



House of Representatives

File No. 625

General Assembly

February Session, 2002

(Reprint of File Nos. 122 and 502)

Substitute House Bill No. 5007
As Amended by House
Amendment Schedule "A"

Approved by the Legislative Commissioner
May 4, 2002

**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2 repealed and the following is substituted in lieu thereof (*Effective*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] On or after January 15, 2003, prior to the approval of
5 funding from the Department of Economic and Community
6 Development, the Connecticut Development Authority or Connecticut
7 Innovations, Incorporated for any project which is a major traffic
8 generator within the meaning of section 14-311, the Commissioner of
9 Economic and Community Development and the executive directors of
10 the Connecticut Development Authority and Connecticut Innovations,
11 Incorporated, as the case may be, shall submit an impact statement for
12 each such project [new to the state or new construction and seek
13 funding from said entities] to the Connecticut Transportation Strategy

14 Board, [created] established pursuant to section 2 of [this act] public
 15 act 01-5 of the June special session. [, summarizing whether or not such
 16 project conforms to the strategy said board submits to the General
 17 Assembly in accordance with section 4 of this act.] Each impact
 18 statement shall (1) describe how such project addresses the goals
 19 established by the board for developing the strategy the board submits
 20 to the General Assembly in accordance with section 4 of public act 01-5
 21 of the June special session, (2) summarize whether or not such project
 22 conforms to such strategy, and (3) include any other information the
 23 board may require to discharge its responsibilities under this
 24 subsection including, but not limited to, (A) the size of any facility
 25 proposed in connection with the project, (B) the hours of operation of
 26 such facility, (C) a projection of whether or not an increase in daily
 27 vehicle trips including truck traffic is likely to occur as a result of such
 28 project, and (D) the availability of public transportation to and from
 29 such facility. The board shall evaluate each such impact statement to
 30 determine whether such project conforms to such strategy and shall
 31 submit to said commissioner and executive directors any findings and
 32 recommendations with respect to such project. Nothing in this
 33 subsection shall be construed as requiring any delay in the
 34 implementation of any such project.

35 (b) The board shall, subject to the requirements of chapter 14,
 36 protect confidential information and trade secrets provided in
 37 connection with the review of any project pursuant to subsection (a) of
 38 this section.

39 [(b)] (c) On or before July 1, 2002, and quarterly thereafter, the
 40 Commissioner of Economic and Community Development shall
 41 update the board on all project activities occurring during such
 42 quarter.

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

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:

Fund-Type	Agency Affected	FY 03 \$	FY 04 \$
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

Requiring the submittal of impact statements to the Transportation Strategy Board (TSB) on or after January 15, 2003, for projects which are major traffic generators within the meaning of Section 14-311 prior to approval of funding the project, will have a minimal fiscal impact. This requirement 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 undertaken 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 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.

House "A" specifies the content of the impact statements and sets a specific implementation date for the initial submittal of impact statements and does not change the overall fiscal impact from the underlying bill.

OLR Amended Bill Analysis

sHB 5007 (as amended by House "A")*

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 projects that meet the threshold requirements for a major traffic generator requiring a certificate of operation from the State Traffic Commission (STC); ~~-(2)~~ requires submission of the impact statement before the project's approval by DECD, CDA, or CII, as the case may be; and (3) applies the requirement beginning January 15, 2003.

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, in addition, that each impact statement (1) describe how the project addresses the goals established by the CTSB for developing its transportation strategy and (2) include any other information the CTSB may require to discharge its responsibility, including, at least (a) the size of any facility proposed in connection with the project, (b) the facility's hours of operation, (c) a projection of whether or not an increase in daily vehicle trips, including truck traffic, is likely to occur as a result of the project, and (d) the availability of public transportation to and from the project.

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 specifies that its requirements should not be construed to require any delay in implementing a project subject to the impact statement requirements.

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

*House Amendment "A" (1) adds the requirement that the impact statement describe how the project addresses the CTSB's goals for developing the strategy; (2) adds the requirement that it contain any other information the board requires to discharge its responsibility, including all of the specified information; (3) adds the specification that the impact statement requirements not be construed to require any delay in implementing a project; (4) eliminates the bill's requirement that impact statements would not be required until 30 days after the legislature approves a "final" transportation strategy; and (5) makes the impact statement requirements apply starting January 15, 2003.

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, 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 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.

The House subsequently referred the revised bill (File 502) to the Government Administration and Elections Committee on April 19 and the committee reported it favorably on the same day.

COMMITTEE ACTION

Transportation Committee

Joint Favorable Substitute

Yea 20 Nay 8

Commerce Committee

Joint Favorable Substitute

Yea 22 Nay 0

Government Administration and Elections Committee

Joint Favorable Report

Yea 16 Nay 0