



General Assembly

Substitute Bill No. 1218

January Session, 2001

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1 Subsection (a) of section 16-50k of the general statutes is repealed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 with any
27 municipal plan of conservation and development pursuant to section
28 8-23, on a site of industrial development, unless the council finds a
29 substantial adverse environmental effect.

ET

JOINT FAVORABLE SUBST. C/R

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