



General Assembly

Amendment

January Session, 2001

LCO No. 5574

Offered by:

SEN. PETERS, 20th Dist.

SEN. HERLIHY, 8th Dist.

To: Subst. Senate Bill No. 1281

File No. 319

Cal. No. 254

**"AN ACT CONCERNING THE TIME FOR DECISIONS BY THE
DEPARTMENT OF ENVIRONMENTAL PROTECTION ON
DECISIONS FOR ENERGY FACILITIES AND PIPELINES."**

1 Strike lines 1 to 5, inclusive, and insert the following in lieu thereof:

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3 repealed and the following is substituted in lieu thereof:

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

14 Any facility with respect to which a certificate is required shall
15 thereafter be built, maintained and operated in conformity with such
16 certificate and any terms, limitations or conditions contained therein.
17 Notwithstanding the provisions of this subsection, the council shall, in
18 the exercise of its jurisdiction over the siting of [generating] facilities,
19 approve by declaratory ruling, unless the council finds a substantial
20 adverse environmental effect, (1) the construction of a facility solely for
21 the purpose of generating electricity other than an electric generating
22 facility that uses nuclear materials or coal as fuel, at a site where an
23 electric generating facility operated prior to July 1, 1998, [and] (2) the
24 construction or location of any fuel cell, [unless the council finds a
25 substantial adverse environmental effect] and (3) the construction of a
26 gas transmission line.

27 Sec. 2. (NEW) Any municipality may, upon approval by its
28 legislative body or in any town in which the legislative body is a town
29 meeting, by the board of selectmen, abate for a period of up to ten
30 years all or a portion of the property taxes due on and after July 1,
31 2002, for property on which a gas transmission line or lines,
32 compressor stations, appliances, or other equipment appurtenant to
33 gas transmission lines are situated, provided such lines or equipment
34 were constructed on and after July 1, 2001.

35 Sec. 3. This act shall take effect July 1, 2001, except that section 1
36 shall take effect October 1, 2001."