



Senate

General Assembly

File No. 341

January Session, 2009

Senate Bill No. 3

Senate, March 31, 2009

The Committee on Environment reported through SEN. MEYER of the 12th Dist., Chairperson of the Committee on the part of the Senate, that the bill ought to pass.

AN ACT PROHIBITING THE ACQUISITION OR USE OF CERTAIN PARCELS OF LAND AS ASH RESIDUE DISPOSAL AREAS.

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

1 Section 1. (*Effective from passage*) (a) Notwithstanding the provisions
2 of sections 22a-276 and 22a-285a of the general statutes, the
3 Connecticut Resources Recovery Authority shall not have the power to
4 condemn, purchase, lease, accept or take title to, use or otherwise
5 acquire any portion of a certain parcel of land located in the town of
6 Franklin for the purpose of establishing an ash residue disposal area.
7 Said parcel has an area of approximately five hundred seventy-five
8 acres and is identified as Lots 5 to 17, inclusive, on town of Franklin
9 Tax Assessor's Property Map 1, dated October 1, 2004, Lots 3, 5 and 6
10 on town of Franklin Tax Assessor's Property Map 2, dated October 1,
11 2004, and Lot 2 on town of Franklin Tax Assessor's Property Map 4,
12 dated October 1, 2004.

13 (b) Notwithstanding the provisions of sections 22a-276 and 22a-285a
14 of the general statutes, the Connecticut Resources Recovery Authority

15 shall not have the power to condemn, purchase, lease, accept or take
16 title to, use or otherwise acquire any portion of a certain parcel of land
17 located in the town of Windham for the purpose of establishing an ash
18 residue disposal area. Said parcel is adjacent to the parcel identified in
19 subsection (a) of this section and is identified as Lots 4a, 5 and 6 in
20 Block 211 on town of Windham Tax Assessor's Map 6-13, dated
21 August 24, 2001.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section

ENV *Joint Favorable*

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: None

Municipal Impact:

Municipalities	Effect	FY 10 \$	FY 11 \$
Franklin	Revenue Gain	\$1.5 million	\$1.5 million
Various Municipalities	Cost Avoidance	Significant	Significant

Explanation

The bill would result in a revenue gain to the Town of Franklin in the amount of \$1.5 million in FY 10 and FY 11 since the host community would be eligible to receive at least \$5 per ton of ash deposited into the landfill. This assumes that 300,000 tons of ash would be deposited each year (for 30 years), which is the capacity of the landfill.

The bill would also result in a significant cost avoidance to the 115 member municipalities that the Connecticut Resources Recovery Authority (CRRRA) serves since the alternative to an ash residue landfill being sited in Franklin would be transporting waste out of state at a significant cost.

The Out Years

The annualized ongoing fiscal impact identified above would remain constant.

OLR Bill Analysis**SB 3*****AN ACT PROHIBITING THE ACQUISITION OR USE OF CERTAIN PARCELS OF LAND AS ASH RESIDUE DISPOSAL AREAS.*****SUMMARY:**

This bill prohibits the Connecticut Resources Recovery Authority (CRRA), regardless of any law to the contrary, from condemning, buying, leasing, accepting, taking title to, using, or otherwise acquiring certain parcels of land in the towns of Franklin and Windham for use as an ash residue disposal site.

EFFECTIVE DATE: Upon passage

AFFECTED PARCELS***Franklin***

The bill prohibits CRRA from acquiring, for use as an ash disposal site, any part of a 575-acre parcel identified on the following Franklin Tax Assessor's Property maps, dated October 1, 2004: Lots 5 to 17, inclusive, on Map 1; Lots 3, 5, and 6 on Map 2; and Lot 2 on Map 4.

Windham

The bill prohibits CRRA from acquiring, for use as an ash disposal site, any part of a Windham parcel adjacent to the specified Franklin site, and identified as Lots 4a, 5, and 6 in Block 211 on Windham Tax Assessor's Map 6-13, dated August 24, 2001.

BACKGROUND***Related Laws***

CGS § 22a-276 authorizes CRRA to condemn certain real property. CGS § 22a-285a authorizes CRRA, regardless of state law or municipal charter, to establish up to four ash residue disposal sites in the state.

COMMITTEE ACTION

Environment Committee

Joint Favorable

Yea 21 Nay 10 (03/13/2009)