



# House of Representatives

**File No. 693**

General Assembly

February Session, 2004

**(Reprint of File No. 415)**

Substitute House Bill No. 5643  
As Amended by House  
Amendment Schedule "A"

Approved by the Legislative Commissioner  
April 30, 2004

**AN ACT CONCERNING A MARINE PROTECTION AREA AND THE  
RECOMMENDATIONS OF THE LONG ISLAND SOUND TASK FORCE.**

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

1       Sec. 1. Section 18 of public act 03-140 is repealed and the following is  
2       substituted in lieu thereof (*Effective July 1, 2004*):

3       Not later than December 1, 2004, the Connecticut Energy Advisory  
4       Board shall develop infrastructure criteria guidelines for the evaluation  
5       process under subsection (f) of section 16a-7c, which guidelines shall  
6       be consistent with state environmental policy, state economic  
7       development policy, the state's policy regarding the restructuring of  
8       the electric industry, as set forth in section 16-244, and the findings in  
9       the comprehensive energy plan prepared pursuant to section 16a-7a,  
10       and shall include, but not be limited to, the following: (1)  
11       Environmental preference standards; (2) efficiency standards,  
12       including, but not limited to, efficiency standards for transmission,  
13       generation and demand-side management; (3) generation preference  
14       standards; (4) electric capacity, use trends and forecasted resource  
15       needs; (5) natural gas capacity, use trends and forecasted resource

16 needs; and (6) national and regional reliability criteria applicable to the  
 17 regional bulk power grid, as determined in consultation with the  
 18 regional independent system operator, as defined in section 16-1, as  
 19 amended. In developing environmental preference standards, the  
 20 board shall consider the recommendations and findings of the task  
 21 force established pursuant to section 25-157a, as amended, and  
 22 Executive Order Number 26 of Governor John G. Rowland.

23       Sec. 2. (*Effective from passage*) The Connecticut Energy Advisory  
 24 Board established pursuant to section 16a-3 of the general statutes, as  
 25 amended, shall identify any data or information in addition to the  
 26 findings of the task force established pursuant to section 25-157a of the  
 27 general statutes, as amended, and Executive Order Number 26 of  
 28 Governor John G. Rowland that would enhance the capability of state  
 29 agencies having cognizance of matters relating to Long Island Sound  
 30 to plan for, manage and evaluate future proposed uses of, and  
 31 encroachments into, Long Island Sound bottomlands. Not later than  
 32 January 1, 2005, the board shall submit a report of its findings and any  
 33 legislative recommendations, in accordance with section 11-4a of the  
 34 general statutes, to the joint standing committee of the General  
 35 Assembly having cognizance of matters relating to the environment.

This act shall take effect as follows:	
Sec. 1	<i>July 1, 2004</i>
Sec. 2	<i>from passage</i>

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:

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**OFA Fiscal Note**

**State Impact:** None

**Municipal Impact:** None

**Explanation**

The bill requires the Connecticut Energy Advisory Board (CAEB) to consider the recommendations and findings of the task force established pursuant to CGS 25-157a Executive Order 26 and develop environmental preference standards. Adding things that the CAEB must consider when developing environmental preference standards is not anticipated to result in a fiscal impact to the board. Additionally, the bill requires the CAEB to identify data or information in addition to the findings of the task force that would enhance the capability of state agencies to manage and evaluate future proposed uses of the Long Island Sound bottomlands and report such findings to the General Assembly by January 1, 2005. This requirement is not anticipated to result in a fiscal impact.

House "A" strikes section 1 of the bill, eliminating the costs associated with adopting regulations and acquiring data and information.

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**OLR BILL ANALYSIS**

sHB 5643 (as amended by House "A")\*

**AN ACT CONCERNING A MARINE PROTECTION AREA AND THE RECOMMENDATIONS OF THE LONG ISLAND SOUND TASK FORCE****SUMMARY:**

By law, the Connecticut Energy Advisory Board must develop, by December 1, 2004, guidelines to evaluate proposals for alternative solutions addressing the state's energy needs. The guidelines must include environmental preference standards. The bill requires the board, in developing these standards, to consider the recommendations and findings of the Task Force on Long Island Sound. The task force, created by PA 02-95, in conjunction with Governor Rowland's Executive Order 26, examined ways to provide for the region's energy needs while protecting the Sound. It issued its report in June 2003.

The bill requires the board to identify any data or information, in addition to the task force findings, that would enhance state agencies' ability to plan for, manage, and evaluate future proposed uses of, and encroachment into, the bottom of the Sound. The board must report its findings and any recommendations to the Environment Committee by January 1, 2005.

\*House Amendment "A" eliminates a requirement that the environmental protection commissioner adopt regulations establishing a Marine Protection Area in Long Island Sound.

EFFECTIVE DATE: Upon passage for the board to identify any additional data, and July 1, 2004 for it to consider task force findings in developing environmental preference standards.

**BACKGROUND*****Related Bill***

SB 591 (File 554) (1) extends a moratorium on decisions on applications to build new electric power lines, gas pipelines, and telecommunications crossings in Long Island Sound until June 3, 2005 (2) and imposes an annual fee of 30 cents per linear foot on the portion of such crossings in state waters.

***Legislative History***

On April 6, 15, and 23 the House referred the bill (File 415) to the Appropriations, Energy and Technology, and Legislative Management committees, respectively, which favorably reported it on April 13, 22, and 27, respectively.

**COMMITTEE ACTION**

Environment Committee

Joint Favorable Substitute  
Yea 27 Nay 0

Appropriations Committee

Joint Favorable Report  
Yea 50 Nay 0

Energy and Technology Committee

Joint Favorable Report  
Yea 14 Nay 0

Legislative Management Committee

Joint Favorable Report  
Yea 18 Nay 2