



General Assembly

Substitute Bill No. 1015

January Session, 2013



AN ACT CONCERNING THE NEW ENGLAND NATIONAL SCENIC TRAIL.

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

1 Section 1. (NEW) (*Effective from passage*) (a) It is declared to be the
2 policy of the state of Connecticut that the Connecticut portion of the
3 New England National Scenic Trail be preserved in its natural
4 character as proposed by Public Law 111-11, March 30, 2009.

5 (b) The Department of Energy and Environmental Protection is
6 hereby authorized by purchase, gift or otherwise to acquire such land,
7 including, but not limited to, rights-of-way and easements for the
8 purpose of protecting or enhancing scenic beauty, as may be deemed
9 necessary to establish, protect and maintain the portion of the New
10 England National Scenic Trail between Long Island Sound and the
11 Massachusetts state line after considering the recommendations of the
12 Metacomet Monadnock Mattabesett Trail System National Scenic Trail
13 Feasibility Study and Environmental Assessment prepared by the
14 National Park Service, dated Spring 2006.

15 (c) Any department or agency of the state or of any political
16 subdivision may transfer to the Department of Energy and
17 Environmental Protection lands or rights in land for such purposes on
18 such terms and conditions as may be agreed upon, or may enter into
19 an agreement with the Commissioner of Energy and Environmental

20 Protection providing for the establishment and protection of said trail.

21 (d) As ordered in Public Law 111-11, the New England National
22 Scenic Trail shall be held, developed and administered primarily as a
23 footpath after consideration of the actions outlined in the Trail
24 Management Blueprint as the framework for the management and
25 administration of said trail; provided other uses of the trail and lands
26 acquired hereunder may be permitted, by the owner of adjoining lands
27 or other, in such manner and in such seasons as will not substantially
28 interfere with the primary use of the trail. Nothing in this section shall
29 be construed to limit the right of the public to pass over existing public
30 roads which are or may become part of the trail, nor prevent the
31 department from performing such work as is necessary for the
32 purpose of forest fire protection, insect, pest and disease control.

33 (e) As stated in Public Law 111-11, the commissioner may enter into
34 cooperative agreements with agencies of the federal government or
35 with private organizations to provide for the maintenance of the trail.

36 (f) No person who has granted a right-of-way for said trail across
37 his or her land, or his or her successor in title, shall be liable to any
38 user of the trail for injuries suffered on said right-of-way unless the
39 injuries are caused by his or her wilful or wanton misconduct as
40 described in sections 52-557f to 52-557i, inclusive, of the general
41 statutes.

42 (g) The Department of Energy and Environmental Protection is
43 hereby authorized to use any department funds which may become
44 available to carry out the provisions of this section. Any available
45 funds from the United States Land and Water Conservation Fund or
46 other federal assistance programs may also be used to accomplish this
47 purpose.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section

ENV *Joint Favorable Subst.*

JUD *Joint Favorable*