



General Assembly

Substitute Bill No. 6595

January Session, 2009

* HB06595ENV 051209 *

AN ACT CONCERNING THE STATE PLAN OF CONSERVATION AND DEVELOPMENT POLICIES PLAN.

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

1 Section 1. (*Effective from passage*) The Continuing Legislative
2 Committee on State Planning and Development, established pursuant
3 to section 4-60d of the general statutes, shall conduct a study of the
4 process for adopting the state plan of conservation and development
5 and the application of such plan to the implementation of state policy.
6 In conducting such study the committee shall consult with
7 stakeholders, including, but not limited to, municipalities, regional
8 planning organizations, state agencies and the public. On or before
9 February 1, 2010, the committee shall submit a report of its findings
10 and recommendations to the General Assembly in accordance with the
11 provisions of section 11-4a of the general statutes.

12 Sec. 2. Section 16a-27 of the general statutes is repealed and the
13 following is substituted in lieu thereof (*Effective from passage*):

14 (a) The secretary, after consultation with all appropriate state,
15 regional and local agencies and other appropriate persons, shall, prior
16 to March 1, [2009] 2011, complete a revision of the existing plan and
17 enlarge it to include, but not be limited to, policies relating to
18 transportation, energy and air. Any revision made after May 15, 1991,
19 shall identify the major transportation proposals, including proposals

20 for mass transit, contained in the master transportation plan prepared
21 pursuant to section 13b-15. Any revision made after July 1, 1995, shall
22 take into consideration the conservation and development of
23 greenways that have been designated by municipalities and shall
24 recommend that state agencies coordinate their efforts to support the
25 development of a state-wide greenways system. The Commissioner of
26 Environmental Protection shall identify state-owned land for inclusion
27 in the plan as potential components of a state greenways system.

28 (b) Any revision made after August 20, 2003, shall take into account
29 (1) economic and community development needs and patterns of
30 commerce, and (2) linkages of affordable housing objectives and land
31 use objectives with transportation systems.

32 (c) Any revision made after March 1, 2006, shall (1) take into
33 consideration risks associated with natural hazards, including, but not
34 limited to, flooding, high winds and wildfires; (2) identify the potential
35 impacts of natural hazards on infrastructure and property; and (3)
36 make recommendations for the siting of future infrastructure and
37 property development to minimize the use of areas prone to natural
38 hazards, including, but not limited to, flooding, high winds and
39 wildfires.

40 (d) Any revision made after July 1, 2005, shall describe the progress
41 towards achievement of the goals and objectives established in the
42 previously adopted state plan of conservation and development and
43 shall identify (1) areas where it is prudent and feasible (A) to have
44 compact, transit accessible, pedestrian-oriented mixed-use
45 development patterns and land reuse, and (B) to promote such
46 development patterns and land reuse, (2) priority funding areas
47 designated under section 16a-35c, and (3) corridor management areas
48 on either side of a limited access highway or a rail line. In designating
49 corridor management areas, the secretary shall make
50 recommendations that (A) promote land use and transportation
51 options to reduce the growth of traffic congestion; (B) connect
52 infrastructure and other development decisions; (C) promote

53 development that minimizes the cost of new infrastructure facilities
54 and maximizes the use of existing infrastructure facilities; and (D)
55 increase intermunicipal and regional cooperation.

56 (e) Any revision made after October 1, 2008, shall (1) for each policy
57 recommended (A) assign a priority; (B) estimate funding for
58 implementation and identify potential funding sources; (C) identify
59 each entity responsible for implementation; and (D) establish a
60 schedule for implementation; and (2) for each growth management
61 principle, determine three benchmarks to measure progress in
62 implementation of the principles, one of which shall be a financial
63 benchmark.

64 (f) Thereafter on or before March first in each revision year the
65 secretary shall complete a revision of the plan of conservation and
66 development.

67 Sec. 3. Section 16a-28 of the general statutes is repealed and the
68 following is substituted in lieu thereof (*Effective from passage*):

69 (a) The secretary shall present a draft of the revised plan of
70 conservation and development for preliminary review to the
71 continuing legislative committee on state planning and development
72 prior to September first in [2008] 2010 and prior to September first in
73 each prerevision year thereafter.

74 (b) After December first in [1985] 2010 and after December first in
75 each prerevision year thereafter the secretary shall proceed with such
76 further revisions of the draft of the revised plan of conservation and
77 development as he deems appropriate. The secretary shall, by
78 whatever means he deems advisable, publish said plan and
79 disseminate it to the public on or before March first in revision years.
80 The secretary shall post the plan on the Internet web site of the state.

81 (c) [Within] Not later than five months [of] after publication of said
82 revised plan the secretary shall hold public hearings, in cooperation
83 with regional planning agencies, to solicit comments on said plan.

84 Sec. 4. Section 16a-29 of the general statutes is repealed and the
85 following is substituted in lieu thereof (*Effective from passage*):

86 The secretary shall consider the comments received at the public
87 hearings and shall make any necessary or desirable revisions to said
88 plan and within three months of completion of the public hearings
89 submit the plan to the continuing legislative committee on state
90 planning and development, for its approval, revision or disapproval,
91 in whole or in part. Notwithstanding the provisions of this section, the
92 secretary shall submit the state Conservation and Development
93 Policies Plan, [2004-2009] 2012-2017, to said committee on or before
94 December 1, [2004] 2011.

95 Sec. 5. Section 16a-32a of the general statutes is repealed and the
96 following is substituted in lieu thereof (*Effective from passage*):

97 The Office of Policy and Management shall amend the state plan of
98 conservation and development adopted pursuant to this chapter to
99 include therein a goal for reducing carbon dioxide emissions within
100 this state [. Said office, in consultation with the Department of
101 Environmental Protection, shall submit a report to the General
102 Assembly on or before the thirtieth day following May 22, 1995, on or
103 before May 1, 1996, and annually thereafter, which details the net
104 amount of carbon dioxide emitted annually within this state.
105 Subsequent to the May 1, 2000, submittal, said report shall be
106 submitted every three years with the first such report due May 1, 2003]
107 consistent with the recommendations of the Connecticut Climate
108 Change Action Plan prepared in accordance with section 22a-200a.

109 Sec. 6. Subsection (b) of section 8-23 of the general statutes, as
110 amended by section 3 of public act 07-239, section 4 of public act 07-5
111 of the June special session and section 17 of public act 08-182, is
112 repealed and the following is substituted in lieu thereof (*Effective July*
113 *1, 2010*):

114 (b) [Until the plan is amended in accordance with this subsection
115 the municipality] On and after the first day of July following the

116 adoption of the state Conservation and Development Policies Plan
117 2012-2017, in accordance with section 16a-30, a municipality that fails
118 to comply with the requirements of subsection (a) of this section shall
119 be ineligible for discretionary state funding unless such prohibition is
120 expressly waived by the secretary.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section
Sec. 2	<i>from passage</i>	16a-27
Sec. 3	<i>from passage</i>	16a-28
Sec. 4	<i>from passage</i>	16a-29
Sec. 5	<i>from passage</i>	16a-32a
Sec. 6	<i>July 1, 2010</i>	8-23(b)

PD *Joint Favorable Subst.*

ET *Joint Favorable*

ENV *Joint Favorable*