subsection (b) of this section. The commissioner may also, upon such terms and conditions as he may establish, accept donations of property or interests therein, which are contiguous to the boundaries described in section 2 of this act for incorporation within the West Rock Ridge conservation area, provided the commissioner has the funds to maintain such areas. Upon such receipt or acquisition, such property or interests therein shall thereby become a part of West Rock Ridge state park and be devoted to park purposes.

(b) The following structures and lands shall be exempt from the provisions of this act: (1) Any existing single family residential structure together with real property upon which such residential structure is located of not more than the minimum size to comply with applicable zoning regulations existing as of the effective date of this act; (2) real property and structures thereon devoted to agricultural use; (3) any commercial or industrial structure existing as of the effective date of this act which is determined not to be necessary for park purposes under the development plan adopted under section 8 of this act, provided, nothing herein shall be construed to prevent an owner of such property from selling or otherwise transferring such property, or any interest therein, to the state; (4) any structure or land dedicated to conservation or park purposes and held by a municipality, private conservation trust or other comparable body, unless the owner donates such lands to the state under such terms and conditions

as are mutually acceptable. Mutually acceptable terms shall include that the transferred property be used for park purposes, that the donor be indemnified against any reversionary interests, that incidental transfer expenses, such as the preparation of a certified title report or closing costs shall be assumed by the donee, and that existing place names may be preserved, such as the continuation and designation of Governor Simeon E. Baldwin Drive as Governor Simeon E. Baldwin Drive.

Sec. 4. (a) Before any transfer, development or change in use, including proposals for changes in use which necessitate the approval of any state or local board or agency, of real property or interests therein within the above West Rock Ridge conservation area may be undertaken, the owner of such property or interests therein shall first notify in writing, by registered or certified mail, return receipt requested, the commissioner of environmental protection of such intention to transfer, develop or change the use of such property. For the purposes of this section, "transfer" shall include the selling, leasing or otherwise disposing of such property or any interest therein. No transfer, development or change of use of such property may be entered into except as hereinafter provided. Any development or change of use which occurs, and any purchaser, other than the state, who acquires property within said conservation area without proper notice having been given to the state and without prior waiver by the state of its right to acquire, shall remain subject to the state's right to acquire by eminent domain.

(b) An owner of real property within the boundaries of said conservation area who is under an option, contract or bond for deed to sell, lease or otherwise dispose of such property shall be subject to subsection (a) of this section.

Sec. 5. (a) Within forty-five days after such notice has been so given, the commissioner of environmental protection shall give written notice to the property owner by registered or certified mail, return receipt requested, of the state's desire to acquire such land and the state shall have the right to acquire the interest, or any mutually agreeable lesser interest, in the land which such property owner has declared his intent to transfer, develop, or change the use thereof, provided such acquisition procedures shall commence within a reasonable time thereof not to exceed two years.

(b) If the commissioner of environmental protection fails to give notice, as provided in subsection (a) of this section, or gives notice to the property owner by registered or certified mail, return receipt requested, of the state's desire not to acquire such land, the state shall have waived its right to acquire such land at that time in accordance with the provisions of this act, subject to subsections (d) and (e) of this section.

(c) Within sixty days after notice has been given by the state, of its desire to acquire such land, as provided in subsection (a) of this section, the property owner shall sell the land to the state, or, if the parties cannot agree upon the amount to be paid therefor, the state may proceed to acquire the land by eminent domain in accordance with the procedure prescribed in section 48-12 of the general statutes.

(d) If the state fails to acquire the land or to file a statement of compensation within two years after notice has been given by the state of its desire to acquire the land, as provided in subsection (a) of this section, the state shall have waived its rights to acquire such land in accordance with the terms of this act, with regard to such transfer, development or change of use, provided any subsequent transfer, development, or change in use shall be subject to the provisions of this act.

(e) Notwithstanding the provisions of subsection (d) of this

section, if the property owner thereafter proposes to transfer, develop or change the use upon terms different than those described in its notice to the state, such property owner shall first notify the commissioner of environmental protection of such proposal, in the manner provided in subsection (a) of this section, and the terms of such proposed transfer or development, and the state shall have the option to acquire such land upon such terms and may thereupon, in the same manner and within the same time limitations as are provided in subsections (a) to (c), inclusive, of this section, proceed to acquire such land.

Sec. 6. The failure to send any notice in writing required under sections 4 and 5 of this act by registered or certified mail, return receipt requested, shall not constitute noncompliance with the provisions of said sections if such failure is waived by the addressee either expressly or by such addressee's actions evidencing receipt of such written notice.

Sec. 7. (a) A copy of each notice required by sections 4 and 5 of this act shall be sent by the party giving such notice to the town clerk of the municipality in which the land is situated and such town clerk shall make all such notices part of the appropriate land records. The failure to send the notice required under this subsection may be cured at any time by the state or the property owner, provided any third party purchasing such real property, or any interest therein, where a copy of the notice has not been filed in the appropriate town clerk's office shall have the right to maintain any legal or equitable action against the party failing to file the required notice in the town clerk's office.

(b) The secretary of the state shall direct the town clerk of the municipality in which the land is situated to record notice of this act in the appropriate land records within thirty days from the effective date of this act.

Sec. 8. (a) Within nine months after the effective date of this act, the commissioner of environmental protection shall prepare, or cause to be prepared, a development plan for the West Rock Ridge conservation area in consultation with the advisory council established under subsection (b). Said plan shall set forth (1) the order in which properties will be acquired by the state within the boundaries described in section 2 of this act, (2) the proposed active and passive recreational uses within the West Rock Ridge conservation area and (3) a development schedule for implementing said plan, subject to the availability of funds. Said plan shall be adopted by the commissioner of environmental protection within twelve months of the effective date of this act after public hearing thereon within one of the cities or towns in which the West Rock Ridge conservation area is located upon at least two weeks notice published in a newspaper of general circulation within the towns of Bethany, Hamden, New Haven and Woodbridge. Said plan may be modified at any time by the commissioner of environmental protection upon consultation with the advisory council established under subsection (b) of this section, except that any substantial modification shall be approved in the same manner as the adoption of the plan.

(b) There shall be a West Rock Ridge state park advisory council of fourteen members which shall consist of one designee each of the mayors of New Haven and of Hamden, one designee each of first selectmen of Bethany and Woodbridge, one designee each of the New Haven City Plan Commission and board of park commissioners of the city of New Haven, one designee each of the planning commissions and one designee each of the conservation commissions of the towns of Bethany, Hamden and Woodbridge, and two representatives of the general public, selected by the commissioner of environmental protection. All terms shall be for a period

to expire July 1, 1979, and thereafter terms shall be for a period of four years. Each successive appointment shall be in the manner described herein and any vacancy on the said advisory council may be filled for the balance of the member's term by the person, board or commission having the right hereunder to make the original appointment. The commissioner of environmental protection, or his designee, shall serve as the non-voting chairman of the advisory council and shall determine the time and place for meetings of said advisory council. The members of the advisory council shall serve without compensation and shall advise the commissioner of environmental protection on the development and maintenance of the West Rock Ridge conservation area.

Sec. 9. Any invalidity or inapplicability of any portion of this act shall not affect the remainder thereof, which shall remain in full force and effect.

Vetoed July 3, 1975

Repassed July 21, 1975

Substitute House Bill No. 8395

SPECIAL ACT NO. 75-81

AN ACT ESTABLISHING AN EASTERN CONNECTICUT RURAL AND INDUSTRIAL AREAS PRESERVATION COMMISSION.

Section 1. There is established an eastern Connecticut rural and industrial areas preservation commission, which shall identify and seek ways to preserve the historic heritage and natural beauty of eastern Connecticut and whose duties are to include: (1) Identifying quality areas where architectural or recreational possibilities and natural features are the basis for its unusual character; (2) encouraging and assisting to implement measures for the preservation of these areas through cooperation with municipalities and organizations of citizens, including bicentennial commissions, provided any action shall be only with the agreement of the municipality involved; (3) stimulating recreational and historical projects which may have economic potential for the area; and (4) recommending legislative measures to the 1976 general assembly to implement programs for the preservation of these areas.

Sec. 2. Said commission shall consist of fifteen members who shall reside in or whose place of business is in the second congressional district, two of whom shall be appointed by the speaker of the house, one of whom shall be appointed by the minority leader of the house, two of whom shall be appointed by the president pro tempore of the senate, one of whom shall be appointed by the minority leader of the senate and nine of whom shall be appointed by the governor. Of those members appointed by the governor one shall be a registered architect, one shall be a landscape architect and three shall be representatives of regional planning agencies within the second congressional district. The chairman of the state historical commission shall serve as an ex-officio member without power to vote.

Sec. 3. The commission shall report its findings and recommendations to the 1977 general assembly on or before March 1, 1977. Members of the commission shall serve without compensation or reimbursement for expenses.

Approved July 3, 1975