

290 Old Farms West
Middletown, CT 06457
January 31, 2011

Environment Committee
Connecticut General Assembly
Legislative Office Building
Hartford, CT

Re: Public hearing on January 31, 2011 for S.B. No. 831 AN ACT CONCERNING
MUNICIPAL LIABILITY FOR RECREATIONAL ACTIVITIES ON CERTAIN OPEN
SPACE LANDS.

Dear members of the Environment Committee:

I write in support of S.B. No. 831. The State of Connecticut provides immunity to all owners of land (individual, state, corporate) who allow access to their property for recreational activities. Through a court decision, the Connecticut Supreme Court construed the current recreational liability statute providing immunity to landowners to *not* include municipalities. This bill would reestablish a municipality's immunity for recreational activities on open space land.

The purpose of granting immunity is to encourage landowners to make property available for recreational activities. It makes no sense to encourage private landowners and the state, while excluding municipalities. This can be clearly understood by looking at land ownership of the land comprising the newly designated national scenic trail, the New England Trail. I live next to municipal open space land through which a portion of the New England Trail runs. To the south are portions owned by the state and by a local land trust; to the north are portions in private ownership. No public policy is served by zigzagging the immunity from liability based solely on whether the land is owned by a municipality.

Please vote to keep open space lands open for recreational use and to encourage other lands being opened by voting in support of S.B. No. 831.

Thank you for your consideration of my comments.

Sincerely,

Janet P. Brooks

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