



Senate Bill No. 3

Public Act No. 09-112

AN ACT PROHIBITING THE ACQUISITION OR USE OF CERTAIN PARCELS OF LAND AS ASH RESIDUE DISPOSAL AREAS AND CONCERNING THE OPERATION OF A FOOD-WASTE-TO-ENERGY PLANT.

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

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

(b) Notwithstanding the provisions of sections 22a-276 and 22a-285a of the general statutes, the Connecticut Resources Recovery Authority or any other person or entity shall not have the power to condemn, purchase, lease, accept or take title to, use or otherwise acquire any

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portion of a certain parcel of land located in the town of Windham for the purpose of establishing an ash residue disposal area. Said parcel is adjacent to the parcel identified in subsection (a) of this section and is identified as Lots 4a, 5 and 6 in Block 211 on town of Windham Tax Assessor's Map 6-13, dated August 24, 2001.

Sec. 2. (NEW) (*Effective from passage*) No certificate of environmental compatibility and public need under chapter 277a of the general statutes and no permit under section 22a-208a of the general statutes shall be issued for the construction or operation of a food-waste-to-energy plant in a distressed municipality (1) with a population of more than one hundred thousand, and (2) in which a liquefied natural gas storage facility of not less than ten million and not more than fifteen million gallons and a combustion turbine power plant of less than one hundred megawatts are located, if such food-waste-to-energy plant would be located within two miles of one or more university regional campuses, hospitals, performing arts centers, churches and schools, including magnet schools. For the purposes of this section, "distressed municipality" has the same meaning as in section 32-9p of the general statutes.

Vetoed June 23, 2009