



# Senate

General Assembly

**File No. 285**

February Session, 2004

Substitute Senate Bill No. 539

*Senate, March 29, 2004*

The Committee on Environment reported through SEN. WILLIAMS of the 29th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

**AN ACT CONCERNING ENVIRONMENTAL IMPACT EVALUATIONS  
FOR CERTAIN PROJECTS ASSOCIATED WITH STATE COMPACTS.**

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

1 Section 1. Section 22a-1c of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2004*):

3 As used in sections 22a-1 to 22a-1i, inclusive, "actions which may  
4 significantly affect the environment" means individual activities or a  
5 sequence of planned activities proposed to be undertaken by state  
6 departments, institutions or agencies, or funded in whole or in part by  
7 the state, or projects proposed by or on behalf of another state or  
8 Indian tribe if this state has a compact with such other state or Indian  
9 tribe and which activities or projects could have a major impact on the  
10 state's land, water, air, historic structures and landmarks as defined in  
11 section 10-320c, as amended, existing housing, or other environmental  
12 resources, or could serve short term to the disadvantage of long term  
13 environmental goals. Such actions shall include but not be limited to

14 new projects and programs of state agencies and new projects  
15 supported by state contracts and grants, but shall not include (1)  
16 emergency measures undertaken in response to an immediate threat to  
17 public health or safety; or (2) activities in which state agency  
18 participation is ministerial in nature, involving no exercise of  
19 discretion on the part of the state department, institution or agency.

20 Sec. 2. Section 3-6c of the general statutes is repealed and the  
21 following is substituted in lieu thereof (*Effective October 1, 2004*):

22 Within ten days after the date of execution of any compact or  
23 amendment to a compact between the state of Connecticut and another  
24 state or an Indian tribe, the Governor shall file such compact or  
25 amendment with the clerks of the House of Representatives and the  
26 Senate. Prior to such filing, any environmental impact evaluation  
27 required pursuant to chapter 439 shall be completed. The General  
28 Assembly may approve such compact or amendment, in whole, by a  
29 majority vote of each house or may reject such compact or amendment,  
30 in whole, by a majority vote of either house. If rejected, the compact or  
31 amendment shall not be valid and shall not be implemented. The  
32 compact or amendment shall be deemed rejected if the General  
33 Assembly fails to vote to approve or reject the compact or amendment  
34 (1) prior to the adjournment of the regular session of the General  
35 Assembly during which such compact or amendment is filed, (2) prior  
36 to the adjournment of the regular session of the General Assembly first  
37 following the date on which such compact or amendment is filed if the  
38 General Assembly is not in regular session on such date, or (3) prior to  
39 the adjournment of a special session convened before the next regular  
40 session of the General Assembly for the purpose of considering such  
41 compact or amendment if the General Assembly is not in regular  
42 session on the date on which such compact or amendment is filed,  
43 provided, if the compact or amendment is filed less than thirty days  
44 before the end of a regular session, the General Assembly may vote to  
45 approve or reject the compact or amendment (A) within thirty days  
46 after the first day of a special session convened before the next regular  
47 session of the General Assembly for the purpose of considering such

48 compact or amendment, or (B) within thirty days after the first day of  
49 the next regular session of the General Assembly.

This act shall take effect as follows:	
Section 1	<i>October 1, 2004</i>
Sec. 2	<i>October 1, 2004</i>

**Statement of Legislative Commissioners:**

In section 1, the word "or" was inserted before "projects" for clarity.

**ENV**      *Joint Favorable Subst.-LCO*

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:**

Agency Affected	Fund-Effect	FY 05 \$	FY 06 \$
Department of Economic & Community Development; Department of Environmental Protection; Commission on Arts, Tourism, Culture, History and Film; Council of Environmental Quality	Various - Cost	Minimal	Minimal
Governor's Off.	GF - None		

Note: GF=General Fund

**Municipal Impact:** None

**Explanation**

Any potential workload increase incurred by an agency required to review an Environmental Impact Evaluation (EIE), due to the requirements in this legislation, is anticipated to be handled within the routine duties of the agencies involved.

There is no fiscal impact to the Governor's Office to file or amend a compact.

**OLR Bill Analysis**

sSB 539

**AN ACT CONCERNING ENVIRONMENTAL IMPACT EVALUATIONS FOR CERTAIN PROJECTS ASSOCIATED WITH STATE COMPACTS****SUMMARY:**

This bill requires other states or Indian tribes to complete a Connecticut Environmental Impact Evaluation (EIE) if they:

1. have signed a compact with the governor and
2. plan a project that could have a major impact on Connecticut's land, water, air, historic structures, landmarks, housing, or other environmental resources.

They must complete the EIE before the governor files the compact or amended compact with the House and Senate clerks in preparation for legislative approval.

EFFECTIVE DATE: October 1, 2004

**BACKGROUND*****Actions Requiring an EIE***

By law, state departments, institutions, or agencies considering (or funding in whole or part) actions that may significantly affect the environment (including actions that could have a short-term disadvantage to long-term environmental goals) must prepare an EIE before deciding whether to undertake or approve such an action. The EIE must be submitted to various agencies and is open to public inspection and comment.

***State Agencies Commenting on and Reviewing EIEs***

The agencies that receive EIEs for comment and review are: (1) the Council on Environmental Quality, (2) the Department of Environmental Protection, (3) the Connecticut Historical Commission, (4) the Office of Policy and Management, (5) Department of Economic

and Community Development (for proposed projects that affect existing housing), (6) the town clerk in affected towns, and (7) other appropriate agencies.

**COMMITTEE ACTION**

Environment Committee

Joint Favorable Report  
Yea 27 Nay 0