



# House of Representatives

General Assembly

**File No. 502**

February Session, 2002

Substitute House Bill No. 5007

*House of Representatives, April 16, 2002*

The Committee on Commerce reported through REP. SAMOWITZ of the 129th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

**AN ACT REQUIRING THE CONNECTICUT TRANSPORTATION STRATEGY BOARD TO SUBMIT FINDINGS AND RECOMMENDATIONS FOR EACH NEW ECONOMIC DEVELOPMENT PROJECT.**

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

1 Section 1. Section 6 of public act 01-5 of the June special session is  
2 repealed and the following is substituted in lieu thereof (*Effective*  
3 *October 1, 2002*):

4 (a) [The] Prior to the approval of funding from the Department of  
5 Economic and Community Development, The Connecticut  
6 Development Authority or Connecticut Innovations, Incorporated for  
7 any project which is a major traffic generator within the meaning of  
8 section 14-311, the Commissioner of Economic and Community  
9 Development and the executive directors of the Connecticut  
10 Development Authority and Connecticut Innovations, Incorporated, as  
11 the case may be, shall submit an impact statement for each such project  
12 [new to the state or new construction and seek funding from said

13 entities] to the Connecticut Transportation Strategy Board, [created]  
 14 established pursuant to section 2 of [this act] public act 01-5 of the June  
 15 special session, summarizing whether or not such project conforms to  
 16 the strategy said board submits to the General Assembly in accordance  
 17 with section 4 of [this act] public act 01-5 of the June special session.  
 18 Said board shall evaluate each such impact statement to determine  
 19 whether such project conforms to such strategy and shall submit to  
 20 said commissioner and executive directors any findings and  
 21 recommendations with respect to such project.

22 (b) The board shall, subject to the requirements of chapter 14,  
 23 protect confidential information and trade secrets provided to it in  
 24 connection with the review of any project pursuant to subsection (a) of  
 25 this section.

26 (c) Notwithstanding the provisions of subsection (a) of this section,  
 27 no impact statement shall be required to be submitted to the board  
 28 until thirty days after the approval of a final transportation strategy by  
 29 the General Assembly pursuant to the provisions of subsection (k) of  
 30 section 4 of public act 01-5 of the June special session.

31 [(b)] (d) On or before July 1, 2002, and quarterly thereafter, the  
 32 Commissioner of Economic and Community Development shall  
 33 update the board on all project activities occurring during such  
 34 quarter.

This act shall take effect as follows:	
Section 1	October 1, 2002

**CE**      *Joint Favorable Subst.*

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:**

<b>Fund-Type</b>	<b>Agency Affected</b>	<b>FY 03 \$</b>	<b>FY 04 \$</b>
Bond Funds - Cost	Department of Economic and Community Development	Minimal	Minimal
Cost	Connecticut Development Authority (quasi-public) Connecticut Innovations, Inc. (quasi-public)	Minimal	Minimal
SF - Minimal Cost	Department of Transportation (Transportation Strategy Board)	Minimal	Minimal

Note: SF=Special Fund (Non-appropriated)

**Municipal Impact:** None

### **Explanation**

It is anticipated that requiring the submittal of impact statements for projects which are major traffic generators within the meaning of Section 14-311 prior to approval of funding the project, will impact approximately 10 - 15 Department of Economic and Community Development (DECD) projects, 5 - 10 Connecticut Development Authority (CDA) projects and possibly 1 or 2 Connecticut Innovations, Inc. (CII) projects a year. It is anticipated that a majority of these projects would have done impact studies prior to approval, (since they require certificates of operation from the State Traffic Commission and are major projects) minimizing the workload increase to the above entities.

The bill requires impact statements be given to the Transportation Strategy Board (TSB) 30 days after the General Assembly approves the final transportation strategy submission. The final strategy has not yet been approved by the General Assembly and not anticipated to be approved until the 2003 legislative session. Therefore, statements

would not currently be required, and what conformity to the transportation strategy entails, is not known at this time.

The Transportation Strategy Board (TSB) can review the impact statements within their routine duties and their currently available resources. The TSB is currently funded from \$32 million in FY 01 surplus funds and \$12 million in bond funds.

**OLR Bill Analysis**

sHB 5007

**AN ACT REQUIRING THE CONNECTICUT TRANSPORTATION STRATEGY BOARD TO SUBMIT FINDINGS AND RECOMMENDATIONS FOR EACH NEW ECONOMIC DEVELOPMENT PROJECT****SUMMARY:**

Currently, the commissioner of the Department of Economic and Community Development (DECD) and the executive directors of the Connecticut Development Authority (CDA) and Connecticut Innovations, Incorporated (CII) must submit an impact statement to the Connecticut Transportation Strategy Board (CTSB) for any project new to the state or for new construction that seeks funding from any of them. This bill (1) limits this requirement to new projects or construction that meet the threshold requirements as major traffic generators that require certificates of operation from the State Traffic Commission (STC) and (2) requires submission of the impact statement before the project's approval. The bill prohibits requiring impact statements from any of the agencies until 30 days after the General Assembly approves the CTSB's "final" transportation strategy submission as required by law.

The current impact statement must indicate to the CTSB whether the project conforms to the strategy the CTSB must, by law, develop and submit for General Assembly approval. The bill requires the CTSB to evaluate each impact statement it receives to determine if it conforms to the strategy and give the commissioner and executive directors any findings or recommendations with respect to the project.

The bill requires the CTSB, subject to the existing statutory requirements, to protect any confidential information and trade secrets it receives in connection with its review of any impact statement.

EFFECTIVE DATE: October 1, 2002

**PROJECTS SUBJECT TO IMPACT STATEMENT REQUIREMENTS**

The bill requires impact statements for projects subject to STC

certificate requirements as “major traffic generators.” For purposes of applying certificate requirements, STC regulations define a “development generating large volumes of traffic” as any open air theater, shopping center, or other development providing 200 or more parking spaces or with a gross floor area of 100,000 square feet or more. This appears to be the definition that would apply to projects subject to the bill’s requirements.

**BACKGROUND**

***CTSB Transportation Strategy***

PA 01-05, June Special Session, does not refer specifically to a “final” transportation strategy. It requires the CTSB to submit an initial transportation strategy by January 15, 2002 for approval by the General Assembly and to update or revise the strategy as necessary by December 1, 2002 and every two years thereafter. These revisions or updates are also subject to legislative approval.

***Legislative History***

The House referred the original bill (File 122) to the Commerce Committee on March 28. The committee favorably reported a substitute bill on April 2. The most significant changes in the substitute include: (1) applying the requirements to projects requiring STC certificates as major traffic generators rather than to any projects requiring DECD, CDA, or CII to spend more than \$100,000, (2) requiring submissions to begin 30 days after the legislature approves a final transportation strategy (File 122 was effective upon passage), (3) eliminating several specific areas impact statements had to cover, and (4) requiring CTSB to protect confidential information and trade secrets it receives in its project review process.

**COMMITTEE ACTION**

Transportation Committee

Joint Favorable Substitute  
Yea 20 Nay 8

Commerce Committee

Joint Favorable Substitute

Yea 22    Nay 0