



General Assembly

Raised Bill No. 5444

February Session, 2006

LCO No. 1713

* HB05444ENV 030906 *

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

ENV *Joint Favorable*