



# House of Representatives

General Assembly

**File No. 317**

February Session, 2012

Substitute House Bill No. 5465

*House of Representatives, April 10, 2012*

The Committee on Commerce reported through REP. BERGER of the 73rd Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

## **AN ACT CONCERNING STREAM CHANNEL ENCROACHMENT LINES AND PERMITS.**

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

1 Section 1. Subsection (c) of section 7-147 of the general statutes is  
2 repealed and the following is substituted in lieu thereof (*Effective from*  
3 *passage*):

4 (c) The provisions of this section shall not be construed to limit or  
5 alter the authority of the Commissioner of Energy and Environmental  
6 Protection over the tidal, coastal and navigable waters of the state,  
7 [and within stream channel encroachment lines established by said  
8 commissioner pursuant to section 22a-343.]

9 Sec. 2. Subsection (a) of section 13a-94 of the general statutes is  
10 repealed and the following is substituted in lieu thereof (*Effective from*  
11 *passage*):

12 (a) All structures to be built over, or structures or embankments to

13 be built adjacent to, streams in connection with state highway projects  
14 shall conform (1) [to the requirements of the Commissioner of Energy  
15 and Environmental Protection for sizes and location of waterways as  
16 determined by his policies for the establishment of river channel  
17 encroachment limits in accordance with sections 22a-342 to 22a-348,  
18 inclusive, (2)] to any approved river corridor protection plan for a river  
19 corridor designated pursuant to section 25-205, and [(3)] (2) any river  
20 corridor management plan approved pursuant to section 25-235.

21 Sec. 3. Subsection (c) of section 22a-2d of the 2012 supplement to the  
22 general statutes is repealed and the following is substituted in lieu  
23 thereof (*Effective from passage*):

24 (c) Wherever the words "Commissioner of Environmental  
25 Protection" are used or referred to in the following sections of the  
26 general statutes, the words "Commissioner of Energy and  
27 Environmental Protection" shall be substituted in lieu thereof: 3-7, 3-  
28 100, 4-5, 4-168, 4a-57, 4a-67d, 4b-15a, 4b-21, 5-238a, 7-121d, 7-131, 7-  
29 131a, 7-131d, 7-131e, 7-131f, 7-131g, 7-131i, 7-131l, 7-131t, 7-131u, 7-  
30 136h, 7-137c, 7-147, as amended by this act, 7-151a, 7-151b, 7-245, 7-246,  
31 7-246f, 7-247, 7-249a, 7-323o, 7-374, 7-487, 8-336f, 10-231b, 10-231c, 10-  
32 231d, 10-231g, 10-382, 10-388, 10-389, 10-391, 12-81, 12-81r, 12-107d, 12-  
33 217mm, 12-263m, 12-407, 12-412, 13a-80i, 13a-94, as amended by this  
34 act, 13a-142a, 13a-142b, 13a-142e, 13a-175j, 13b-11a, 13b-38x, 13b-51,  
35 13b-56, 13b-57, 13b-329, 14-21e, 14-21i, 14-21s, 14-65a, 14-67l, 14-80a, 14-  
36 100b, 14-164c, 14-164h, 14-164i, 14-164k, 14-164o, 15-11a, 15-121, 15-125,  
37 15-127, 15-130, 15-133a, 15-133c, 15-140a, 15-140c, 15-140d, 15-140e, 15-  
38 140f, 15-140j, 15-140o, 15-140u, 15-140v, 15-141, 15-142, 15-143, 15-144,  
39 15-145, 15-149a, 15-149b, 15-150a, 15-151, 15-154, 15-154a, 15-155, 15-  
40 155d, 15-156, 15-174, 16-2, 16-11a, 16-19e, 16-19g, 16-50c, 16-50d, 16-50j,  
41 16-261a, 16a-3, 16a-21a, 16a-27, 16a-35h, 16a-38k, 16a-103, 16a-106, 19a-  
42 35a, 19a-47, 19a-102a, 19a-330, 19a-341, 21-84b, 22-6c, 22-11h, 22-26cc,  
43 22-81a, 22-91c, 22-350a, 22-358, 22a-1g, 22a-2a, 22a-5b, 22a-5c, 22a-6, as  
44 amended by this act, 22a-6a, as amended by this act, 22a-6b, as  
45 amended by this act, 22a-6e, 22a-6f, 22a-6g, as amended by this act,  
46 22a-6h, as amended by this act, 22a-6i, 22a-6j, 22a-6k, as amended by

47 this act, 22a-6l, 22a-6m, 22a-6n, 22a-6p, 22a-6s, 22a-6u, 22a-6v, 22a-6w,  
48 22a-6y, 22a-6z, 22a-6aa, 22a-6bb, as amended by this act, 22a-6cc, 22a-  
49 7a, 22a-7b, 22a-8a, 22a-10, 22a-13, 22a-16a, 22a-21, 22a-21b, 22a-21c,  
50 22a-21d, 22a-21h, 22a-21j, 22a-22, 22a-25, 22a-26, 22a-27, 22a-27f, 22a-  
51 27l, 22a-27p, 22a-27r, 22a-27s, 22a-27t, 22a-27u, 22a-27v, 22a-27w, 22a-  
52 29, 22a-35a, 22a-38, 22a-42a, 22a-44, 22a-45a, 22a-45b, 22a-45c, 22a-45d,  
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54 66l, 22a-66y, 22a-66z, 22a-68, 22a-93, 22a-106a, 22a-109, 22a-113n, 22a-  
55 113t, 22a-114, 22a-115, 22a-118, 22a-122, 22a-133a, 22a-133b, 22a-133k,  
56 22a-133l, 22a-133m, 22a-133n, 22a-133u, 22a-133v, 22a-133w, 22a-133y,  
57 22a-133z, 22a-133aa, 22a-133bb, 22a-133ee, 22a-134, 22a-134e, 22a-134f,  
58 22a-134g, 22a-134h, 22a-134i, 22a-134k, 22a-134l, 22a-134m, 22a-134n,  
59 22a-134p, 22a-134s, 22a-135, 22a-136, 22a-137, 22a-148, 22a-149, 22a-150,  
60 22a-151, 22a-153, 22a-154, 22a-155, 22a-156, 22a-158, 22a-160, 22a-162,  
61 22a-170, 22a-171, 22a-173, 22a-174c, 22a-174d, 22a-174e, 22a-174f, 22a-  
62 174g, 22a-174h, 22a-174i, 22a-174j, 22a-174k, 22a-174l, 22a-174m, 22a-  
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64 22a-192, 22a-193, 22a-194a, 22a-194c, 22a-194f, 22a-198, 22a-199, 22a-  
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66 208a, 22a-208b, 22a-208d, 22a-208e, 22a-208f, 22a-208g, 22a-208h, 22a-  
67 208j, 22a-208o, 22a-208p, 22a-208q, 22a-208v, 22a-208w, 22a-208x, 22a-  
68 208y, 22a-208aa, 22a-208bb, 22a-209a, 22a-209b, 22a-209d, 22a-209f, 22a-  
69 209g, 22a-209h, 22a-209i, 22a-213a, 22a-214, 22a-219b, 22a-219c, 22a-  
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74 22a-250a, 22a-250b, 22a-250c, 22a-252, 22a-255b, 22a-255c, 22a-255d,  
75 22a-255f, 22a-255h, 22a-256b, 22a-256c, 22a-256i, 22a-256m, 22a-256o,  
76 22a-256q, 22a-256r, 22a-256v, 22a-256y, 22a-256aa, 22a-260, 22a-264,  
77 22a-283, 22a-285a, 22a-285d, 22a-285e, 22a-285g, 22a-285h, 22a-285j,  
78 22a-295, 22a-300, 22a-308, 22a-309, 22a-314, 22a-315, 22a-316, 22a-317,  
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80 22a-336, 22a-337, 22a-339a, 22a-339b, 22a-339c, 22a-339d, 22a-339f, 22a-  
81 339g, 22a-339h, [22a-342a, 22a-349, 22a-349a,] 22a-351, 22a-352, 22a-

82 354b, 22a-354c, 22a-354d, 22a-354e, 22a-354f, 22a-354h, 22a-354i, 22a-  
83 354j, 22a-354k, 22a-354l, 22a-354p, 22a-354q, 22a-354t, 22a-354u, 22a-  
84 354v, 22a-354w, 22a-354x, 22a-354z, 22a-354aa, 22a-354bb, 22a-354cc,  
85 22a-355, 22a-357, as amended by this act, 22a-359, 22a-361, 22a-361a,  
86 22a-363b, 22a-364, 22a-367, 22a-368a, 22a-378a, 22a-381, 22a-401, 22a-  
87 402, as amended by this act, 22a-406, 22a-409, 22a-416, 22a-423, 22a-426,  
88 22a-430b, 22a-430c, 22a-434a, 22a-439, 22a-439a, 22a-444, 22a-445, 22a-  
89 449, 22a-449e, 22a-449f, 22a-449g, 22a-449h, 22a-449i, 22a-449j, 22a-  
90 449k, 22a-449l, 22a-449n, 22a-449p, 22a-449q, 22a-450a, 22a-452a, 22a-  
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93 22a-497, 22a-500, 22a-501, 22a-517, 22a-521, 22a-522, 22a-523, 22a-524,  
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100 23-37b, 23-41, 23-61a, 23-61b, 23-61f, 23-65, 23-65f, 23-65g, 23-65h, 23-  
101 65i, 23-65j, 23-65l, 23-65m, 23-65n, 23-65o, 23-65p, 23-65q, 23-73, 23-75,  
102 23-77, 23-101, 23-102, 24-2, 25-33e, 25-33k, 25-33m, 25-33o, 25-34, 25-  
103 68b, 25-68i, 25-68k, 25-68l, 25-68m, 25-68n, 25-71, 25-72, 25-74, 25-76, 25-  
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107 3b, 26-3c, 26-5, 26-6, 26-6a, 26-7, 26-15, 26-17a, 26-18, 26-25a, 26-25b, 26-  
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109 26-40c, 26-46, 26-55, 26-65, 26-65a, 26-67b, 26-67c, 26-67e, 26-74, 26-80a,  
110 26-86a, 26-86c, 26-86e, 26-91, 26-103, 26-107f, 26-107h, 26-107i, 26-115,  
111 26-119, 26-141a, 26-141b, 26-141c, 26-142a, 26-142b, 26-157c, 26-157d,  
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114 32-11a, 32-23x, 32-242, 32-242a, 32-664, 38a-684, 47-46a, 47-59b, 47-65,  
115 47-65a, 47-66, 47-66d, 47-66g, 51-164n, 52-192, 52-473a, 53-190, 53a-44a,  
116 53a-54b and 53a-217e.

117 Sec. 4. Subsection (a) of section 22a-6 of the 2012 supplement to the  
118 general statutes is repealed and the following is substituted in lieu  
119 thereof (*Effective from passage*):

120 (a) The commissioner may: (1) Adopt, amend or repeal, in  
121 accordance with the provisions of chapter 54, such environmental  
122 standards, criteria and regulations, and such procedural regulations as  
123 are necessary and proper to carry out his functions, powers and duties;  
124 (2) enter into contracts with any person, firm, corporation or  
125 association to do all things necessary or convenient to carry out the  
126 functions, powers and duties of the department; (3) initiate and receive  
127 complaints as to any actual or suspected violation of any statute,  
128 regulation, permit or order administered, adopted or issued by him.  
129 The commissioner shall have the power to hold hearings, administer  
130 oaths, take testimony and subpoena witnesses and evidence, enter  
131 orders and institute legal proceedings including, but not limited to,  
132 suits for injunctions, for the enforcement of any statute, regulation,  
133 order or permit administered, adopted or issued by him; (4) in  
134 accordance with regulations adopted by him, require, issue, renew,  
135 revoke, modify or deny permits, under such conditions as he may  
136 prescribe, governing all sources of pollution in Connecticut within his  
137 jurisdiction; (5) in accordance with constitutional limitations, enter at  
138 all reasonable times, without liability, upon any public or private  
139 property, except a private residence, for the purpose of inspection and  
140 investigation to ascertain possible violations of any statute, regulation,  
141 order or permit administered, adopted or issued by him and the  
142 owner, managing agent or occupant of any such property shall permit  
143 such entry, and no action for trespass shall lie against the  
144 commissioner for such entry, or he may apply to any court having  
145 criminal jurisdiction for a warrant to inspect such premises to  
146 determine compliance with any statute, regulation, order or permit  
147 administered, adopted or enforced by him, provided any information  
148 relating to secret processes or methods of manufacture or production  
149 ascertained by the commissioner during, or as a result of, any  
150 inspection, investigation, hearing or otherwise shall be kept  
151 confidential and shall not be disclosed except that, notwithstanding the

152 provisions of subdivision (5) of subsection (b) of section 1-210, such  
153 information may be disclosed by the commissioner to the United States  
154 Environmental Protection Agency pursuant to the federal Freedom of  
155 Information Act of 1976, (5 USC 552) and regulations adopted  
156 thereunder or, if such information is submitted after June 4, 1986, to  
157 any person pursuant to the federal Clean Water Act (33 USC 1251 et  
158 seq.); (6) undertake any studies, inquiries, surveys or analyses he may  
159 deem relevant, through the personnel of the department or in  
160 cooperation with any public or private agency, to accomplish the  
161 functions, powers and duties of the commissioner; (7) require the  
162 posting of sufficient performance bond or other security to assure  
163 compliance with any permit or order; (8) provide by notice printed on  
164 any form that any false statement made thereon or pursuant thereto is  
165 punishable as a criminal offense under section 53a-157b; (9) construct  
166 or repair or contract for the construction or repair of any dam or flood  
167 and erosion control system under his control and management, make  
168 or contract for the making of any alteration, repair or addition to any  
169 other real asset under his control and management, including rented  
170 or leased premises, involving an expenditure of five hundred thousand  
171 dollars or less, and, with prior approval of the Commissioner of  
172 Construction Services, make or contract for the making of any  
173 alteration, repair or addition to such other real asset under his control  
174 and management involving an expenditure of more than five hundred  
175 thousand dollars but not more than one million dollars; (10) in  
176 consultation with affected town and watershed organizations, enter  
177 into a lease agreement with a private entity owning a facility to allow  
178 the private entity to generate hydroelectricity provided the project  
179 meets the certification standards of the Low Impact Hydropower  
180 Institute; (11) by regulations adopted in accordance with the  
181 provisions of chapter 54, require the payment of a fee sufficient to  
182 cover the reasonable cost of the search, duplication and review of  
183 records requested under the Freedom of Information Act, as defined in  
184 section 1-200, and the reasonable cost of reviewing and acting upon an  
185 application for and monitoring compliance with the terms and  
186 conditions of any state or federal permit, license, registration, order,

187 certificate or approval required pursuant to subsection (i) of section  
188 22a-39, subsections (c) and (d) of section 22a-96, subsections (h), (i) and  
189 (k) of section 22a-424, and sections 22a-6d, 22a-32, 22a-134a, 22a-134e,  
190 22a-135, 22a-148, 22a-150, 22a-174, 22a-208, 22a-208a, 22a-209, [22a-342,  
191 22a-345,] 22a-354i, 22a-361, 22a-363c, 22a-368, 22a-372, 22a-379, 22a-403,  
192 as amended by this act, 22a-409, 22a-416, 22a-428 to 22a-432, inclusive,  
193 22a-449 and 22a-454 to 22a-454c, inclusive, as amended by this act, and  
194 Section 401 of the federal Clean Water Act, (33 USC 1341). Such costs  
195 may include, but are not limited to the costs of (A) public notice, (B)  
196 reviews, inspections and testing incidental to the issuance of and  
197 monitoring of compliance with such permits, licenses, orders,  
198 certificates and approvals, and (C) surveying and staking boundary  
199 lines. The applicant shall pay the fee established in accordance with the  
200 provisions of this section prior to the final decision of the  
201 commissioner on the application. The commissioner may postpone  
202 review of an application until receipt of the payment. Payment of a fee  
203 for monitoring compliance with the terms or conditions of a permit  
204 shall be at such time as the commissioner deems necessary and is  
205 required for an approval to remain valid; and (12) by regulations  
206 adopted in accordance with the provisions of chapter 54, require the  
207 payment of a fee sufficient to cover the reasonable cost of responding  
208 to requests for information concerning the status of real estate with  
209 regard to compliance with environmental statutes, regulations, permits  
210 or orders. Such fee shall be paid by the person requesting such  
211 information at the time of the request. Funds not exceeding two  
212 hundred thousand dollars received by the commissioner pursuant to  
213 subsection (g) of section 22a-174, during the fiscal year ending June 30,  
214 1985, shall be deposited in the General Fund and credited to the  
215 appropriations of the Department of Energy and Environmental  
216 Protection in accordance with the provisions of section 4-86, and such  
217 funds shall not lapse until June 30, 1986. In any action brought against  
218 any employee of the department acting within his scope of delegated  
219 authority in performing any of the above-listed duties, the employee  
220 shall be represented by the Attorney General.

221 Sec. 5. Subsection (f) of section 22a-6 of the 2012 supplement to the

222 general statutes is repealed and the following is substituted in lieu  
223 thereof (*Effective from passage*):

224 (f) The provisions of sections 22a-45a and 22a-174, subsection (r) of  
225 section 22a-208a, sections [22a-349a,] 22a-354p, 22a-378a, 22a-411, as  
226 amended by this act, and 22a-430b and subsection (d) of section 22a-  
227 454 which authorize the issuance of general permits shall not affect the  
228 authority of the commissioner, under any statute or regulation, to  
229 abate pollution or to enforce the laws under his jurisdiction, including  
230 the authority to institute legal proceedings. Such proceedings may  
231 include summary suspension in accordance with subsection (c) of  
232 section 4-182. The commissioner may reissue, modify, revoke or  
233 suspend any general permit in accordance with the procedures set  
234 forth for the issuance of such permit.

235 Sec. 6. Subsections (a) and (b) of section 22a-6a of the general  
236 statutes are repealed and the following is substituted in lieu thereof  
237 (*Effective from passage*):

238 (a) Any person who knowingly or negligently violates any  
239 provision of section 14-100b or 14-164c, subdivision (3) of subsection  
240 (b) of section 15-121, section 15-171, 15-172, 15-175, 22a-5, 22a-6, as  
241 amended by this act, or 22a-7, chapter 440, chapter 441, section 22a-69  
242 or 22a-74, subsection (b) of section 22a-134p, section 22a-162, 22a-171,  
243 22a-174, 22a-175, 22a-177, 22a-178, 22a-181, 22a-183, 22a-184, 22a-190,  
244 22a-208, 22a-208a, 22a-209, 22a-213, 22a-220, 22a-225, 22a-231, 22a-336,  
245 [22a-342, 22a-345, 22a-346, 22a-347, 22a-349a,] 22a-358, 22a-359, 22a-  
246 361, 22a-362, 22a-365 to 22a-379, inclusive, 22a-401 to 22a-411,  
247 inclusive, as amended by this act, 22a-416, 22a-417, 22a-424 to 22a-433,  
248 inclusive, 22a-447, 22a-449, 22a-450, 22a-451, 22a-454, as amended by  
249 this act, 22a-458, 22a-461, 22a-462 or 22a-471, or any regulation, order  
250 or permit adopted or issued thereunder by the Commissioner of  
251 Energy and Environmental Protection shall be liable to the state for the  
252 reasonable costs and expenses of the state in detecting, investigating,  
253 controlling and abating such violation. Such person shall also be liable  
254 to the state for the reasonable costs and expenses of the state in



255 restoring the air, waters, lands and other natural resources of the state,  
256 including plant, wild animal and aquatic life to their former condition  
257 insofar as practicable and reasonable, or, if restoration is not  
258 practicable or reasonable, for any damage, temporary or permanent,  
259 caused by such violation to the air, waters, lands or other natural  
260 resources of the state, including plant, wild animal and aquatic life and  
261 to the public trust therein. Institution of a suit to recover for such  
262 damage, costs and expenses shall not preclude the application of any  
263 other remedies.

264 (b) Whenever two or more persons knowingly or negligently violate  
265 any provision of section 14-100b or 14-164c, subdivision (3) of  
266 subsection (b) of section 15-121, section 15-171, 15-172, 15-175, 22a-5,  
267 22a-6, as amended by this act, or 22a-7, chapter 440, chapter 441,  
268 subsection (b) of section 22a-134p, section 22a-162, 22a-171, 22a-174,  
269 22a-175, 22a-177, 22a-178, 22a-181, 22a-183, 22a-184, 22a-190, 22a-208,  
270 22a-208a, 22a-209, 22a-213, 22a-220, 22a-225, 22a-231, 22a-336, [22a-342,  
271 22a-345, 22a-346, 22a-347, 22a-349a,] 22a-358, 22a-359, 22a-361, 22a-362,  
272 22a-365 to 22a-379, inclusive, 22a-401 to 22a-411, inclusive, as amended  
273 by this act, 22a-416, 22a-417, 22a-424 to 22a-433, inclusive, 22a-447, 22a-  
274 449, 22a-450, 22a-451, 22a-454, as amended by this act, 22a-458, 22a-461,  
275 22a-462 or 22a-471, or any regulation, order or permit adopted or  
276 issued thereunder by the commissioner and responsibility for the  
277 damage caused thereby is not reasonably apportionable, such persons  
278 shall, subject to a right of equal contribution, be jointly and severally  
279 liable under this section.

280 Sec. 7. Subdivisions (1) and (2) of subsection (a) of section 22a-6b of  
281 the general statutes are repealed and the following is substituted in  
282 lieu thereof (*Effective from passage*):

283 (1) For failure to file any registration, other than a registration for a  
284 general permit, for failure to file any plan, report or record, or any  
285 application for a permit, for failure to obtain any certification, for  
286 failure to display any registration, permit or order, or file any other  
287 information required pursuant to any provision of section 14-100b or

288 14-164c, subdivision (3) of subsection (b) of section 15-121, section 15-  
289 171, 15-172, 15-175, 22a-5, 22a-6, as amended by this act, 22a-7, 22a-32,  
290 22a-39 or 22a-42a, 22a-45a, chapter 441, sections 22a-134 to 22a-134d,  
291 inclusive, subsection (b) of section 22a-134p, section 22a-171, 22a-174,  
292 22a-175, 22a-177, 22a-178, 22a-181, 22a-183, 22a-184, 22a-208, 22a-208a,  
293 22a-209, 22a-213, 22a-220, 22a-231, 22a-245a, 22a-336, [22a-342, 22a-345,  
294 22a-346, 22a-347, 22a-349a,] 22a-354p, 22a-358, 22a-359, 22a-361, 22a-  
295 362, 22a-368, 22a-401 to 22a-405, inclusive, 22a-411, as amended by this  
296 act, 22a-416, 22a-417, 22a-424 to 22a-433, inclusive, 22a-447, 22a-449,  
297 22a-450, 22a-451, 22a-454, as amended by this act, 22a-458, 22a-461,  
298 22a-462 or 22a-471, or any regulation, order or permit adopted or  
299 issued thereunder by the commissioner, and for other violations of  
300 similar character as set forth in such schedule or schedules, no more  
301 than one thousand dollars for said violation and in addition no more  
302 than one hundred dollars for each day during which such violation  
303 continues;

304 (2) For deposit, placement, removal, disposal, discharge or emission  
305 of any material or substance or electromagnetic radiation or the  
306 causing of, engaging in or maintaining of any condition or activity in  
307 violation of any provision of section 14-100b or 14-164c, subdivision (3)  
308 of subsection (b) of section 15-121, section 15-171, 15-172, 15-175, 22a-5,  
309 22a-6, as amended by this act, 22a-7, 22a-32, 22a-39 or 22a-42a, 22a-45a,  
310 chapter 441, sections 22a-134 to 22a-134d, inclusive, section 22a-69 or  
311 22a-74, subsection (b) of section 22a-134p, section 22a-162, 22a-171, 22a-  
312 174, 22a-175, 22a-177, 22a-178, 22a-181, 22a-183, 22a-184, 22a-190, 22a-  
313 208, 22a-208a, 22a-209, 22a-213, 22a-220, 22a-336, [22a-342, 22a-345, 22a-  
314 346, 22a-347, 22a-349a,] 22a-354p, 22a-358, 22a-359, 22a-361, 22a-362,  
315 22a-368, 22a-401 to 22a-405, inclusive, 22a-411, as amended by this act,  
316 22a-416, 22a-417, 22a-424 to 22a-433, inclusive, 22a-447, 22a-449, 22a-  
317 450, 22a-451, 22a-454, as amended by this act, 22a-458, 22a-461, 22a-462  
318 or 22a-471, or any regulation, order or permit adopted thereunder by  
319 the commissioner, and for other violations of similar character as set  
320 forth in such schedule or schedules, no more than twenty-five  
321 thousand dollars for said violation for each day during which such  
322 violation continues;

323 Sec. 8. Subsection (a) of section 22a-6g of the general statutes is  
324 repealed and the following is substituted in lieu thereof (*Effective from*  
325 *passage*):

326 (a) Any person who submits an application to the Commissioner of  
327 Energy and Environmental Protection for any permit or other license  
328 pursuant to section 22a-32, 22a-39, 22a-174, 22a-208a, [22a-342,] 22a-  
329 361, 22a-368, 22a-403, as amended by this act, or 22a-430, subsection (b)  
330 or (c) of section 22a-449, section 22a-454, as amended by this act, or  
331 Section 401 of the federal Water Pollution Control Act (33 USC 466 et  
332 seq.), except an application for authorization under a general permit  
333 shall: (1) Include with such application a signed statement certifying  
334 that the applicant will publish notice of such application on a form  
335 supplied by the commissioner in accordance with this section; (2)  
336 publish notice of such application in a newspaper of general  
337 circulation in the affected area; (3) send the commissioner a certified  
338 copy of such notice as it appeared in the newspaper; and (4) notify the  
339 chief elected official of the municipality in which the regulated activity  
340 is proposed. Such notices shall include: (A) The name and mailing  
341 address of the applicant and the address of the location at which the  
342 proposed activity will take place; (B) the application number, if  
343 available; (C) the type of permit sought, including a reference to the  
344 applicable statute or regulation; (D) a description of the activity for  
345 which a permit is sought; (E) a description of the location of the  
346 proposed activity and any natural resources affected thereby; (F) the  
347 name, address and telephone number of any agent of the applicant  
348 from whom interested persons may obtain copies of the application;  
349 and (G) a statement that the application is available for inspection at  
350 the office of the Department of Energy and Environmental Protection.  
351 The commissioner shall not process an application until the applicant  
352 has submitted to the commissioner a copy of the notice required by  
353 this section. The provisions of this section shall not apply to discharges  
354 exempted from the notice requirement by the commissioner pursuant  
355 to subsection (b) of section 22a-430, to hazardous waste transporter  
356 permits issued pursuant to section 22a-454, as amended by this act, or  
357 to special waste authorizations issued pursuant to section 22a-209 and

358 regulations adopted thereunder.

359 Sec. 9. Subsection (a) of section 22a-6h of the general statutes is  
360 repealed and the following is substituted in lieu thereof (*Effective from*  
361 *passage*):

362 (a) The Commissioner of Energy and Environmental Protection, at  
363 least thirty days before approving or denying an application under  
364 section 22a-32, 22a-39, 22a-174, 22a-208a, [22a-342,] 22a-361, 22a-368,  
365 22a-403, as amended by this act, or 22a-430, subsection (b) or (c) of  
366 section 22a-449, section 22a-454, as amended by this act, or Section 401  
367 of the federal Water Pollution Control Act (33 USC 466 et seq.), shall  
368 publish or cause to be published, at the applicant's expense, once in a  
369 newspaper having a substantial circulation in the affected area notice  
370 of the commissioner's tentative determination regarding such  
371 application. Such notice shall include: (1) The name and mailing  
372 address of the applicant and the address of the location of the  
373 proposed activity; (2) the application number; (3) the tentative decision  
374 regarding the application; (4) the type of permit or other authorization  
375 sought, including a reference to the applicable statute or regulation; (5)  
376 a description of the location of the proposed activity and any natural  
377 resources affected thereby; (6) the name, address and telephone  
378 number of any agent of the applicant from whom interested persons  
379 may obtain copies of the application; (7) a brief description of all  
380 opportunities for public participation provided by statute or  
381 regulation, including the length of time available for submission of  
382 public comments to the commissioner on the application; and (8) such  
383 additional information as the commissioner deems necessary to  
384 comply with any provision of this title or regulations adopted  
385 hereunder, or with the federal Clean Air Act, federal Clean Water Act  
386 or federal Resource Conservation and Recovery Act. The commissioner  
387 shall further give notice of such determination to the chief elected  
388 official of the municipality in which the regulated activity is proposed.  
389 Nothing in this section shall preclude the commissioner from giving  
390 such additional notice as may be required by any other provision of  
391 this title or regulations adopted hereunder, or by the federal Clean Air

392 Act, federal Clean Water Act or federal Resource Conservation and  
393 Recovery Act. The provisions of this section shall not apply to  
394 discharges exempted from the notice requirement by the commissioner  
395 pursuant to subsection (b) of section 22a-430, to hazardous waste  
396 transporter permits issued pursuant to section 22a-454, as amended by  
397 this act, or to special waste authorizations issued pursuant to section  
398 22a-209 and regulations adopted thereunder.

399 Sec. 10. Subsection (a) of section 22a-6k of the general statutes is  
400 repealed and the following is substituted in lieu thereof (*Effective from*  
401 *passage*):

402 (a) The Commissioner of Energy and Environmental Protection may  
403 issue an emergency authorization for any activity regulated by the  
404 commissioner under section 22a-32, subsection (h) of section 22a-39,  
405 22a-54, 22a-66, 22a-174, 22a-208a, [22a-342,] 22a-368, 22a-403, as  
406 amended by this act, 22a-430, 22a-449 or 22a-454, as amended by this  
407 act, provided he finds that (1) such authorization is necessary to  
408 prevent, abate or mitigate an imminent threat to human health or the  
409 environment; and (2) such authorization is not inconsistent with the  
410 federal Water Pollution Control Act, the federal Rivers and Harbors  
411 Act, the federal Clean Air Act or the federal Resource Conservation  
412 and Recovery Act. Such emergency authorization shall be limited by  
413 any conditions the commissioner deems necessary to adequately  
414 protect human health and the environment. Summary suspension of  
415 an emergency authorization may be ordered in accordance with  
416 subsection (c) of section 4-182. The commissioner may assess a fee for  
417 an emergency authorization issued pursuant to this subsection. Such  
418 fee shall be of an amount equal to the equivalent existing permit fee for  
419 the activity authorized. The commissioner may reduce or waive the fee  
420 required pursuant to this subsection if good cause is shown. The fee  
421 required pursuant to this subsection shall be paid no later than ten  
422 days after the issuance of the emergency authorization.

423 Sec. 11. Subsection (a) of section 22a-6bb of the general statutes is  
424 repealed and the following is substituted in lieu thereof (*Effective from*

425 *passage*):

426 (a) Whenever the Commissioner of Energy and Environmental  
427 Protection is required to hold a hearing prior to approving or denying  
428 an application upon receipt of a timely filed petition signed by at least  
429 twenty-five persons pursuant to sections 22a-32, 22a-39, 22a-42a, 22a-  
430 45a, 22a-94, 22a-174, 22a-208a, [22a-349a,] 22a-361, 22a-363b, 22a-371,  
431 22a-378a, 22a-403, as amended by this act, 22a-411, as amended by this  
432 act, 22a-430 and 25-68d, as amended by this act, or any regulation of  
433 the Connecticut state agencies provides that the Commissioner of  
434 Energy and Environmental Protection shall hold a hearing prior to  
435 approving or denying an application upon receipt of a timely filed  
436 petition signed by at least twenty-five persons, such petition may  
437 designate a person authorized to withdraw such petition. Such  
438 authorized person may engage in discussions regarding an application  
439 and, if a resolution is reached, may withdraw the petition.

440 Sec. 12. Section 22a-27i of the general statutes is repealed and the  
441 following is substituted in lieu thereof (*Effective from passage*):

442 Notwithstanding the provisions of sections 22a-6, as amended by  
443 this act, 22a-6d, 22a-26g, 22a-26h, 22a-134e, 22a-135, 22a-148, 22a-150,  
444 22a-174, 22a-208a, [22a-342,] 22a-363c, 22a-372, 22a-379, 22a-409, 22a-  
445 430, 22a-449, 22a-454 to 22a-454c, inclusive, as amended by this act,  
446 and 22a-361, for the period beginning July 1, 1990, and ending June 30,  
447 1991, any fee to be charged to a municipality in accordance with said  
448 sections shall be the fee in effect on June 30, 1990.

449 Sec. 13. Section 22a-98 of the general statutes is repealed and the  
450 following is substituted in lieu thereof (*Effective from passage*):

451 The commissioner shall coordinate the activities of all regulatory  
452 programs under his jurisdiction with permitting authority in the  
453 coastal area to assure that the administration of such programs is  
454 consistent with the goals and policies of this chapter. Such programs  
455 include, but are not limited to: (1) Regulation of wetlands and  
456 watercourses pursuant to chapter 440; (2) [regulation of stream

457 encroachment pursuant to sections 22a-342 to 22a-349, inclusive; (3)]  
458 regulation of dredging and the erection of structures or the placement  
459 of fill in tidal, coastal or navigable waters pursuant to sections 22a-359  
460 to 22a-363f, inclusive; and [(4)] (3) certification of water quality  
461 pursuant to the federal Clean Water Act of 1972 (33 USC 1411, Section  
462 401). The commissioner shall assure consistency with such goals and  
463 policies in granting, denying or modifying permits under such  
464 programs. Any person seeking a license, permit or other approval of  
465 an activity under the requirements of such regulatory programs shall  
466 demonstrate that such activity is consistent with all applicable goals  
467 and policies in section 22a-92 and that such activity incorporates all  
468 reasonable measures mitigating any adverse impacts of such actions  
469 on coastal resources and future water-dependent development  
470 activities. The coordination of such programs shall include, where  
471 feasible, the use of common or combined application forms, the  
472 holding of joint hearings on permit applications and the coordination  
473 of the timing or sequencing of permit decisions.

474 Sec. 14. Section 22a-357 of the general statutes is repealed and the  
475 following is substituted in lieu thereof (*Effective from passage*):

476 The Governor may, at any time, require the Commissioner of  
477 Energy and Environmental Protection to secure the necessary  
478 information and submit a special report upon any of the matters  
479 contained in [sections] section 22a-337, [and 22a-350,] and if the  
480 Governor finds, upon an examination of such report, that the interests  
481 of the state require, or that there exists a serious menace to the lives or  
482 property of the people of the state, he may order the commissioner to  
483 take such action as the Governor determines to be necessary to protect  
484 the interests of the state or the lives or property of its citizens. In such  
485 case, the Governor may make available, out of the civil list funds of the  
486 state not otherwise appropriated, a sufficient sum or sums required to  
487 protect such interests.

488 Sec. 15. Subsection (a) of section 22a-402 of the general statutes is  
489 repealed and the following is substituted in lieu thereof (*Effective from*

490 *passage*):

491 (a) The Commissioner of Energy and Environmental Protection  
492 shall investigate and inspect or cause to be investigated and inspected  
493 all dams or other structures which, in his or her judgment, would, by  
494 breaking away, cause loss of life or property damage. Said  
495 commissioner may require any person owning or having the care and  
496 control of any such structure to furnish him or her with such surveys,  
497 plans, descriptions, drawings and other data relating thereto and in  
498 such form and to such reasonable extent as he or she directs. Any  
499 person in possession of such pertinent information shall afford the  
500 owner and the commissioner access thereto. The commissioner shall  
501 make or cause to be made such periodic inspections of all such  
502 structures as may be necessary to reasonably insure that they are  
503 maintained in a safe condition. If, after any inspection described  
504 herein, the commissioner finds any such structure to be in an unsafe  
505 condition, he or she shall order the person owning or having control  
506 thereof to place it in a safe condition or to remove it and shall fix the  
507 time within which such order shall be carried out. The respondent to  
508 such an order shall not be required to obtain a permit under this  
509 chapter or chapter 440 or section [22a-342 or] 22a-368 for any action  
510 necessary to comply with such order. If such order is not carried out  
511 within the time specified, the commissioner may carry out the actions  
512 required by the order provided the commissioner has determined that  
513 an emergency exists which presents a clear and present danger to the  
514 public safety and said commissioner shall assess the costs of such  
515 action against the person owning or having care and control of the  
516 structure. When the commissioner in his or her investigation finds that  
517 a dam or other structure should be inspected periodically in order to  
518 reduce a potential hazard to life and property, the owner of such  
519 structure shall cause such inspection to be made by a registered  
520 engineer at such intervals as are deemed necessary by the  
521 commissioner and shall submit a copy of the engineer's finding and  
522 report to the commissioner for his or her action. If the commissioner  
523 determines as a result of an inspection that maintenance or repairs to a  
524 dam are needed to maintain the dam in a safe condition, the



525 commissioner shall notify the owner, in writing, of such maintenance  
526 or repairs as are necessary and request the owner to undertake such  
527 repairs within the time period specified in the notice. If the owner does  
528 not undertake the necessary maintenance or repairs within the time  
529 period indicated in the notice, the commissioner may proceed to order  
530 the owner to undertake the necessary maintenance or repairs. As used  
531 in this chapter, "person" shall have the same meaning as defined in  
532 subsection (b) of section 22a-2 and "water company" shall have the  
533 same meaning as defined in section 25-32a. The commissioner shall  
534 cause a certified copy of a final order issued under this section to be  
535 recorded on the land records in the town or towns wherein the dam or  
536 such structure is located.

537 Sec. 16. Subsection (b) of section 22a-403 of the general statutes is  
538 repealed and the following is substituted in lieu thereof (*Effective from*  
539 *passage*):

540 (b) The commissioner or his representative, engineer or consultant  
541 shall determine the impact of the construction work on the  
542 environment, on the safety of persons and property and on the inland  
543 wetlands and watercourses of the state in accordance with the  
544 provisions of sections 22a-36 to 22a-45, inclusive, and shall further  
545 determine the need for a fishway in accordance with the provisions of  
546 section 26-136, and shall examine the documents and inspect the site,  
547 and, upon approval thereof, the commissioner shall issue a permit  
548 authorizing the proposed construction work under such conditions as  
549 the commissioner may direct. The commissioner shall send a copy of  
550 the permit to the town clerk in any municipality in which the structure  
551 is located or any municipality which will be affected by the structure.  
552 An applicant for a permit issued under this section to alter, rebuild,  
553 repair or remove an existing dam shall not be required to obtain a  
554 permit under sections 22a-36 to 22a-45a, inclusive, or section [22a-342  
555 or] 22a-368. An applicant for a permit issued under this section to  
556 construct a new dam shall not be required to obtain a permit under  
557 sections 22a-36 to 22a-45a, inclusive, for such construction.

558 Sec. 17. Subsection (a) of section 22a-411 of the general statutes is  
559 repealed and the following is substituted in lieu thereof (*Effective from*  
560 *passage*):

561 (a) The commissioner may issue a general permit for any minor  
562 activity regulated under sections 22a-401 to 22a-410, inclusive, except  
563 for any activity covered by an individual permit, if the commissioner  
564 determines that such activity would cause minimal environmental  
565 effects when conducted separately and would cause only minimal  
566 cumulative environmental effects. Such activities may include routine  
567 maintenance and routine repair of any dam, dike, reservoir or other  
568 similar structure. Any person conducting an activity for which a  
569 general permit has been issued shall not be required to obtain an  
570 individual permit under sections 22a-36 to 22a-45a, inclusive, or  
571 section [22a-342,] 22a-368 or 22a-403, as amended by this act, except as  
572 provided in subsection (c) of this section. A general permit shall clearly  
573 define the activity covered thereby and may include such conditions  
574 and requirements as the commissioner deems appropriate, including,  
575 but not limited to, management practices and verification and  
576 reporting requirements. The general permit may require any person  
577 conducting any activity under the general permit to report, on a form  
578 prescribed by the commissioner, such activity to the commissioner  
579 before it shall be covered by the general permit. The commissioner  
580 shall prepare, and shall annually amend, a list of holders of general  
581 permits under this section, which list shall be made available to the  
582 public.

583 Sec. 18. Subsection (a) of section 22a-454 of the general statutes is  
584 repealed and the following is substituted in lieu thereof (*Effective from*  
585 *passage*):

586 (a) No person shall engage in the business of collecting, storing or  
587 treating waste oil or petroleum or chemical liquids or hazardous  
588 wastes or of acting as a contractor to contain or remove or otherwise  
589 mitigate the effects of discharge, spillage, uncontrolled loss, seepage or  
590 filtration of such substance or material or waste nor shall any person,

591 municipality or regional authority dispose of waste oil or petroleum or  
592 chemical liquids or waste solid, liquid or gaseous products or  
593 hazardous wastes without a permit from the commissioner. Such  
594 permit shall be in writing, shall contain such terms and conditions as  
595 the commissioner deems necessary and shall be valid for a fixed term  
596 not to exceed five years. No permit shall be granted, renewed or  
597 transferred unless the commissioner is satisfied that the activities of  
598 the permittee will not result in pollution, contamination, emergency or  
599 a violation of any regulation adopted under sections 22a-30, 22a-39,  
600 22a-116, [22a-347,] 22a-377, 22a-430, 22a-449, 22a-451 and 22a-462. The  
601 commissioner shall require payment of a fee of six hundred twenty-  
602 five dollars per year for each year covered by a permit to transport  
603 hazardous waste and the payment of a fee of fourteen thousand two  
604 hundred fifty dollars for a permit to treat waste oil or petroleum or  
605 chemical liquids. The commissioner may adopt regulations, in  
606 accordance with the provisions of chapter 54, to prescribe the amount  
607 of the fees required pursuant to this section. Upon the adoption of such  
608 regulations, the fees required by this section shall be as prescribed in  
609 such regulations. The commissioner may suspend or revoke a permit  
610 for violation of any term or condition of the permit, for conviction of a  
611 violation of section 22a-131a or for assessment of a fine under section  
612 22a-131. The commissioner may conduct a program of study and  
613 research and demonstration, relating to new and improved methods of  
614 waste oil and petroleum or chemical liquids or waste solid, liquid or  
615 gaseous products or hazardous wastes disposal. For the purposes of  
616 this section, collecting, storing, or treating of waste oil, petroleum or  
617 chemical liquids or hazardous waste shall mean such activities when  
618 engaged in by a person whose principal business is the management of  
619 such wastes.

620 Sec. 19. Subdivision (2) of subsection (b) of section 25-68d of the  
621 general statutes is repealed and the following is substituted in lieu  
622 thereof (*Effective from passage*):

623 (2) The proposal complies with the provisions of the National Flood  
624 Insurance Program, 44 CFR 59 et seq., and any floodplain zoning

625 requirements adopted by a municipality in the area of the proposal;  
626 [and the requirements for stream channel encroachment lines; adopted  
627 pursuant to the provisions of section 22a-342;]

628 Sec. 20. Subsection (a) of section 51-344a of the general statutes is  
629 repealed and the following is substituted in lieu thereof (*Effective from*  
630 *passage*):

631 (a) Whenever the term "judicial district of Hartford-New Britain" or  
632 "judicial district of Hartford-New Britain at Hartford" is used or  
633 referred to in the following sections of the general statutes, it shall be  
634 deemed to mean or refer to the judicial district of Hartford on and after  
635 September 1, 1998: Sections 1-205, 1-206, 2-48, 3-21a, 3-62d, 3-70a, 3-  
636 71a, 4-61, 4-160, 4-164, 4-177b, 4-180, 4-183, 4-197, 5-202, 5-276a, 8-30g,  
637 9-7a, 9-7b, 9-369b, 10-153e, 12-208, 12-237, 12-268l, 12-312, 12-330m, 12-  
638 405k, 12-422, 12-448, 12-454, 12-456, 12-463, 12-489, 12-522, 12-554, 12-  
639 565, 12-572, 12-586f, 12-597, 12-730, 13b-34, 13b-235, 13b-315, 13b-375,  
640 14-57, 14-66, 14-67u, 14-110, 14-195, 14-311, 14-311c, 14-324, 14-331, 15-  
641 125, 15-126, 16-41, 16a-5, 17b-60, 17b-100, 17b-238, 17b-531, 19a-85, 19a-  
642 86, 19a-123d, 19a-425, 19a-498, 19a-517, 19a-526, 19a-633, 20-12f, 20-13e,  
643 20-29, 20-40, 20-45, 20-59, 20-73a, 20-86f, 20-99, 20-114, 20-133, 20-154,  
644 20-156, 20-162p, 20-192, 20-195p, 20-202, 20-206c, 20-227, 20-238, 20-247,  
645 20-263, 20-271, 20-307, 20-341f, 20-363, 20-373, 20-404, 20-414, 21a-55,  
646 21a-190i, 22-7, 22-64, 22-228, 22-248, 22-254, 22-320d, 22-326a, 22-344b,  
647 22-386, 22a-6b, as amended by this act, 22a-7, 22a-16, 22a-30, 22a-34,  
648 22a-53, 22a-60, 22a-62, 22a-63, 22a-66h, 22a-106a, 22a-119, 22a-167, 22a-  
649 180, 22a-182a, 22a-184, 22a-220a, 22a-220d, 22a-225, 22a-226, 22a-226c,  
650 22a-227, 22a-250, 22a-255l, 22a-276, 22a-285a, 22a-285g, 22a-285j, 22a-  
651 310, [22a-342a, 22a-344,] 22a-361a, 22a-374, 22a-376, 22a-408, 22a-430,  
652 22a-432, 22a-438, 22a-449f, 22a-449g, 22a-459, 23-5e, 23-65m, 25-32e, 25-  
653 36, 28-5, 29-143j, 29-158, 29-161z, 29-317, 29-323, 29-329, 29-334, 29-340,  
654 29-369, 30-8, 31-109, 31-249b, 31-266, 31-266a, 31-270, 31-273, 31-284, 31-  
655 285, 31-339, 31-355a, 31-379, 35-3c, 35-42, 36a-186, 36a-187, 36a-471a,  
656 36a-494, 36a-587, 36a-647, 36a-684, 36a-718, 36a-807, 36b-26, 36b-27,  
657 36b-30, 36b-50, 36b-71, 36b-72, 36b-74, 36b-76, 38a-41, 38a-52, 38a-134,  
658 38a-139, 38a-140, 38a-147, 38a-150, 38a-185, 38a-209, 38a-225, 38a-226b,

659 38a-241, 38a-337, 38a-470, 38a-620, 38a-657, 38a-687, 38a-774, 38a-776,  
660 38a-817, 38a-843, 38a-868, 38a-906, 38a-994, 42-103c, 42-110d, 42-110k,  
661 42-110p, 42-182, 46a-5, 46a-56, 46a-100, 47a-21, 49-73, 51-44a, 51-81b, 51-  
662 194, 52-146j, 53-392d and 54-211a.

663 Sec. 21. Subsection (a) of section 51-344a of the general statutes, as  
664 amended by section 22 of public act 09-177 and section 6 of public act  
665 10-54, is repealed and the following is substituted in lieu thereof  
666 (*Effective January 1, 2013*):

667 (a) Whenever the term "judicial district of Hartford-New Britain" or  
668 "judicial district of Hartford-New Britain at Hartford" is used or  
669 referred to in the following sections of the general statutes, it shall be  
670 deemed to mean or refer to the judicial district of Hartford on and after  
671 September 1, 1998: Sections 1-205, 1-206, 2-48, 3-21a, 3-62d, 3-70a, 3-  
672 71a, 4-61, 4-160, 4-164, 4-177b, 4-180, 4-183, 4-197, 5-202, 5-276a, 8-30g,  
673 9-7a, 9-7b, 9-369b, 10-153e, 12-208, 12-237, 12-268l, 12-312, 12-330m, 12-  
674 405k, 12-422, 12-448, 12-454, 12-456, 12-463, 12-489, 12-522, 12-554, 12-  
675 565, 12-572, 12-586f, 12-597, 12-730, 13b-34, 13b-235, 13b-315, 13b-375,  
676 14-57, 14-66, 14-67u, 14-110, 14-195, 14-311, 14-311c, 14-324, 14-331, 15-  
677 125, 15-126, 16-41, 16a-5, 17b-60, 17b-100, 17b-238, 17b-531, 19a-85, 19a-  
678 86, 19a-123d, 19a-425, 19a-498, 19a-517, 19a-526, 19a-633, 20-12f, 20-13e,  
679 20-29, 20-40, 20-45, 20-59, 20-73a, 20-86f, 20-99, 20-114, 20-133, 20-154,  
680 20-156, 20-162p, 20-192, 20-195p, 20-202, 20-206c, 20-227, 20-238, 20-247,  
681 20-263, 20-271, 20-307, 20-341f, 20-363, 20-373, 20-404, 20-414, 21a-55,  
682 21a-190i, 22-7, 22-64, 22-228, 22-248, 22-254, 22-320d, 22-326a, 22-344b,  
683 22-386, 22a-6b, as amended by this act, 22a-7, 22a-16, 22a-30, 22a-34,  
684 22a-53, 22a-60, 22a-62, 22a-63, 22a-66h, 22a-106a, 22a-119, 22a-167, 22a-  
685 180, 22a-182a, 22a-184, 22a-220a, 22a-220d, 22a-225, 22a-226, 22a-226c,  
686 22a-227, 22a-250, 22a-255l, 22a-276, 22a-285a, 22a-285g, 22a-285j, 22a-  
687 310, [22a-342a, 22a-344,] 22a-361a, 22a-374, 22a-376, 22a-408, 22a-430,  
688 22a-432, 22a-438, 22a-449f, 22a-449g, 22a-459, 23-5e, 23-65m, 25-32e, 25-  
689 36, 28-5, 29-143j, 29-158, 29-161z, 29-323, 30-8, 31-109, 31-249b, 31-266,  
690 31-266a, 31-270, 31-273, 31-284, 31-285, 31-339, 31-355a, 31-379, 35-3c,  
691 35-42, 36a-186, 36a-187, 36a-471a, 36a-494, 36a-587, 36a-647, 36a-684,  
692 36a-718, 36a-807, 36b-26, 36b-27, 36b-30, 36b-50, 36b-71, 36b-72, 36b-74,

693 36b-76, 38a-41, 38a-52, 38a-134, 38a-139, 38a-140, 38a-147, 38a-150, 38a-  
694 185, 38a-209, 38a-225, 38a-226b, 38a-241, 38a-337, 38a-470, 38a-620, 38a-  
695 657, 38a-687, 38a-774, 38a-776, 38a-817, 38a-843, 38a-868, 38a-906, 38a-  
696 994, 42-103c, 42-110d, 42-110k, 42-110p, 42-182, 46a-5, 46a-56, 46a-100,  
697 47a-21, 49-73, 51-44a, 51-81b, 51-194, 52-146j, 53-392d and 54-211a.

698 Sec. 22. Section 51-344b of the general statutes is repealed and the  
699 following is substituted in lieu thereof (*Effective from passage*):

700 Whenever the term "judicial district of Hartford" is used or referred  
701 to in the following sections of the general statutes, the term "judicial  
702 district of New Britain" shall be substituted in lieu thereof: Subsection  
703 (b) of section 3-70a, sections 3-71a and 4-164, subsection (c) of section 4-  
704 183, subdivision (4) of subsection (g) of section 10-153e, subparagraph  
705 (C) of subdivision (4) of subsection (e) of section 10a-109n, sections 12-  
706 3a, 12-89, 12-103, 12-208, 12-237, 12-242hh, 12-242ii, 12-242kk, 12-268l,  
707 12-307, 12-312, 12-330m, 12-405k, 12-422, 12-448, 12-454, 12-463, 12-489,  
708 12-522, 12-554, 12-586g and 12-597, subsection (b) of section 12-638i,  
709 sections 12-730, 14-57, 14-66, 14-195, 14-324, 14-331 and 19a-85,  
710 subsection (f) of section 19a-332e, sections 20-156, 20-247, 20-307, 20-  
711 373, 20-583 and 21a-55, subsection (e) of section 22-7, sections 22-320d  
712 and 22-386, subsection (e) of section 22a-6b, section 22a-30, subsection  
713 (a) of section 22a-34, subsection (b) of section 22a-34, section 22a-182a,  
714 subsection (f) of section 22a-225, sections 22a-227, [22a-344,] 22a-374,  
715 22a-408 and 22a-449g, subsection (f) of section 25-32e, section 29-158,  
716 subsection (f) of section 29-161z, sections 36b-30 and 36b-76, subsection  
717 (f) of section 38a-41, section 38a-52, subsection (c) of section 38a-150,  
718 sections 38a-185, 38a-209 and 38a-225, subdivision (3) of section 38a-  
719 226b, sections 38a-241, 38a-337 and 38a-657, subsection (c) of section  
720 38a-774, section 38a-776, subsection (c) of section 38a-817 and section  
721 38a-994.

722 Sec. 23. Sections 22a-342, 22a-342a, 22a-343, 22a-344, 22a-345, 22a-  
723 346, 22a-347, 22a-348, 22a-349, 22a-349a, 22a-349b and 22a-350 of the  
724 general statutes are repealed. (*Effective from passage*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	7-147(c)
Sec. 2	<i>from passage</i>	13a-94(a)
Sec. 3	<i>from passage</i>	22a-2d(c)
Sec. 4	<i>from passage</i>	22a-6(a)
Sec. 5	<i>from passage</i>	22a-6(f)
Sec. 6	<i>from passage</i>	22a-6a(a) and (b)
Sec. 7	<i>from passage</i>	22a-6b(a)(1) and (2)
Sec. 8	<i>from passage</i>	22a-6g(a)
Sec. 9	<i>from passage</i>	22a-6h(a)
Sec. 10	<i>from passage</i>	22a-6k(a)
Sec. 11	<i>from passage</i>	22a-6bb(a)
Sec. 12	<i>from passage</i>	22a-27i
Sec. 13	<i>from passage</i>	22a-98
Sec. 14	<i>from passage</i>	22a-357
Sec. 15	<i>from passage</i>	22a-402(a)
Sec. 16	<i>from passage</i>	22a-403(b)
Sec. 17	<i>from passage</i>	22a-411(a)
Sec. 18	<i>from passage</i>	22a-454(a)
Sec. 19	<i>from passage</i>	25-68d(b)(2)
Sec. 20	<i>from passage</i>	51-344a(a)
Sec. 21	January 1, 2013	51-344a(a)
Sec. 22	<i>from passage</i>	51-344b
Sec. 23	<i>from passage</i>	Repealer section

**CE**      *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.

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**OFA Fiscal Note**

**State Impact:**

<b>Agency Affected</b>	<b>Fund-Effect</b>	<b>FY 13 \$</b>	<b>FY 14 \$</b>
Department of Energy and Environmental Protection	GF - Revenue Loss	30,000	30,000

Note: GF=General Fund

**Municipal Impact:** None

**Explanation**

The bill, which eliminates the Department of Energy and Environmental Protection's (DEEP) authority to issue various stream channel encroachment permits, would result in an annual revenue loss of approximately \$30,000.

In FY 11, there was \$32,640 collected from the issuance of 35 stream channel encroachment permits.

**The Out Years**

The annualized ongoing fiscal impact identified above would continue into the future subject to the number of stream channel encroachment permits that would have been issued.



**OLR Bill Analysis****sHB 5465*****AN ACT CONCERNING STREAM CHANNEL ENCROACHMENT LINES AND PERMITS*****SUMMARY:**

This bill eliminates the Department of Energy and Environmental Protection (DEEP) commissioner's authority to establish stream channel encroachment lines and regulate obstructions, encroachments, and hindrances within those lines. It also makes conforming technical changes.

The commissioner's current authority to regulate stream channel encroachments includes issuing permits for constructing obstructions, encroachments, and hindrances within the lines and imposing civil penalties on parties who do so without a permit.

The commissioner shares the authority with municipalities. Under current law, he may regulate encroachments only within the lines he establishes, but he may alter municipally established lines if it is necessary to maintain the flood-carrying and water storage capacity or achieve the law's other goals. The bill eliminates the commissioner's authority to alter municipally established stream channel encroachment lines.

**EFFECTIVE DATE:** Upon passage, except for a conforming technical change, which takes effect January 1, 2013.

**BACKGROUND*****Related Bill***

sHB 5129 (File 201) also eliminates the DEEP commissioner's authority to regulate stream channel encroachment lines and issue permits for encroachments upon or uses and activities within them.

**COMMITTEE ACTION**

Commerce Committee

Joint Favorable Substitute

Yea 17 Nay 0 (03/27/2012)