



General Assembly

January Session, 2001

**Raised Bill No. 1218**

LCO No. 3912

Referred to Committee on Energy and Technology

Introduced by:  
(ET)

**AN ACT CONCERNING DEVELOPMENT OF ELECTRIC GENERATING FACILITIES ON EXISTING INDUSTRIAL SITES.**

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

1 Subsection (a) of section 16-50k of the general statutes is repealed  
2 and the following is substituted in lieu thereof:

3 (a) Except as provided in subsection (b) of section 16-50z, no person  
4 shall exercise any right of eminent domain in contemplation of,  
5 commence the preparation of the site for, or commence the  
6 construction or supplying of a facility, or any modification of a facility,  
7 that may, as determined by the council, have a substantial adverse  
8 environmental effect, in the state without having first obtained a  
9 certificate of environmental compatibility and public need, hereinafter  
10 referred to as a "certificate", issued with respect to such facility or  
11 modification by the council, except fuel cells with a generating  
12 capacity of ten kilowatts or less which shall not require such certificate.  
13 Any facility with respect to which a certificate is required shall  
14 thereafter be built, maintained and operated in conformity with such  
15 certificate and any terms, limitations or conditions contained therein.  
16 Notwithstanding the provisions of this subsection, the council shall, in

17 the exercise of its jurisdiction over the siting of generating facilities,  
18 approve by declaratory ruling (1) the construction of a facility solely  
19 for the purpose of generating electricity other than an electric  
20 generating facility that uses nuclear materials or coal as fuel, at a site  
21 where an electric generating facility operated prior to July 1, 1998,  
22 [and] (2) the construction or location of any fuel cell, unless the council  
23 finds a substantial adverse environmental effect, or (3) the construction  
24 of a facility solely for the purpose of generating electricity, other than  
25 an electric generating facility that uses nuclear materials or coal as fuel,  
26 and that is consistent with the provisions of chapter 124 and a  
27 municipal plan of conservation and development pursuant to section  
28 8-23, at a site of industrial development that existed on or before July 1,  
29 1998.

***Statement of Purpose:***

To encourage the development of new electric generating facilities on existing industrial sites.

*[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.]*