



House of Representatives

General Assembly

File No. 524

February Session, 2000

House Bill No. 5174

House of Representatives, April 11, 2000

The Committee on Appropriations reported through REP. DYSON of the 94th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

An Act Concerning Greenways.

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

1 Section 1. (NEW) There shall be deposited in the greenways account
2 established pursuant to section 22a-27o of the general statutes all funds
3 paid to the state for an easement or other interest in land for
4 telecommunications purposes within a right-of-way of a greenway, as
5 defined in section 23-100 of the general statutes.

6 Sec. 2. This act shall take effect July 1, 2000.

PD Committee Vote: Yea 16 Nay 0 JF C/R APP

APP Committee Vote: Yea 34 Nay 12 JF

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact: Significant Revenue Impact, (Conservation Fund); Potential Significant Revenue Loss, (Transportation Fund)

Affected Agencies: Departments of Transportation, and Environmental Protection

Municipal Impact: Potential Revenue Gain

Explanation

State Impact:

This bill diverts funds, acquired by the state for an easement or other interest in a greenway right of way and used for telecommunications purposes, from the Transportation Fund or the Conservation Fund to a specific account for greenways within the Department of Environmental Protection's (DEP) Conservation Fund.

If the easement or land is on the Department of Transportation's (DOT) right of way, passage of this bill could result in a significant revenue loss to the Transportation Fund. Since there is no way of determining the number of private companies that would show interest in installing fiber optic cables on DOT's rights of way, it is difficult to determine the extent of the revenue loss. The revenue loss, however, could be significant. The DOT owns 328 miles of railroad rights of way for which private companies could request agreements

for telecommunications purposes. Currently, the DOT has two active agreements for the installation and maintenance of fiber optic cables along the Metro North Rail Line totaling \$6 million. These two agreements, however, will not be affected by this legislation.

The bill would also result in a revenue gain to the greenways account within DEP's Conservation Fund since the majority of funds acquired from easements or other interests in greenway rights of way are on DOT's property. However, since this legislation would also affect easements or other interests within DEP's rights of way, any funds the DEP would currently receive under these circumstances would be diverted from an unspecified use to a specified use for greenways.

Municipal Impact

This legislation would increase revenue to municipalities to the extent that municipalities are the recipient of grants for greenways available from this funding source.

OLR Bill Analysis

HB 5174

AN ACT CONCERNING GREENWAYS.**SUMMARY:**

This bill requires any money the state receives for an easement or other interest in a greenway right of way used for telecommunications purposes to go into the greenway account within the Conservation Fund.

By law, a greenway is a corridor of open space that meets various criteria. Money in the greenway account can be used for two grant programs administered by the Department of Environmental Protection. One program provides grants for greenway planning, design, and implementation while the other provide capital grants. Municipalities and other organizations are eligible for these grants. Money in the account can also be used to reimburse the Department of Motor Vehicles' costs associated with its greenways license plate program.

EFFECTIVE DATE: July 1, 2000

COMMITTEE ACTION

Planning and Development Committee

Joint Favorable Change of Reference

Yea 16 Nay 0

Appropriations Committee

Joint Favorable Report

Yea 34 Nay 12