



General Assembly

February Session, 2014

Raised Bill No. 5415

LCO No. 1492



Referred to Committee on ENVIRONMENT

Introduced by:
(ENV)

AN ACT CONCERNING THE AIR LINE STATE PARK TRAIL.

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

1 Section 1. (NEW) (*Effective October 1, 2014*) (a) It is declared to be the
2 policy of the state of Connecticut that the Air Line State Park Trail be
3 preserved in its natural character for the purpose of preserving the
4 heritage of such trail as a means of transport between the cities of
5 Boston and New York during the late nineteenth century.

6 (b) The Department of Energy and Environmental Protection is
7 hereby authorized by purchase, gift, eminent domain or otherwise to
8 acquire such land, including, but not limited to, rights-of-way and
9 easements for the purpose of protecting or enhancing scenic beauty, as
10 may be deemed necessary to establish, protect and maintain the
11 portion of the Air Line State Park Trail, provided the power of eminent
12 domain shall not be utilized to acquire a strip of land bordering said
13 trail no greater than two hundred feet in overall width.

14 (c) Any department or agency of the state or of any political
15 subdivision may transfer to the Department of Energy and

16 Environmental Protection lands or rights in land for such purposes on
17 such terms and conditions as may be agreed upon, or may enter into
18 an agreement with the commissioner providing for the establishment
19 and protection of said trail.

20 (d) The Air Line State Park Trail shall be held, developed and
21 administered primarily as a footpath and the natural scenic beauty
22 thereof shall be preserved insofar as it is practicable; provided other
23 uses of the trail and lands acquired hereunder may be permitted, by
24 the owner of adjoining lands or other, in such manner and in such
25 seasons as will not substantially interfere with the primary use of the
26 trail. Nothing in this section shall be construed to limit the right of the
27 public to pass over existing public roads which are or may become
28 part of the trail, nor prevent the department from performing such
29 work as is necessary for the purpose of forest fire protection, insect,
30 pest and disease control.

31 (e) The commissioner may enter into cooperative agreements with
32 private organizations to provide for the maintenance of the trail.

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

39 (g) The Department of Energy and Environmental Protection is
40 hereby authorized to use any department funds which may become
41 available to carry out the provisions of this section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2014</i>	New section

Statement of Purpose:

To preserve and recognize the importance of the Air Line State Park Trail as an important part of the transportation history of the state.

[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.]