



House of Representatives

General Assembly

File No. 472

January Session, 2011

Substitute House Bill No. 5526

House of Representatives, April 7, 2011

The Committee on Environment reported through REP. ROY of the 119th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT REQUIRING A PERMIT FOR CERTAIN COMMERCIAL PROJECTS THAT INVOLVE QUARRYING.

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

1 Section 1. (NEW) (*Effective from passage*) Notwithstanding any
2 provision of the general statutes, the Commissioner of Environmental
3 Protection shall establish a permitting program for any commercial
4 project proposed on a parcel of property that is located near the center
5 of a municipality and that involves quarrying. Such permitting
6 program shall require any person who seeks to engage in a commercial
7 project that involves such quarrying to submit to the commissioner a
8 statement of the environmental compatibility of such project with the
9 nature of such property and all neighboring properties. Additionally,
10 any such applicant shall submit a statement to the commissioner
11 indicating why such parcel of property is the most suitable parcel for
12 such project. Any person who seeks to engage in a commercial project
13 that involves such quarrying shall obtain a permit from the
14 commissioner prior to commencing any work on such project.

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

ENV *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 12 \$	FY 13 \$
Department of Environmental Protection	GF - Cost	50,000	50,000
Comptroller Misc. Accounts (Fringe Benefits) ¹	GF - Cost	11,880	11,880

Note: GF=General Fund

Municipal Impact: None

Explanation

The bill establishes a quarrying permitting program within the Department of Environmental Protection (DEP) for any commercial project proposed on a property near a municipal center. DEP would need to hire one staff person at the cost of approximately \$50,000 in both FY 12 and FY 13, and fringe benefit costs of \$11,880 in both FY 12 and FY 13 to administer this new program.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

¹ The fringe benefit costs for most state employees are budgeted centrally in accounts administered by the Comptroller. The estimated non-pension fringe benefit cost associated with personnel changes is 23.76% of payroll in FY 12 and FY 13. In addition, there could be an impact to potential liability for the applicable state pension funds.

OLR Bill Analysis**sHB 5526*****AN ACT REQUIRING A PERMIT FOR CERTAIN COMMERCIAL PROJECTS THAT INVOLVE QUARRYING.*****SUMMARY:**

This bill requires the Department of Environmental Protection commissioner to establish a permitting program for any proposed commercial project that involves quarrying on a parcel of property located “near the center of a municipality” (it does not define this term). It specifies that the commissioner must do this notwithstanding any other law.

The program must require any person seeking to engage in such a project to submit statements to the commissioner (1) concerning the project’s environmental compatibility with the nature of the property and all neighboring properties and (2) indicating why the property is the most suitable parcel for the project. The permit must be obtained before beginning any work on the project.

EFFECTIVE DATE: Upon passage

COMMITTEE ACTION

Environment Committee

Joint Favorable Substitute

Yea 19 Nay 6 (03/21/2011)