



General Assembly

February Session, 2006

**Raised Bill No. 5444**

LCO No. 1713

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Referred to Committee on Environment

Introduced by:  
(ENV)

**AN ACT ESTABLISHING A DEPARTMENT OF ENVIRONMENTAL  
PROTECTION LAND TRUST LEGAL ACTION ACCOUNT.**

Be it enacted by the Senate and House of Representatives in General  
Assembly convened:

1 Section 1. (NEW) (*Effective July 1, 2006*) (a) There shall be a nonprofit  
2 land conservation organization legal action account, which shall be a  
3 separate, nonlapsing account within the General Fund, for the  
4 Department of Environmental Protection. The Commissioner of  
5 Environmental Protection may use said account to make grants to  
6 nonprofit land conservation organizations to enable such  
7 organizations to take legal action against individuals or entities that  
8 encroach upon land owned or upon land on which such organizations  
9 have conservation restrictions. In making such grants, the  
10 commissioner shall consider the legitimacy of the nonprofit land  
11 conservation organization, the existence and location of boundary  
12 markers on the land encroached upon and any other relevant factors.

13 (b) If the commissioner makes a grant pursuant to subsection (a) of  
14 this section to a nonprofit land conservation organization and the  
15 organization prevails in a legal action against an encroacher, the  
16 organization shall reimburse the commissioner in the amount of the

17 grant, provided the organization recovers a sufficient monetary award  
18 to do so.

19 (c) The commissioner may adopt regulations, in accordance with the  
20 provisions of chapter 54 of the general statutes, to carry out the  
21 purposes of this section.

22 Sec. 2. (*Effective July 1, 2006*) The sum of one hundred thousand  
23 dollars is appropriated to the Department of Environmental  
24 Protection, from the General Fund, for the fiscal year ending June 30,  
25 2007, to fund the account established in section 1 of this act.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2006</i>	New section
Sec. 2	<i>July 1, 2006</i>	New section

**Statement of Purpose:**

To create an account within the General Fund for the Commissioner of Environmental Protection to use to make grants to nonprofit land conservation organizations to enable such organizations to take legal action against individuals or entities that encroach upon land owned by or upon land on which such organizations have conservation restrictions.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*