

| Act Number | Session | Bill Number | Total Number of Committee Pages | Total Number of House Pages | Total Number of Senate Pages |
|------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------|------------------------|----------------------------------------------------|----------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------|
| PA 71-249 | | 7533 | 3 | 12 | 5 |
| <u>Committee Pages:</u> <ul style="list-style-type: none"> • <i>Environment</i> 536 • <i>Environment</i> 565 • <i>Environment</i> 568 | | | | <u>House Pages:</u> <ul style="list-style-type: none"> • 1804- 1809 • 2061- 2066 | <u>Senate Pages:</u> <ul style="list-style-type: none"> • 1677- 1681 |

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**CONNECTICUT
GENERAL ASSEMBLY
HOUSE**

**PROCEEDINGS
1971**

**VOL. 14
PART 4
1451-1967**

Calendar No. 475, House Bill No. 7533, An Act Limiting Liability of Property Owners of Land Used for Recreational Purposed. File 417.

DAVID LAVINE, 73rd District:

Mr. Speaker, I move the joint committee's favorable report and the passage of this bill.

MR. SPEAKER:

Motion is on acceptance and passage, will you remark?

DAVID LAVINE, 73rd District:

Yes, Mr. Speaker, this bill limits the liability of property owners who allow their lands to be used for recreational purposes. This bill embodies a needed change in existing statutes so that we in Connecticut may more fully enjoy the woodlands and open spaces within our state. We are, Mr. Speaker, a small state, 5,000 square miles or about 3 million acres. Within these confines we have 3 million people. Within 30 years the population will double and the available open space will shrink. The Department of Agriculture, of our state, has been implementing plans to develop more and better recreational facilities to meet needs and requirements of the future of our expanding population. We should realize, though, that neither federal, state or local implementation of recreational plans are going to require or set aside enough land for the recreational needs of our citizens. For certain and many types of outdoor activities such as hiking, hunting,

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fishing, enjoyment of the rural life in Connecticut, we have long depended and will continue to depend upon the generosity of private owners of land and water to open their property to the use and enjoyment of their fellow citizens. Now, Mr. Speaker, we have in our land about 600,000 acres which are currently in use from property owners who allow people to wander about and make use of these recreational facilities. However, we have recently run into many legal problems relating to the land use. We've had a recent case where a sledder ran into an apple tree while sledding and the courts held that since the apple tree had been planted by the property owner, the sledder was entitled to collect damages.

Well, we've also had many, many cases recently of snow-mobilers who have made use of private land and have met with some sort of an accident and have turned around and sued the property owner. The result of this is this, that in the past several years this 600,000 acres have begun to dwindle and shrink as property owners have posted this land. Last session the legislature wrestled with this problem and passed a bill which allowed a property owner to register his property with the state Park and Forest Commission, thereby limiting his liability. But since that passage only twelve landowners have made use of that act. So this act here is to allow limited liability in Connecticut of Connecticut property owners to open their land for public use without charge. And we feel

that this clear and uncomplicated manner it is only fair to the people that allow their property to be used for the entire citizenry. The Department of Agriculture and Natural Resources estimates that it may open up an additional 900,000 acres. Thereby, changing one of the movements of land use within our state. I would urge favorable consideration so that we can make use of the wonderful natural resources that we have within our state.

MR. SPEAKER:

Are there further remarks?

ALAN H. NEVAS, 144th District:

Mr. Speaker, a question to the gentleman, through you, Mr. Speaker. In reading this bill, it seems to me that if someone comes to my house and I have a swimming pool and I forgot to tell them that the pool was empty or that I was having the diving board repaired, and they dove off and broke their neck, this bill would absolve me from liability. Is that correct or do I misread it?

MR. SPEAKER:

Does the gentleman care to respond?

DAVID LAVINE, 73rd District:

Well, I don't know about people who go jumping into pools where there is no water, but there is, in Section 5, if you will note, an indication that this bill does not limit the liability for any willful or malicious failure to guard

against a dangerous condition. So I think that somebody who might invite a swimmer in to a empty pool might find himself not having his liability limited.

MR. SPEAKER:

Are there further remarks?

CARL R. AJELLO, 118th District:

Mr. Speaker, another question that troubles me is somewhat along the same line. Suppose a child is taking a walk or running or a short cut or has skis over his shoulder and is walking across the land of some farmer or my back yard or anybody else's property and is unaware of perhaps a sharp dip in the terrain or a recent excavation and falls in and is hurt. And suppose, further, that that property had been used for that purpose by children in the past. Is the landowner then absolved of that kind of responsibility?

MR. SPEAKER:

Does the gentleman from the 73rd care to respond?

DAVID LAVINE, 73rd District:

Well, I don't have the benefit of having a legal degree but it is my understanding that if the property owner knows that the land is being used and he has an awareness that it is in constant use and he has a hazard on that land, he will not have his liability limited.

MR. SPEAKER:

Are there further remarks on the bill?

ROBERT D. KING, 48th District:

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Mr. Speaker, it seems to me that the philosophy of this bill is long overdue. Those who have been in the session for many years, in this Assembly for many years, will recall the past experiences that we have had in trying to get a bill of this nature passed. I would sincerely hope that this bill could be passed and yet there is language in this bill which, to me, is indeed troubling. For example, in Section 5 it certainly states, and rather clearly, that the landowner does have a duty to warn of certain hazards. And yet in Section 6 of the bill, beginning in line 56, the previous language seems to be cancelled out entirely. In that it says that nothing in this act shall be construed to create a duty of care or ground of liability for injury to persons or property.

Now, that is certainly not consistent with what is attempted to be done in the previous section. One seems to cancel out the other and in the same last paragraph, the same last section 6, there is language which, I'm sure the intent is there, but I think the effect is entirely lost in that on line 60, section 6 states, that the user of the property has no obligation to exercise care in his use of said land and so on. Now, that apparently is an attempt to support what is said previously in the act. But I think this language is subject to fearful misconstruction. I would hate to think that individuals who are permitted to use for recreational purposes land that is otherwise available would take this as

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a signal or as a statutory requirement that they are not required to use care either in the legal or the nonlegal sense of that term. I think these inconsistencies are very unfortunate, Mr. Speaker, because the bill is needed and, I think, except for a few items of this nature the bill is what we need but I am very, very dubious about passing the bill with this language, as I pointed out, contained in it.

PETER F. LOCKE, JR., 49th District:

Mr. Speaker, I'd like to rise in favor of this bill. Mr. Speaker, this would open up land in the state of Connecticut at no cost to the state, town or federal government at all. Also, I have been approached by many farmers in my area who without the liability would very much like to see their land opened to 4-H clubs, boy scouts and many other such groups and organizations. Mr. Speaker, I think it is a good bill and it ought to pass. Thank you.

DAVID LAVINE, 73rd District:

Mr. Speaker, there have been some questions raised which opens some questions which we feel could be beneficially looked at. I would ask that the bill be passed retaining so that we can take a good look at the language within it.

MR. SPEAKER:

Is there objection? Hearing none, so ordered.

THE CLERK:

Calendar No. 476, House Bill No. 8828....

MR. SPEAKER:

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GENERAL ASSEMBLY
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THE CLERK:

Page 4, Calendar No. 475, H.B. No. 7533, An Act Limiting Liability of Property Owners of Land Used for Recreational Purposes, File No. 417.

THE SPEAKER:

The gentleman from the 73rd, and please could we have your attention.

MR. LAVINE (73rd):

Mr. Speaker, The Clerk has an amendment.

THE SPEAKER:

The question is on acceptance of the Joint Committee's Favorable Report and passage of the bill. Would the Clerk please call House Amendment Schedule "A"?

THE CLERK:

This is House Amendment Schedule "A" offered by Rep. Lavine of the 73rd.

THE SPEAKER:

The question now is on adoption of House Amendment Schedule "A".
Would you remark?

MR. LAVINE (73rd):

Yes, Mr. Speaker. Mr. Speaker, as you know the bill before us is a model bill yet, in going over it, we have found places where the bill could be strengthened and improved.

THE SPEAKER:

Ladies and gentlemen, please. There's commercial activity going on. Checks can be distributed without this type of hubbub. If not, we'll simply have to ask that they're not distributed. The gentleman from the 73rd has the floor.

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MR. LAVINE (73rd):

Yes, Mr. Speaker. We have found places in the bill where it can be strengthened and improved and there has been a lot of hard work and a lot of thought that has gone into these amendments to strengthen and improve a very necessary bill. The amendments basically clarify some of the language within the bill and if the representatives will consult File No. 417, they will see that in line 18 and 19, the words "As specifically recognized by or" are deleted; in line 19, the words "five or more acres of" are included, and that is to make clear that the purpose of the bill is to open up large areas of land to, for recreational purposes; in line 20, after the word "land", there is inserted, "who makes such land available to the public without charge, rent, fee or other commercial service for recreational purposes". It was felt that it should be crystal clear that no one would be putting commercial land out and having their liability removed for commercial purposes. In line 20, the words "the premises" are deleted and the words "such land" is put in and that is in keeping with the definition in section 1. In lines 25 and 26, the words "specifically recognized by or" are deleted for clarifying purposes; in line 26, after the words "owner of" there is inserted "five or more acres of" and that is to again indicate that this act will apply to land of five acres or more; line 28, we again have the language after the word "charge", "rent, fee or other commercial service"; line 29, the word "property" is deleted and the word "land" is put in in conformity with section 1's definition; line 30, the words "Extend any assurance" are deleted and inserted are "Make any representation" since this in fact is what we are talking about throughout the bill; line 32, after the word "person" is inserted "who enters or uses such land for such recreational purposes" again

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to make clear to whom we're talking about; line 36, the word "person" is deleted, the word, "owner" is put in, again clarifying in section 1; line 44, the word "any" is deleted, the word "the" is put in, I think that's self-evident if you read it over; line 44, after the word "liability" insert the words "of any owner of land"; line 56 which caused some comment previously, this was section 6 which said nothing in this act shall be construed to (a) create a duty of care or ground liability for injury to persons or property, it was unclear as to whether it was creating a new duty or removing old duties and as with much good legislation, we struck (a) out and made a better law by removing that particular section. That is the extent of the amendments and I would move the acceptance of these amendments.

THE SPEAKER:

The question is on adoption of Amendment Schedule "A" which has been outlined by the gentleman from the 73rd as opposed to a reading by the Clerk. Will you remark further on the amendment?

MR. COLLINS (165th):

Mr. Speaker, did you forget my name for a minute?

THE SPEAKER:

I try, but it's not easy.

MR. COLLINS (165th):

I won't let you. Mr. Speaker, after the excellent explanation of the amendment by the gentleman from the 73rd, I think that this particular amendment and the content of it makes a good bill a little bit better, more workable, and we certainly support the changes.

THE SPEAKER:

Further remarks on the amendment?

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MR. CARROZZELLA (81st):

Mr. Speaker, I too rise in support of the amendment. I think it does make a good bill better and I want to thank Rep. Lavine for the time that he gave us to prepare this amendment. Especially I would like to thank Jim Wade who worked so hard on this because he did a good job.

THE SPEAKER:

Further remarks on the amendment? If not, all those in favor of its adoption indicate by saying aye. Opposed? The amendment is ADOPTED. It's ruled technical,

MR. LAVINE (73rd):

Mr. Speaker, I'd like to move the acceptance of the bill, as amended by Schedule "A".

THE SPEAKER:

The question is on acceptance of the Joint Committee's Favorable Report and passage of the bill as amended by House Amendment Schedule "A". Will you remark?

MR. LAVINE (73rd):

Yes, Mr. Speaker, first let me thank the two distinguished gentlemen on either side of the aisle for their kind words. Second, I have made a full presentation of this bill several days ago and I'm just going to briefly say now that what this bill does is enable property owners who have put their land out for use of the public to continue to do so without incurring liability as specified within the bill and it will also bring in much new and needed recreational land for the citizens of Connecticut. And with that, I am going to sit down and let other people who worked long and hard on this bill, have some words to say about it.

THE SPEAKER:

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Further remarks on the bill as amended?

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MR. LOCKE (49th):

Mr. Speaker, I talked on the bill the last time it was on. Mr. Speaker, I have nothing further to say, that I'm in full support of the bill now as amended. I'm not an attorney. In the original preparation of the bill, I might have left out a few things. With the help of the Legislative Office, I think it's a good bill now and it ought to pass.

THE SPEAKER:

Further remarks on the bill as amended?

MR. HOGAN (177th):

Mr. Speaker, I just want to say that if we get this bill in so that I can really trust the members of the legislature, I might have a party out at my farm.

THE SPEAKER:

That means 176 members may have to disqualify themselves, sir.

MRS. GREEN (93rd):

Mr. Speaker, thank you. I support this bill wholeheartedly. I had a similar bill filed and I don't really care whose name was on the bill as long as we get the bill passed. Thank you.

THE SPEAKER:

Further remarks on the bill as amended?

MR. VAILL (173rd):

Mr. Speaker, this bill has been a long time in coming. I think its needed if landowners are to be encouraged to open their land up for public use, and the passage of this bill is essential for that purpose. Thank you.

MR. WEBBER (113th):

I certainly endorse the bill but what embarrasses me and the members

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of the General Law Committee is that we too are all enthusiastic about this measure. We have an identical bill coming out of our committee and we were hopeful that our committee would have received the credit for the bill. But under the circumstances, we'll support this one.

THE SPEAKER:

Are there further cogent remarks? If not, all those in favor of the bill as amended indicate by saying aye. Opposed? The bill is PASSED.

THE CLERK:

Calendar No. 490, Substitute for H.B. No. 8010, An Act Concerning Copies of Files and Testimony in Criminal Cases.

MR. SULLIVAN (130th):

Mr. Speaker, I move acceptance of the Joint Committee's Favorable Report and passage of the bill.

THE SPEAKER:

Question is on acceptance of the Joint Committee's favorable report and passage of the bill. Will you remark?

MR. SULLIVAN (130th):

Mr. Speaker, the Clerk has an amendment.

THE SPEAKER:

Will the Clerk call House Amendment Schedule "A"?

THE CLERK:

House Amendment Schedule "A" offered by Mr. Sullivan of the 130th.

MR. SULLIVAN (130th):

Will you read the amendment?

THE CLERK:

In line 3, insert --

THE SPEAKER:

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**CONNECTICUT
GENERAL ASSEMBLY**

SENATE

**PROCEEDINGS
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May 10, 1971

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increases it from 200,000 to 750,000.

THE CHAIR:

The motion is on passage. Will you remark further?

If not all those in favor of passage signify by saying aye. AYE.
Opposed nay. The ayes have it. The bill is passed.

THE CLERK:

Turn to page 9, please Cal. 578, File 417 Favorable report of joint standing committee on Environment on H.B. 7533 An Act Limiting Liability of Property Owners of Land Used for Recreational Purposes. As Amended by House Amendment Sch.A.

THE CHAIR:

Senator Pac.

SENATOR PAC:

Mr. President, I move acceptance of the joint committee's favorable report and passage of the bill as Amended by House Amendment A.

THE CHAIR:

Will you remark?

SENATOR PAC:

Mr. President,, this bill would concur immunity from liability for any land owner who permits his land to be used for recreational purposes or leases his land(audio difficulty) to leases his land to the state or gives it to any political sub divisions. For this same reason.. If the owner of such land owes no duty or care to keep the premises safety counting it

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it on the user.

However there is no limit on liability where the owner charges any fee. Or for any wilful or malicious failure to warn against dangerous conditions. It deleted Sec. 23, 27 and 23-27, all which dealt with waiver liability. And they were rather cumbersome procedures. And a land owner had to recon to his land. And very few land owners did this. This bill will rectify it in providing much separate procedures.

THE CHAIR:

Senator Hammer?

SENATOR HAMMER:

Mr. President, may I ask a question of Senator Pac. I just want to be sure of one of the thoughts that I hoped to find in this bill. If you have a pond on your property. And your property is posted. And you have a row boat, locked with a chain to a tree. And some boys come in and break the lock, take the boat and drowned. Does this law protect the owner of the property from the liability?

THE CHAIR:

Senator Pac.

SENATOR PAC:

Yes, the owner is protected from liability in any case here. Since he has the duty to keep the care of the premises for anyone that uses it. Anyone breaking in at that point has not got his permission either. And he certainly didn't charge a fee. So he is excluded from any liability.

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THE CHAIR:

Senator Eddy.

SENATOR EDDY:

Mr. President, as so often happens a bill will pass quietly in the Senate, which is really a very important bill. And this is an important bill. And will probably do more to open up land to recreation purposes without the expenditure of a single penny on the part of the state. And land owners all over the state who want to open up their land will now be able to do so without fear of losses. And this I believe is a wonderful bill and I think the Senator is to be congratulated for passing it.

THE CHAIR:

The question is on passage. Will you remark further?

Senator Petroni?

SENATOR PETRONI?

Mr. President, members of the circle. I would second the remarks of the Senator from the 9th, that it is an important bill and that it will have I think the positive affect as far as people who own private lands opening them up for recreation and the other purposes set forth in the bill. When I read it, first I felt that it was just involving liability and I questioned in my own mind whether it could do more than that. If they depend on liability certainly it should cause many people to neutralize their land. However, I would like to have for the Chairman of the Committee Senator Pac, as to whether it has any affect as far as a private

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land owner who doesn't wish to have his land open. Whether it gives any other person the right to use that land?

Or whether there is any authorization for the public to use that land without some permission of some kind from that person?

THE CHAIR:

Senator Pac.

SENATOR PAC:

Mr. President, I am not quite sure that I understand his question. It really I think, refers to the fact that if the land owner gives permission to use his land, and..(record not dictating)

SENATOR PETRONI:

Perhaps the Chairman of the committee, Senator Pac of the 6th would relay to us whether it has any affect as private land onwers who doesn't wish to have his land open. Whether it gives any other person, the right to use that land in any way. For instance, if someone owned 5 acres or more of land on a lake or a beach front where there is any authorization for the public to use that land without some permission from that person.

THE CHAIR:

Senator Pac.

SENATOR PAC:

I am not quite sure that I understand his question. But it really I think refers to the fact that if the land owner gives permission to use this land. And the user accepts this

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permission at that moment he has waived any possible liability claims he might have. In the absence of the charge of any thief. And in response I think that would indirectly answer it. I hope it has given the answer specifically. Thank you.

THE CHAIR:

Will you remark further? If not all those in favor of passage of the bill signify by saying aye./ ^{AYE.} OPPOSED NAY .
The ayes have it. The bill is passed.

THE CLERK:

Page 12, top of the page. Cal. No. 598, File 796.
Favorable report of the joint standing committee on Government Administration and Policy on S.B. 1521 Amending the time for the report of the Connecticut Commission for Standard Decency and material available for sale to the public.

THE CHAIR:

Senator Strada.

SENATOR STRADA:

Mr. President, I move for suspension of the rules for immediate consideration.

THE CHAIR:

There being no objection, it is so moved.

SENATOR STRADA:

I move for acceptance of the joint committee's favorable report and passage of the bill.

**JOINT
STANDING
COMMITTEE
HEARINGS**

ENVIRONMENT

**PART 2
339-691**

1971

WEDNESDAY

THE ENVIRONMENT

MARCH 24, 1971

this bill, requesting some three-quarters of a million dollars, is a rather significant and major new approach to the problems that we face in the area of highway construction, recreational facilities, and environment in general. And I think a great deal of credit is due to the six or seven communities involved, and to a few key people in those communities who have worked long and hard to come up with an approach that I find absolutely refreshing, and it's even more refreshing in that it came from the communities themselves, rather than from the state. There has been extensive local participation, these people deserve a great deal of credit for coming up with one of the few fresh approaches in this entire area. As Senator Petroni has indicated, the local communities have undertaken, at their own expense, a feasibility study, the project is well under way, it does need some state funding to become a reality, it is important that this be done while Route 7 is under construction, in order for the two projects to come together and carry out the kind of concept. I would urge your serious consideration of this proposal, a thorough review, and I hope your favorable action. Thank you.

Rep. Avcollie: I'll take a very brief period of time. I want to address myself to a bill that I've introduced, H.B. 7741, AN ACT CONCERNING RENAMING HIGH ROCK STATE PARK, and I think the bill speaks for itself. We have a very lovely park in Naugatuck and Beacon Falls, which is available to residents of the area, presently called High Rock State Park. During the past two terms, we've appropriated \$75,000 to improve this park, and we now have a five-year plan underway, which has been completed by the State Park and Forest Commission. I'd like to ask your committee's consideration for renaming this park after a former representative, now deceased, one of the first lady representatives in the state of Connecticut, Clara O'Shea, who worked on behalf of this park back in the period immediately after the Depression, when the environment was not a subject of concern, as it is now. She was one of the first to be concerned about open spaces, and she dedicated herself to many things, among them High Rock State Park. We in the area feel it is very appropriate that it be named after Miss O'Shea. We understand that there are parks in other parts of the state that are named after individuals, and we ask your consideration of this request. Thank you.

Rep. Bard: Rep. Bard from Norwalk, the 45th. I just would like to give my support for S.B. 1523 concerning the acquisition of off-shore islands for park and recreational purposes. I think Senator Gunther's bill and Representative Erb's bill is a new and rather creative approach to acquiring the off-shore islands, and I would like to offer my support for it. Thank you.

Rep. Locke: Senator Pac, chairman and members of the committee, I'm Peter Locke, Representative of the 49th District, a member of this committee. I'd like to speak at this time in support of H.B. 7533, AN ACT LIMITING LIABILITY OF PROPERTY OWNERS OF LAND USED FOR RECREATIONAL PURPOSES. I've been approached by many of the people in my area, which is a large rural area, that they would be perfectly willing to let their land be used for horse clubs, or Boy Scouts, or anything they might have, camping trips, if the liability wasn't on their shoulders. I've also been contacted by many 4-H Clubs and different organizations in the area to support a bill of this sort. I think at a time when recreational areas are at probably a minimum that this would help open up a lot more land to recreational use, and it would cost our towns no money, our state no money at all. I'd like to speak in favor of this H.B. 7533, and any further questions you can ask me in Executive session. Thank you.

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for additional recreational open space can be partially obtained by the utilization of land made available through the development of highway corridors. The Route 7 corridor itself has made the development of a linear park feasible. The total cost of the development of the Route 7 linear park is approximately 3% of the total cost of Route 7, a small price to pay for a project which will benefit many of the existing and future population of the region. In dollars, I might say that the proposal that we have submitted indicates a cost of \$6,000,000; the approximate cost of construction of Route 7 is \$200,000,000. And in answer to one of the committee's questions about the cost and acreage, I believe the report indicates that there is about \$2,000,000 of the \$6,000,000 which has been designated for land acquisition, and I believe that we can give you a figure on the approximate acreage that you inquired about. Thank you.

Mr. Harris: I'm Lee Harris of Meriden, authorized to speak for the Connecticut Wildlife Federation.

???. Mr. Chairman, there are others here to speak on the linear park. Is this gentleman speaking?

Sen. Pac: Well, we were going right back to the order again, inasmuch as I thought I'd heard all your proponents.

Mrs. Kaufman: Well, Mr. Chairman, Norwalk has not been heard.

Sen. Pac: I feel at this point it's a little unfair to the other people who've come here. You've had an extraordinarily lengthy amount of time devoted - you can speak all right, if you give some of these other people a little chance to be heard.

Mr. Harris: I'll be very brief, Mr. Chairman, and simply state that we wish to register in favor of the following bills: S.B. 1471, S.B. 1523, H.B. 7392, H.B. 7533, and H.B. 7988. We are especially interested in S.B. 1523 and H.B. 7988, and urge their enactment. Thank you.

Mrs. Anderson: I want to speak to S.B. 349 about the Appalachian Mountain Trail. My name is Eleanor Anderson, and I'm speaking for my daughter, Jane Anderson. I wish to read the statement of the Connecticut Chapter of the Appalachian Mountain Club.

The Appalachian Trail is a wilderness footpath that runs from Mt. Katahdin, Maine to Springer Mountain, Georgia. It is 2,014 miles long. For foot travel only, it is the longest marked trail in the world. The trail began in 1921 when a Massachusetts man named Benton McKaye wrote an article about an idea he had had in 1910. Benton McKaye proposed an "endless trail" which he saw running down from crest to crest, down the eastern section of the United States. One of the people who liked the idea was the late Judge Arthur Perkins of Hartford, Connecticut, who was an Appalachian Mountain Club member. He was instrumental in encouraging work both on the Massachusetts section of the Appalachian Trail, and also south of the Delaware Water Gap.

The trail in Connecticut is just 56 miles long. It was built from a map made by the late Judge Perkins. The actual work was done by the late Ned Anderson of Sherman and his friends, who included some Boy Scouts. The

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on public roads, and you couldn't prohibit motorized vehicles there, but this is something the committee may deal with, and I do note that all of these snowmobile bills are before Transportation on Friday. This bill that you have before you is drafted following Massachusetts legislation, which was recently passed, and for all intents and purposes, I think it adequately deals with the subject. The Connecticut Chapter of the A.M.C. and Seymour Smith have been maintaining this trail over the years, and have done an excellent job to that end, and I think that any implementation on the part of the state to bring the trail under state protection certainly should be done in the spirit of cooperation and working with private landowners.

Now, I have two memorandums which I'd like to leave with you. One of them concerns S.B. 660 which deals with this problem of state funds for land acquisition and some other things, and I do have some comments that some students of mine at the University of Connecticut wrote relative to the work of the Environmental Policy Committee, and I don't believe that your committee has received much comment from students relative to the recommendations of the Committee. And I think these two memorandums will be of interest to you.

I would also like to comment on H.B. 7533 which is the landowner liability law, proposal which follows the model act, I think for all intents and purposes. I think the desirability of such legislation has been brought out before previous hearings of this committee, and I would hope the committee would give a favorable report to one of the several bills which deals with this subject of landowner liability. And I do note that there is another bill on this same subject scheduled for Friday.

I think it's appropriate for me to call to the attention of the committee that there was quite a little testimony on H.B. 7749, AN ACT CONCERNING THE USE OF INTERNAL COMBUSTION ENGINES IN PARKS, and I think that's very similar to S.B. 795 to which the committee has already given a favorable report; and if there are any changes, they could be taken care of in amendments to S.B. 795.

I think we are in favor, certainly, of the principle of the establishment of this lineal park along Route 7, and I think the committee has had an excellent presentation on that. Also H.B. 5936 deserves some favorable consideration. As you know, you have many bills dealing with improvements to state parks and forests, and I would hope that the committee would, as it has in the past, try and make some appropriate action to provide some funds for these improvements. I question whether or not the shelter with flush toilets could, in fact, be built at Quaddick State Park for \$10,000. One of the problems in this area, certainly, is the requirement that makes Public Works get into the act on all of these things, and the cost does go up considerably; but even if that were not a consideration, I would have some serious doubts whether \$10,000 would be adequate. If the committee has any questions, I'd be more than willing to answer them.

Rep Newman: Thank you, Mr. Chairman. I'd like to say a word on S.B. 349, the act concerning the Appalachian National Scenic Trail. I co-sponsored that bill, I think it's an excellent and much needed bill, and anything we can do to save our valuable heritage, such as these trails, and improve them, is much needed. May I also say a word on H.B. 798 concerning the establishment of