



General Assembly

January Session, 2013

Raised Bill No. 807

LCO No. 2712

02712_____ET_

Referred to Committee on ENERGY AND TECHNOLOGY

Introduced by:

(ET)

AN ACT CONCERNING WATER INFRASTRUCTURE AND CONSERVATION, THE DEPARTMENT OF PUBLIC HEALTH, MUNICIPAL REPORTING REQUIREMENTS AND UNPAID UTILITY ACCOUNTS AT MULTI-FAMILY DWELLINGS.

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

1 Section 1. (NEW) (*Effective from passage*) The Public Utilities
2 Regulatory Authority shall authorize rates for each water company, as
3 defined in section 16-1 of the general statutes, that promote
4 comprehensive supply-side and demand-side water conservation. In
5 establishing such rates, the authority shall take into consideration state
6 energy policies, the capital intensive nature of sustaining water
7 systems that minimize water losses and the competition for capital for
8 continued investments in such systems. Such rates shall consider (1)
9 demand projections that recognize the effects of conservation, (2)
10 implementation of metering and measures to provide timely price
11 signals to consumers, (3) multiyear rate plans, (4) measures to reduce
12 system water losses, and (5) alternative rate designs that promote
13 conservation.

14 Sec. 2. (*Effective from passage*) The Public Utilities Regulatory
15 Authority shall initiate a docket to identify water and energy
16 conservation programs implemented by any water company that
17 would be eligible for recovery in a general rate case, provided such
18 company demonstrates that the expenses for such programs were
19 reasonable and prudent which include, but are not limited to,
20 measures in an approved water supply plan pursuant to section 25-32d
21 of the general statutes, as amended by this act. On or before October 1,
22 2013, the Water Planning Council shall report to the authority and the
23 Energy Conservation and Management Board identifying and
24 recommending conservation programs for consideration by the
25 authority in such docket or for incorporation into the Conservation
26 and Load Management Plan developed pursuant to section 16-245m of
27 the general statutes. The programs to be recommended by the Water
28 Planning Council may include, but not be limited to, the use of
29 renewable energy resources, meter equipment and technology to
30 promote timely price signals and programs for consumers including
31 monthly billing, water audits and leak detection programs.

32 Sec. 3. (NEW) (*Effective from passage*) At the request of a water
33 company, the Public Utilities Regulatory Authority shall initiate a
34 docket to reconcile actual demand with the demand projected in the
35 last general rate case and shall adjust rates to be sufficient to cover the
36 expenses authorized in the last general rate case. Once a company
37 requests such reconciliation, it shall be done annually thereafter until
38 such time as the company files its next general rate case.

39 Sec. 4. Subsection (a) of section 7-239 of the general statutes is
40 repealed and the following is substituted in lieu thereof (*Effective from*
41 *passage*):

42 (a) The legislative body shall establish just and equitable rates or
43 charges for the use of the waterworks system authorized herein, to be
44 paid by the owner of each lot or building which is connected with and
45 uses such system, and may change such rates or charges from time to

46 time. Such rates or charges shall be sufficient in each year for the
47 payment of the expense of operation, repair, replacements and
48 maintenance of such system and for the payment of the sums herein
49 required to be paid into the sinking fund. In establishing such rates or
50 charges, the legislative body shall consider measures that promote
51 water conservation and reduce the demand on the state's water and
52 energy resources. Such rates or charges may include: (1) Demand
53 projections that recognize the effects of conservation, (2)
54 implementation of metering and measures to provide timely price
55 signals to consumers, (3) multiyear rate plans, (4) measures to reduce
56 system water losses, and (5) alternative rate designs that promote
57 conservation. No such rate or charge shall be established until after a
58 public hearing at which all the users of the waterworks system and the
59 owners of property served or to be served and others interested shall
60 have an opportunity to be heard concerning such proposed rate or
61 charge. Notice of such hearing shall be given, at least ten days before
62 the date set therefor, in a newspaper having a circulation in such
63 municipality. Such notice shall set forth a schedule of rates or charges,
64 and a copy of the schedule of rates or charges established shall be kept
65 on file in the office of the legislative body and in the office of the clerk
66 of the municipality, and shall be open to inspection by the public. The
67 rates or charges so established for any class of users or property served
68 shall be extended to cover any additional premises thereafter served
69 which are within the same class, without the necessity of a hearing
70 thereon. Any change in such rates or charges may be made in the same
71 manner in which they were established, provided, if any change is
72 made substantially pro rata as to all classes of service, no hearing shall
73 be required. The provisions of this section shall not apply to the sale of
74 bottled water.

75 Sec. 5. Section 16-29 of the general statutes is repealed and the
76 following is substituted in lieu thereof (*Effective from passage*):

77 The Public Utilities Regulatory Authority shall, annually, on or
78 before December thirty-first, or June thirtieth in a municipality which

79 has adopted a uniform fiscal year, furnish to every municipality or
80 department thereof owning, leasing, operating or managing a plant for
81 the supplying or furnishing of any public utility, except water service,
82 blanks for annual reports in such form as the authority may prescribe.
83 Each such municipality or department shall return one of such reports
84 to the authority on or before the following May thirty-first, or the
85 following October thirty-first in a municipality which has adopted a
86 uniform fiscal year, with all questions thereon fully answered. The
87 authority may, for good cause shown, grant an extension of such
88 deadlines of up to sixty days, provided such municipality or
89 department desiring an extension files a request, in writing, setting
90 forth the reasons for such a request. All reports shall be for the year
91 ending December thirty-first, or June thirtieth in a municipality which
92 has adopted a uniform fiscal year and shall be sworn to by the general
93 superintendent of the plant or utility for which the report is required
94 and by such other person or persons as may be designated by such
95 municipality or department. Each such municipality or department
96 shall make such annual reports strictly according to the form provided
97 and, if it finds it impracticable to answer all the items in detail as
98 required, shall state in the report the reasons why such details cannot
99 be given. No such municipality or department shall be excused from
100 giving such details for the reason that it does not keep its accounts in
101 such manner as will enable it to do so. The authority may prescribe the
102 method for keeping the accounts pertaining to such utility, except
103 water service, and all other utilities reporting to the authority. When
104 any such report seems to the authority defective or erroneous, it may
105 notify the municipality making the same and require the amendment
106 of such report within fifteen days from the time of giving such notice;
107 and the authority may examine the officers, agents, employees, books,
108 records, accounts, vouchers, plant and equipment of such municipality
109 or department pertaining to such utility, except water service, and may
110 correct such items in such report as, upon such examination, the
111 authority may find ought to be corrected.

112 Sec. 6. Section 16-262v of the general statutes is repealed and the
113 following is substituted in lieu thereof (*Effective from passage*):

114 For purposes of this section:

115 (1) "Eligible projects" means those water company plant projects not
116 previously included in the water company's rate base in its most recent
117 general rate case and that are intended to improve or protect the
118 quality and reliability of service to customers, including (A) renewal or
119 replacement of existing infrastructure, including mains, valves,
120 services, meters and hydrants that have either reached the end of their
121 useful life, are worn out, are in deteriorated condition, are or will be
122 contributing to unacceptable levels of unaccounted for water, or are
123 negatively impacting water quality or reliability of service if not
124 replaced; (B) main cleaning and relining projects; (C) relocation of
125 facilities as a result of government actions, the capital costs of which
126 are not otherwise eligible for reimbursement; [and] (D) purchase of
127 leak detection equipment or installation of production meters, and
128 pressure reducing valves; (E) purchase of energy efficient equipment
129 for water company operations; (F) capital improvements necessary to
130 comply with flow regulations adopted pursuant to section 26-141b, as
131 amended by this act; and (G) reasonable and necessary system
132 improvements required for a water system acquisition approved by
133 the authority.

134 (2) "Authority" means the Public Utilities Regulatory Authority.

135 (3) "Infrastructure assessment report" means a report filed by a
136 water company with the authority that identifies water system
137 infrastructure needs and the company's criteria for determining the
138 priority for eligible projects related to infrastructure.

139 (4) "Pretax return" means the revenue necessary, after deduction of
140 depreciation and property taxes, to produce net operating income
141 equal to the water company's weighted cost of capital as approved by
142 the authority in the company's most recent general rate case multiplied

143 by the new original cost of eligible projects.

144 (5) "Reconciliation adjustment" means the difference between
145 revenues actually collected through the water infrastructure and
146 conservation adjustment and the amount allowed under the WICA for
147 that period for the eligible projects. The amount of revenues
148 overcollected or undercollected through the adjustment will be
149 recovered or refunded, as appropriate, as a reconciliation adjustment
150 over a one-year period commencing on April first.

151 (6) "Water company" means a water company, as defined in section
152 16-1, that has filed for approval an individual infrastructure
153 assessment report to support a request for a WICA adjustment.

154 (7) "Water Infrastructure and Conservation Adjustment (WICA)"
155 means an adjustment applied as a charge or credit to a water company
156 customers' rates to recover the WICA costs of eligible projects.

157 (8) "WICA costs" means the depreciation and property tax expenses
158 and associated return on completed eligible projects.

159 (9) "WICA revenues" means the revenues provided through a water
160 infrastructure and conservation adjustment for eligible projects.

161 Sec. 7. Subsection (i) of section 16-262w of the general statutes is
162 repealed and the following is substituted in lieu thereof (*Effective from*
163 *passage*):

164 (i) The amount of the WICA applied between general rate case
165 filings shall not exceed [seven and one-half] ten per cent of the water
166 company's annual retail water revenues approved in its most recent
167 rate filing, and shall not exceed five per cent of such revenues for any
168 twelve-month period. The amount of the adjustment shall be reset to
169 zero as of the effective date of new base rates approved pursuant to
170 section 16-19 and shall be reset to zero if the company exceeds the
171 allowable rate of return by more than one hundred basis points for any

172 calendar year.

173 Sec. 8. Section 16-262s of the general statutes is repealed and the
174 following is substituted in lieu thereof (*Effective from passage*):

175 (a) (1) In the case of a proposed acquisition of a water company that
176 is not economically viable, as determined by the Public Utilities
177 Regulatory Authority in accordance with the criteria provided in
178 subsection (b) of section 16-262n, as amended by this act, by a water
179 company that is economically viable, as determined by the authority in
180 accordance with said criteria, upon petition of the acquiring water
181 company and after notice and hearing, the authority may allow the
182 acquiring water company to implement, and revise quarterly
183 thereafter, a rate surcharge applied to the rates of the acquired water
184 company or of both the acquiring water company and the acquired
185 water company, as determined by the authority, that would recover on
186 a current basis those costs of such acquisition, including a reasonable
187 acquisition premium, and of needed improvements to the acquired
188 water company's system, to the extent the authority deems such costs
189 appropriate. The regulations adopted by the authority pursuant to
190 section 16-262o, as amended by this act, shall apply for purposes of
191 this section.

192 (2) The Public Utilities Regulatory Authority may allow the
193 recovery of such reasonable acquisition premium when it is
194 demonstrated that such proposed acquisition will provide benefits to
195 customers by (A) enhancing system viability, (B) avoiding capital costs
196 or saving in operating costs, or (C) as otherwise determined by the
197 authority. If an acquisition premium is authorized, the excess of the
198 acquisition cost over the depreciated original cost will be added to the
199 rate base to be amortized as an addition to expense over a reasonable
200 period of time with corresponding reductions in the rate base.

201 (b) In the case of a proposed acquisition of a water company that is
202 not economically viable, as determined by the Public Utilities

203 Regulatory Authority in accordance with the criteria provided in
204 subsection (b) of section 16-262n, as amended by this act, by a water
205 company that is economically viable, as determined by the authority in
206 accordance with said criteria, the authority may, as part of the
207 acquiring water company's next general rate case, award a premium
208 rate of return to such acquiring water company when it is
209 demonstrated that such proposed acquisition will provide benefits to
210 customers by (1) enhancing system viability, (2) avoiding capital costs
211 or saving in operating costs, or (3) as otherwise determined by the
212 authority.

213 (c) In lieu of all or part of a rate surcharge, the authority may allow
214 the acquiring water company to defer such costs of such acquisition for
215 subsequent collection as part of its next general rate case.

216 Sec. 9. Subsection (a) of section 16-262e of the general statutes is
217 repealed and the following is substituted in lieu thereof (*Effective from*
218 *passage*):

219 (a) Notwithstanding the provisions of section 16-262d, wherever an
220 owner, agent, lessor or manager of a residential dwelling is billed
221 directly by an electric, electric distribution, gas, telephone or water
222 company or by a municipal utility for utility service furnished to such
223 building not occupied exclusively by such owner, agent, lessor, or
224 manager, and such company or municipal utility or the electric
225 supplier providing electric generation services has actual or
226 constructive knowledge that the occupants of such dwelling are not
227 the individuals to whom the company or municipal utility usually
228 sends its bills, such company, electric supplier or municipal utility
229 shall not terminate such service for nonpayment of a delinquent
230 account owed to such company, electric supplier or municipal utility
231 by such owner, agent, lessor or manager unless: (1) Such company,
232 electric supplier or municipal utility makes a good faith effort to notify
233 the occupants of such building of the proposed termination by the
234 means most practicable under the circumstances and best designed to

235 provide actual notice; and (2) such company, electric supplier or
236 municipal utility provides an opportunity, where practicable, for such
237 occupants to receive service in their own names without any liability
238 for the amount due while service was billed directly to the lessor,
239 owner, agent or manager and without the necessity for a security
240 deposit; provided, if it is not practicable for such occupants to receive
241 service in their own names, the company, electric supplier or
242 municipal utility shall not terminate service to such residential
243 dwelling but may pursue the remedy provided in [section] sections 16-
244 262f, as amended by this act, and 16-262t, as amended by this act.

245 Sec. 10. Section 16-262f of the general statutes is repealed and the
246 following is substituted in lieu thereof (*Effective from passage*):

247 (a) (1) Upon default of the owner, agent, lessor or manager of a
248 residential dwelling who is billed directly by an electric, electric
249 distribution, gas or telephone company or by a municipal utility for
250 electric or gas utility service furnished to such building, such company
251 or municipal utility or electric supplier providing electric generation
252 services may petition the Superior Court or a judge thereof, for
253 appointment of a receiver of the rents or payments for use and
254 occupancy or common expenses, as defined in section 47-202, for any
255 dwelling for which the owner, agent, lessor or manager is in default.
256 The court or judge shall forthwith issue an order to show cause why a
257 receiver should not be appointed, which shall be served upon the
258 owner, agent, lessor or manager or his agent in a manner most
259 reasonably calculated to give notice to such owner, agent, lessor or
260 manager as determined by such court or judge, including, but not
261 limited to, a posting of such order on the premises in question.

262 (2) A hearing shall be had on such order no later than seventy-two
263 hours after its issuance or the first court day thereafter. The sole
264 purpose of such a hearing shall be to determine whether there is an
265 amount due and owing between the owner, agent, lessor or manager
266 and the company, electric supplier or municipal utility. The court shall

267 make a determination of any amount due and owing and any amount
268 so determined shall constitute a lien upon the real property of such
269 owner. A certificate of such amount may be recorded in the land
270 records of the town in which such property is located describing the
271 amount of the lien and the name of the party in default. When the
272 amount due and owing has been paid the company, electric supplier
273 or municipality shall issue a certificate discharging the lien and shall
274 file the certificate in the land records of the town in which such lien
275 was recorded.

276 (3) The receiver appointed by the court shall collect all rents or
277 payments for use and occupancy or common expenses forthcoming
278 from or paid on behalf of the occupants or residents of the building or
279 facility in question in place of the owner, agent, lessor, manager or
280 administrator. The receiver may also petition the court to obtain any
281 remedy available under chapter 906 against said owner, agent, lessor
282 or manager in order to recover amounts due as determined under
283 subdivision (2) of this subsection and continuing charges for such
284 utilities until all such charges and other costs have been paid.

285 (4) The receiver shall pay the petitioner or other supplier, from such
286 rents or payments for use and occupancy or common expenses for
287 electric, gas, telephone, water or heating oil supplied on and after the
288 date of his appointment. The owner, agent, lessor or manager shall be
289 liable for such reasonable fees and costs determined by the court to be
290 due the receiver, which fees and costs may be recovered from the rents
291 or payments for use and occupancy under the control of the receiver,
292 provided no such fees or costs shall be recovered until after payment
293 for current electric, gas, telephone and water service and heating oil
294 deliveries has been made. The owner, agent, lessor or manager shall be
295 liable to the petitioner for reasonable attorney's fees and costs incurred
296 by the petitioner, provided no such fees or costs shall be recovered
297 until after payment for current electric, gas, telephone and water
298 service and heating oil deliveries has been made and after payments of
299 reasonable fees and costs to the receiver. Any moneys from rental

300 payments or payments for use and occupancy or common expenses
301 remaining after payment for current electric, gas, telephone and water
302 service or heating oil deliveries, and after payment for reasonable costs
303 and fees to the receiver, and after payment to the petitioner for
304 reasonable attorney's fees and costs, shall be applied to any arrearage
305 found by the court to be due and owing the company, electric supplier
306 or municipal utility from the owner, agent, lessor or manager for
307 service provided such building. Any moneys remaining thereafter
308 shall be turned over to the owner, agent, lessor or manager. The court
309 may order an accounting to be made at such times as it determines to
310 be just, reasonable, and necessary.

311 (b) Any receivership established pursuant to subsection (a) of this
312 section shall be terminated by the court upon its finding that the
313 arrearage which was the subject of the original petition has been
314 satisfied, or that all occupants have agreed to assume liability in their
315 own names for prospective service supplied by the petitioner, or that
316 the building has been sold and the new owner has assumed liability
317 for prospective service supplied by the petitioner.

318 (c) Nothing in this section shall be construed to prevent the
319 petitioner from pursuing any other action or remedy at law or equity
320 that it may have against the owner, agent, lessor or manager.

321 (d) Any owner, agent, lessor or manager who collects or attempts to
322 collect any rent or payment for use and occupancy from any occupant
323 of a building subject to an order appointing a receiver shall be found,
324 after due notice and hearing, to be in contempt of court.

325 (e) If a proceeding is initiated pursuant to sections 47a-14a to 47a-
326 14h, inclusive, or sections 47a-56 to 47a-56i, inclusive, or if a receiver of
327 rents is appointed pursuant to chapter 735a or pursuant to any other
328 action involving the making of repairs to residential rental property
329 under court supervision, rent or use and occupancy payments shall be
330 made pursuant to such proceeding or action without regard to

331 whether such proceeding or action is initiated before or after a
332 receivership is established under this section, and such proceeding or
333 action shall take priority over a receivership established under this
334 section in regard to expenditure of such rent or use and occupancy
335 payments.

336 Sec. 11. Section 16-262t of the general statutes is repealed and the
337 following is substituted in lieu thereof (*Effective from passage*):

338 (a) (1) Upon default of the owner, agent, lessor or manager of a
339 residential dwelling or dwellings who is billed directly by a water
340 company or by a municipal water utility for water service furnished to
341 such building or buildings, such company or municipal utility may
342 petition the Superior Court or a judge thereof, for appointment of a
343 receiver of the rents or payments for use and occupancy or common
344 expenses, as defined in section 47-202, for any dwelling or dwellings
345 for which the owner, agent, lessor or manager is in default. The court
346 or judge shall forthwith issue an order to show cause why a receiver
347 should not be appointed, which shall be served upon the owner, agent,
348 lessor or manager or his agent in a manner most reasonably calculated
349 to give notice to such owner, agent, lessor or manager as determined
350 by such court or judge, including, but not limited to, a posting of such
351 order on the premises in question. If a petition or petitions are filed by
352 a single petitioner regarding more than one building under the same
353 ownership, the court shall, if practicable, appoint a common receiver
354 for all such buildings and, if filed as separate actions, may consolidate
355 such petitions and treat them as a single action.

356 (2) A hearing shall be had on such order no later than seventy-two
357 hours after its issuance or the first court day thereafter. The sole
358 purpose of such a hearing shall be to determine whether there is an
359 amount due and owing between the owner, agent, lessor or manager
360 and the company or municipal utility. The court shall make a
361 determination of any amount due and owing and any amount so
362 determined shall constitute a lien upon the real property of such

363 owner. A certificate of such amount may be recorded in the land
364 records of the town in which such property is located describing the
365 amount of the lien and the name of the party in default. When the
366 amount due and owing has been paid, the company or municipality
367 shall issue a certificate discharging the lien and shall file the certificate
368 in the land records of the town in which such lien was recorded.

369 (3) Not more than ten days after receipt of the order of appointment
370 by the receiver, such receiver shall provide written notice to all
371 occupants of the building or buildings, delivered separately to each
372 dwelling unit, stating that the receiver has been authorized to collect
373 all rents or payments for use and occupancy or common expenses, as
374 defined in section 47-202, due from such occupant and that the owner,
375 agency, lessor or manager, as the case may be, is prohibited from
376 collecting such rents or payments for use and occupancy or common
377 expenses. The notice shall include the address to which payments are
378 to be made and a telephone number at which the receiver can be
379 contacted. The notice shall be in plain and simple language and shall
380 be written in English and in Spanish. A copy of the court order
381 appointing the receiver and authorizing the collection of rents shall be
382 attached to the notice.

383 (4) The receiver appointed by the court shall collect all rents or
384 payments for use and occupancy or common expenses forthcoming
385 from the occupants of the building or buildings in question in place of
386 the owner, agent, lessor or manager. The court may authorize the
387 receiver to make reasonable repairs and provide reasonable
388 maintenance to the premises, as determined by the court, the
389 reasonable cost of which shall be added to the total amount due and
390 owing from the owner, agency, lessor or manager. The receiver may
391 also petition the court to obtain any remedy available under chapter
392 906 against said owner, agent, lessor or manager in order to recover
393 amounts due as determined under subdivision (2) of this subsection
394 and continuing charges for such utilities until all such charges and
395 other costs have been paid.

396 (5) The receiver shall pay to the petitioner, other supplier or
397 receiver, as is appropriate, from such rents or payments for use and
398 occupancy or common expenses from such building or buildings, in
399 the following priority: (A) For electric, gas, telephone, water or heating
400 oil supplied on and after the date of his appointment and for the
401 reasonable cost of repairs and maintenance made or provided
402 pursuant to subdivision (4) of this subsection; (B) for such reasonable
403 fees and costs determined by the court to be due the receiver; (C) for
404 reasonable attorney's fees and costs incurred by the petitioner; and (D)
405 for any arrearage found by the court to be due and owing the company
406 or municipal utility from the owner, agent, lessor or manager for
407 service provided such building or buildings. The owner, agent, lessor
408 or manager shall be liable for all such costs. Any moneys remaining
409 thereafter shall be turned over to the owner, agent, lessor or manager.
410 The court may order an accounting to be made at such times as it
411 determines to be just, reasonable and necessary.

412 (b) Any receivership established pursuant to subsection (a) of this
413 section, shall be terminated by the court upon its finding that the
414 arrearage which was the subject of the original petition or petitions
415 have been satisfied for all buildings subject to the receivership, or that
416 all occupants of a building have agreed to assume liability in their own
417 names for prospective service supplied by the petitioner, or that the
418 building has been sold and the new owner has assumed liability for
419 prospective service supplied by the petitioner.

420 (c) On motion by the receiver, the court may authorize the receiver
421 to institute a summary process action pursuant to chapter 832 against
422 an occupant, upon a prima facie showing that: (1) The occupant has
423 received notice in accordance with subdivision (3) of subsection (a) of
424 this section; (2) the receiver has made reasonable efforts to supplement
425 such notice with other written and oral notice; (3) after the occupant
426 has received notice in accordance with subdivision (3) of subsection (a)
427 of this section, payments equal to one month's rent or use and
428 occupancy have not been made by or on behalf of the occupant during

429 the most recent sixty consecutive days; and (4) the duty to make such
430 payments has not been suspended as a result of the condition of the
431 premises or any applicable preoccupancy certification requirements. In
432 any such summary process action, the receiver shall be subject to all
433 claims and defenses that the occupant could assert against the owner,
434 agent, lessor or manager of the dwelling.

435 (d) Nothing in this section shall be construed to prevent the
436 petitioner from pursuing any other action or remedy at law or equity
437 that it may have against the owner, agent, lessor or manager.

438 (e) Any owner, agent, lessor or manager who collects or attempts to
439 collect any rent or payment for use and occupancy or common
440 expenses, as defined in section 47-202, from any occupant of a building
441 or buildings subject to an order appointing a receiver or who in any
442 other way interferes with the receiver in the performance of his duties
443 shall be found, after due notice and hearing, to be in contempt of court.

444 (f) If a proceeding is initiated pursuant to sections 47a-14a to 47a-
445 14h, inclusive, or sections 47a-56 to 47a-56i, inclusive, or if a receiver of
446 rents is appointed pursuant to chapter 735a or pursuant to any other
447 action involving the making of repairs to residential rental property
448 under court supervision, rent or use and occupancy payments and
449 common expenses, as defined in section 47-202, shall be made
450 pursuant to such proceeding or action without regard to whether such
451 proceeding or action is initiated before or after a receivership is
452 established under this section, and such proceeding or action shall take
453 priority over a receivership established under this section in regard to
454 expenditure of such rent or use and occupancy payments.

455 Sec. 12. (NEW) (*Effective July 1, 2014*) (a) The Public Utilities
456 Regulatory Authority shall constitute a successor agency to the
457 Department of Public Health, in accordance with the provisions of
458 sections 4-38d, 4-38e and 4-39 of the general statutes, with respect to
459 those functions, powers and duties of the Department of Public Health

460 regarding water companies, public water systems and public water
461 supplies.

462 (b) Where any order or regulation of the Public Utilities Regulatory
463 Authority and the Department of Public Health conflict, the Public
464 Utilities Regulatory Authority may implement policies and procedures
465 consistent with the provisions of titles 2, 4, 7, 8, 12, 16, 19a, 22a, 23, 25
466 and 26 of the general statutes, as amended by this act, which shall
467 remain in effect until final regulations are adopted.

468 (c) The Public Utilities Regulatory Authority may initiate a docket to
469 investigate expanding the authority's funding, as described in section
470 16-49 of the general statutes, to include public water systems.

471 Sec. 13. Section 2-20a of the general statutes is repealed and the
472 following is substituted in lieu thereof (*Effective July 1, 2014*):

473 No bill for the incorporation and franchise of a water company shall
474 be heard by the General Assembly, or any committee thereof, unless
475 the applicant has filed with the bill written reports from [each of the
476 following: The] the Public Utilities Regulatory Authority [, the
477 Department of Public Health] and the Department of Energy and
478 Environmental Protection. Such report of the Public Utilities
479 Regulatory Authority shall set forth the results of investigation by said
480 authority with respect to the financial condition of the proposed
481 company, the nature of the system, [and] the adequacy of the water
482 supply [,together with its recommendations] and the potability of the
483 water supply, together with its recommendations and such other
484 information as it deems pertinent. [The report of the Department of
485 Public Health shall set forth the results of investigation by said
486 department with respect to the potability of the water supply and such
487 other information as it deems pertinent.] The report of the Department
488 of Energy and Environmental Protection shall set forth the result of
489 investigation by said department with respect to the adequacy of the
490 water supply to serve present and future customers, the effect on

491 water supplies of other systems and such other information as it deems
492 pertinent. Each request for a report required by this section shall be
493 accompanied by a fee of fifty dollars. The General Assembly shall
494 enact no legislation granting a franchise to a water company unless a
495 public hearing is held by a committee of the General Assembly on the
496 proposed bill, and unless at least five days before such hearing,
497 proponents of the bill publish notice of such proposed bill and the
498 hearing to be held thereon in a newspaper having general circulation
499 in the area affected.

500 Sec. 14. Section 4-67e of the general statutes is repealed and the
501 following is substituted in lieu thereof (*Effective July 1, 2014*):

502 The Secretary of the Office of Policy and Management shall
503 coordinate the activity of the [Commissioner of Public Health] Public
504 Utilities Regulatory Authority and the Commissioner of Energy and
505 Environmental Protection in the following: (1) The review of the
506 authority of each agency for consistency with the policies established
507 by section 22a-380, (2) the preparation of a memorandum of
508 understanding, not more than six months after October 1, 1991,
509 intended to avoid inconsistency, overlap and redundancy in
510 requirements and authority of each agency in water conservation
511 issues, emergency contingency plans and regulatory authority under
512 chapters 283, 446i, 446j and 474, (3) the review of exercise of regulatory
513 authority over water companies, as defined in section 25-32a, to
514 determine whether inconsistency, overlap or redundancy exist in the
515 statutory requirements or regulatory authority of such agencies under
516 chapters 283, 446i, 446j, and 474, (4) the assessment of the necessity of a
517 memorandum of understanding to avoid such inconsistency, overlap
518 or redundancy, and, if determined to be necessary, the preparation of
519 such a memorandum by July 1, 1995, and (5) the development of
520 recommendations for legislation and amendments to regulations to
521 implement the provisions of a memorandum of understanding
522 prepared pursuant to this section, or for consistency with the policies

523 established by section 22a-380. There shall be a period of public review
524 and comment on a memorandum of understanding prior to final
525 agreement. On or before January 1, 1995, the secretary shall submit to
526 the joint standing committees of the General Assembly having
527 cognizance of matters relating to public health, energy and public
528 utilities and the environment, written findings, and any
529 recommendations, concerning the review and assessment conducted
530 pursuant to subdivisions (3) and (4) of this section.

531 Sec. 15. Subsection (e) of section 7-131d of the general statutes is
532 repealed and the following is substituted in lieu thereof (*Effective July*
533 *1, 2014*):

534 (e) At closing, a permanent conservation easement, as defined in
535 section 47-42, shall be executed for any property purchased with grant
536 funds, which conservation easement shall provide that the property
537 shall remain forever predominantly in its natural and open condition
538 for the specific conservation, open space or water supply purposes for
539 which it was acquired provided any improvements or changes to the
540 property shall be supportive of such condition or purposes. The
541 permanent conservation easement shall be in favor of the state acting
542 through the Commissioner of Energy and Environmental Protection,
543 or his designee, which may be a municipality or a land conservation
544 organization. In the case of land acquired for water supply protection,
545 a water company may hold an easement in conjunction with the state
546 or a nonprofit entity to protect the water supply. Such permanent
547 conservation easement shall also include a requirement that the
548 property be made available to the general public for appropriate
549 recreational purposes, the maintenance of which recreational access
550 shall be the responsibility of the grantee provided such access shall not
551 be required for land which will be classified as class I or class II land
552 by a water company if such access is inconsistent with the provision of
553 pure drinking water to the public. An exception to the provision of
554 public recreational access may be made at the discretion of the

555 Commissioner of Energy and Environmental Protection when
556 provision for public access would be unreasonably detrimental to the
557 wildlife or plant habitat or other natural features of the property or, for
558 land where development rights have been purchased, would be
559 disruptive of agricultural activity occurring on the land. Any
560 instrument conveying an interest in land less than fee which interest is
561 purchased under this section shall provide for the permanent
562 preservation of the land and public access consistent with the land's
563 use or protection and with any restrictions prescribed by the
564 [Department of Public Health] Public Utilities Regulatory Authority in
565 order to protect a public drinking water source.

566 Sec. 16. Subsection (b) of section 7-131g of the general statutes is
567 repealed and the following is substituted in lieu thereof (*Effective July*
568 *1, 2014*):

569 (b) The Commissioner of Energy and Environmental Protection may
570 make grants under the open space and watershed land acquisition
571 program to: (1) Municipalities for acquisition of land for open space
572 under subdivisions (1) to (6), inclusive, of subsection (b) of section 7-
573 131d in an amount not to exceed sixty-five per cent of the fair market
574 value of a parcel of land or interest in land proposed to be acquired; (2)
575 municipalities for acquisition of land for class I and class II water
576 supply protection under subdivision (5) of subsection (b) of said
577 section 7-131d, in an amount not to exceed sixty-five per cent of such
578 value; (3) nonprofit land conservation organizations for acquisition of
579 land for open space or watershed protection under subdivisions (1) to
580 (6), inclusive, of subsection (b) of said section 7-131d, in an amount not
581 to exceed sixty-five per cent of such value; (4) water companies for
582 acquisition of land under subdivision (7) of subsection (b) of said
583 section 7-131d, in an amount not to exceed sixty-five per cent of such
584 value provided if such a company proposes in a grant application that
585 it intends to allow access to such land for recreational uses, such
586 company shall seek approval of the [Commissioner of Public Health]

587 Public Utilities Regulatory Authority for such access; and (5) distressed
588 municipalities or targeted investment communities, as defined in
589 section 32-9p, or, with the approval of the chief elected official or
590 governing legislative body of such a municipality or community, to a
591 nonprofit land conservation organization or water company, for
592 acquisition of land within that municipality or community, for open
593 space under subdivisions (1) to (6), inclusive, of subsection (b) of said
594 section 7-131d, in an amount not to exceed seventy-five per cent of
595 such value or for performance of work in the restoration, enhancement
596 or protection of resources in an amount not to exceed fifty per cent of
597 the cost of such work. Applicants for grants under the program shall
598 provide a copy of the application to the chairperson of the review
599 board established under section 7-131e. The board shall provide
600 comments to the commissioner on pending applications as it deems
601 necessary.

602 Sec. 17. Section 8-3i of the general statutes is repealed and the
603 following is substituted in lieu thereof (*Effective July 1, 2014*):

604 (a) As used in this section "water company" means a water
605 company, as defined in section 25-32a, and "petition" includes a
606 petition or proposal to change the regulations, boundaries or
607 classifications of zoning districts.

608 (b) When an application, petition, request or plan is filed with the
609 zoning commission, planning and zoning commission or zoning board
610 of appeals of any municipality concerning any project on any site that
611 is within the aquifer protection area delineated pursuant to section
612 22a-354c, [or the watershed of a water company,] the applicant or the
613 person making the filing shall provide written notice of the
614 application, petition, request or plan to [the water company and] the
615 Commissioner of Public Health in a format prescribed by said
616 commissioner, [provided such water company or said commissioner
617 has filed a map showing the boundaries of the watershed on the land
618 records of the municipality in which the application, petition, request

619 or plan is made] and with the planning commission, zoning
620 commission, planning and zoning commission or zoning board of
621 appeals of such municipality or the aquifer protection area has been
622 delineated in accordance with section 22a-354c. [, as the case may be.]
623 Such notice shall be made by certified mail, return receipt requested,
624 and shall be mailed not later than seven days after the date of the
625 application. [Such water company and the] The Commissioner of
626 Public Health may, through a representative, appear and be heard at
627 any hearing on any such application, petition, request or plan.

628 (c) When an application, petition, request or plan is filed with the
629 zoning commission, planning and zoning commission or zoning board
630 of appeals of any municipality concerning any project on any site that
631 is within the watershed of a water company, the applicant or the
632 person making the filing shall provide written notice of the
633 application, petition, request or plan to the water company and the
634 Public Utilities Regulatory Authority in a format prescribed by said
635 authority, provided such water company or said authority has filed a
636 map showing the boundaries of the watershed on the land records of
637 the municipality in which the application, petition, request or plan is
638 made. Such notice shall be made by certified mail, return receipt
639 requested, and shall be mailed not later than seven days after the date
640 of the application. Such water company and the Public Utilities
641 Regulatory Authority may, through a representative, appear and be
642 heard at any hearing on any such application, petition, request or plan.

643 [(c)] (d) Notwithstanding the provisions of [subsection] subsections
644 (b) or (c) of this section, when an agent of the zoning commission,
645 planning and zoning commission or zoning board of appeals is
646 authorized to approve an application, petition, request or plan
647 concerning any site that is within the aquifer protection area
648 delineated pursuant to section 22a-354c or the watershed of a water
649 company without the approval of the zoning commission, planning
650 and zoning commission or zoning board of appeals, and such agent
651 determines that the proposed activity will not adversely affect the

652 public water supply, the applicant or person making the filing shall
653 not be required to notify the water company, [or] the Commissioner of
654 Public Health or the Public Utilities Regulatory Authority.

655 Sec. 18. Section 12-81q of the general statutes is repealed and the
656 following is substituted in lieu thereof (*Effective July 1, 2014*):

657 Any municipality may, upon approval by its legislative body or in
658 any town in which the legislative body is a town meeting, by the board
659 of selectmen, abate for a period of up to ten years all or a portion of the
660 property taxes due on and after July 1, 1997, for property owned by an
661 entity that has acquired a water company pursuant to the provisions of
662 section 16-262o, as amended by this act. The acquiring entity shall only
663 be entitled to an abatement for those costs incurred by such entity to
664 make improvements on the infrastructure and related property of the
665 acquired water company, when such improvements were ordered by
666 the Public Utilities Regulatory Authority [or the Department of Public
667 Health] and necessary in order for the entity to provide continuous,
668 adequate water service.

669 Sec. 19. Section 16-19h of the general statutes is repealed and the
670 following is substituted in lieu thereof (*Effective July 1, 2014*):

671 The Public Utilities Regulatory Authority may reopen proceedings
672 on a proposed rate amendment filed under section 16-19 and amend its
673 final decision on such filing to adjust the rates of a water company, as
674 defined in section 16-1, to include in the rate base the construction
675 costs associated with additions to a plant that are required by order of
676 the authority [, the Department of Public Health] or the Department of
677 Energy and Environmental Protection. The adjustment and approval
678 of any rate under this section shall be based on the criteria set forth in
679 section 16-19e.

680 Sec. 20. Section 16-19z of the general statutes is repealed and the
681 following is substituted in lieu thereof (*Effective July 1, 2014*):

682 In any proceeding pursuant to section 16-19 on a rate amendment
683 proposed by a water company, as defined in section 16-1, the Public
684 Utilities Regulatory Authority shall consider including the cost to the
685 company of purchasing, owning or retaining land for water supply
686 protection or future water supply use in the current rate base of the
687 company, subject to the following conditions: (1) The land shall be
688 included in a water supply plan filed and approved pursuant to
689 section 25-32d, as amended by this act, or shall otherwise be approved
690 by the [Commissioner of Public Health] authority pursuant to the
691 general statutes or regulations adopted under the general statutes; (2)
692 the land shall include (A) an area necessary for surface and
693 groundwater supply protection, (B) the impoundment area, (C) a well
694 site, or (D) other appropriate appurtenances such as a tank site or
695 filtration plant site or other necessary facilities; and (3) the purchase,
696 ownership or retention of the land is found by the authority to be
697 prudent considering cost, availability and need. The authority may not
698 require any such company to sell any such land owned by such
699 company as of October 1, 1997, except as provided in section 16-262n,
700 as amended by this act.

701 Sec. 21. Subsection (a) of section 16-43 of the general statutes is
702 repealed and the following is substituted in lieu thereof (*Effective July*
703 *1, 2014*):

704 (a) A public service company shall obtain the approval of the Public
705 Utilities Regulatory Authority to directly or indirectly (1) merge,
706 consolidate or make common stock with any other company, or (2)
707 sell, lease, assign, mortgage, except by supplemental indenture in
708 accord with the terms of a mortgage outstanding May 29, 1935, or
709 otherwise dispose of any essential part of its franchise, plant,
710 equipment or other property necessary or useful in the performance of
711 its duty to the public. Any such disposition of an essential part of such
712 other real property of a public service company shall be by public
713 auction or other procedure for public sale, provided such auction or

714 public sale shall be conducted upon notice of auction or sale published
715 at least once each week for two weeks preceding the date of such
716 auction or sale in a newspaper having a substantial circulation in the
717 county in which such property is located. The public service company
718 shall submit evidence to the authority of the notice given. On a
719 showing of good cause by such company to use a means of disposal
720 other than by public auction or other procedure for public sale, the
721 authority may, on a finding of such good cause, authorize the use of an
722 alternative sales process. No public auction or other procedure for
723 public sale shall be required for the sale or other disposition of real
724 property by a water company to the state, a municipality or land
725 conservation organization if at least seventy per cent of the area of the
726 real property sold or disposed of is to be used for open space or
727 recreational purposes, as defined in subsection (f) of section 16-50d,
728 and if the consideration received for such sale or disposition is not less
729 than the appraised value of such property. A public service company
730 other than a water company may sell, lease, assign, mortgage or
731 otherwise dispose of improved real property with an appraised value
732 of two hundred fifty thousand dollars or less or unimproved real
733 property with an appraised value of fifty thousand dollars or less
734 without such approval. The authority shall follow the procedures in
735 section 16-50c, as amended by this act, for transactions involving
736 unimproved land owned by a public service company other than a
737 water company. A water company supplying water to more than five
738 hundred consumers may sell, lease, assign, mortgage, or otherwise
739 dispose of real property, other than public watershed or water supply
740 lands, with an appraised value of fifty thousand dollars or less without
741 such approval. The authority shall not accept an application to sell
742 watershed or water supply lands until [the Commissioner of Public
743 Health issues] the issuance of a permit pursuant to section 25-32. The
744 condemnation by a state department, institution or agency of any land
745 owned by a public service company shall be subject to the provisions
746 of this subsection. On February 1, 1996, and annually thereafter, each
747 public service company shall submit a report to the Public Utilities

748 Regulatory Authority of all real property sold, leased, assigned,
749 mortgaged, or otherwise disposed of without the approval of said
750 authority during the previous calendar year. Such report shall include
751 for each transaction involving such property, without limitation, the
752 appraised value of the real property, the actual value of the transaction
753 and the accounting journal entry which recorded the transaction.

754 Sec. 22. Section 16-46 of the general statutes is repealed and the
755 following is substituted in lieu thereof (*Effective July 1, 2014*):

756 (a) No public service company shall cease operations as a public
757 service company, dissolve or terminate its corporate existence without
758 the consent of the Public Utilities Regulatory Authority, except a water
759 company, as defined in section 16-262n, as amended by this act, shall
760 not cease its operations, or unilaterally discontinue the provision of
761 water service to customers without the consent of [both] the Public
762 Utilities Regulatory Authority, [and the Department of Public Health.]
763 Upon receipt of a request from a water company to cease its operations
764 or discontinue the provision of water service, the Public Utilities
765 Regulatory Authority [, in conjunction with the Department of Public
766 Health,] shall hold a public hearing and issue a final decision setting
767 forth the actions the water company shall take to ensure a continuous
768 supply of potable water at adequate volume and pressures, in
769 accordance with the procedures and criteria set forth in sections 16-
770 262n to 16-262q, inclusive, as amended by this act.

771 (b) Any public service company may, with such consent, or in the
772 case of a water company, as defined in section 16-262n, as amended by
773 this act, for which a decision has been issued pursuant to section 16-
774 262o, as amended by this act, such water company shall, dissolve and
775 terminate its corporate existence in the manner provided for
776 dissolution and termination by such company's charter or certificate of
777 incorporation, provided, if such charter or certificate requires
778 stockholder approval, such approval shall be by not less than two-
779 thirds of the voting power of the shares entitled to vote thereon. If

780 there is no provision for dissolution and termination in such charter or
781 certificate, such company may, with the consent of the Public Utilities
782 Regulatory Authority, [or in the case of a water company, the consent
783 of both the Public Utilities Regulatory Authority and the Department
784 of Public Health,] dissolve and terminate its corporate existence in any
785 manner provided in part XIV of chapter 601 in the case of a company
786 organized with capital stock or part XI of chapter 602 in the case of a
787 company organized without capital stock. Such dissolution and
788 termination shall take effect upon (1) for a corporation, the filing with
789 the Secretary of the State of a certificate of dissolution, and (2) for an
790 unincorporated entity, the filing of a certificate of dissolution with the
791 Public Utilities Regulatory Authority; [and the Department of Public
792 Health.] In the event of such cessation, dissolution or termination, all
793 claims and rights of creditors shall constitute liens upon the property
794 and franchises of the company and shall continue in existence as long
795 as may be necessary to preserve the same.

796 Sec. 23. Section 16-50c of the general statutes is repealed and the
797 following is substituted in lieu thereof (*Effective July 1, 2014*):

798 (a) Whenever any public service company, as defined in section 16-
799 1, except a water company, owning any contiguous area of
800 unimproved real property containing three acres or more, intends to
801 sell, lease or otherwise dispose of such land, or a portion thereof,
802 except to the state, the United States or a municipality, such company
803 shall first notify in writing, by certified mail, return receipt requested,
804 the Public Utilities Regulatory Authority, [the Commissioner of Public
805 Health,] the Commissioner of Energy and Environmental Protection
806 and the chief executive officer or officers of the municipality in which
807 such land is situated, of such intention to sell, lease or otherwise
808 dispose of such land, and no agreement to sell, lease or otherwise
809 dispose of such land may be entered into by such public service
810 company except as provided in this section. The authority shall
811 approve or disapprove the disposition of such unimproved property

812 pursuant to subsection (a) of section 16-43, as amended by this act, not
813 more than one hundred fifty days after said authority has received
814 notice pursuant to this section and failure to take action within such
815 period shall be deemed to constitute approval. The authority shall hold
816 a hearing on all such land transactions in which the acquisition cost of
817 the parcels involved or the transfer consideration is in excess of fifty
818 thousand dollars. The hearing shall be held in the municipality where
819 such land is located. If such land is located in more than one
820 municipality, the authority shall determine in which municipality the
821 hearing shall be held. If the hearing is scheduled for more than one day
822 or continues for more than one day, the authority may reconvene the
823 hearing at the offices of the authority. The municipality in which such
824 land is situated shall be a party to all proceedings before the authority
825 involving such land brought pursuant to sections 16-50b to 16-50e,
826 inclusive. The Public Utilities Regulatory Authority may, by order,
827 exempt from the provisions of this subsection and sections 16-50d, as
828 amended by this act, and 16-50e any sale, lease, transfer or other
829 disposition of land by a public service company, other than a water
830 company, to another public service company if such sale, lease,
831 transfer or other disposition of land is related to a plan of divestiture
832 or other corporate reorganization approved by the authority.

833 (b) On or before January 1, 1998, and on or before January first of
834 each year thereafter, any private, nonprofit land-holding organization
835 may provide in writing to the Public Utilities Regulatory Authority its
836 mailing address and a list of the municipalities in this state in which
837 such organization may own land or any municipality adjacent to such
838 municipalities which address is suitable for the purpose of receiving
839 notice of the sale, lease or other disposition of water company land as
840 provided in this section. On or before February 1, 1998, and on or
841 before February first of each year thereafter, said authority shall
842 publish and make available to every water company, as defined in
843 section 16-1, a list setting forth for the Nature Conservancy, the Trust
844 for Public Land, the Land Trust Service Bureau and each private,

845 nonprofit land-holding organization which has provided such
846 information, such organization's mailing address and the
847 municipalities in which such organization may own land and the
848 adjacent municipalities. Such list shall be valid until January thirty-first
849 of the following calendar year. Information contained on such list shall
850 be carried forward on each succeeding year's list unless a change in
851 such information, or the discontinuation of such information on such
852 list, is requested by the entity which submitted it and any changes in,
853 or discontinuation of, information to be incorporated in the following
854 year's list shall be submitted to the Public Utilities Regulatory
855 Authority on or before January first for inclusion on the list to be
856 published on February first. Whenever, one hundred twenty days after
857 July 1, 1998, any water company, as defined in section 16-1, owning
858 any contiguous area of real property containing three acres or more,
859 intends to sell, lease or otherwise dispose of such land, or a portion
860 thereof, such company shall, not later than ninety days prior to
861 offering such land for sale or otherwise negotiating with or notifying
862 any other potential purchaser, or any agent of a potential purchaser,
863 (1) notify in writing, by certified mail, return receipt requested, the
864 Public Utilities Regulatory Authority, [the Commissioner of Public
865 Health,] the Commissioner of Energy and Environmental Protection,
866 any water company, as defined in section 25-32a, with an existing or
867 potential source of supply or service area in any municipality in which
868 such land is situated, any water company, as defined in said section
869 25-32a, with an existing or potential source of supply or service area in
870 a contiguous municipality, the chief executive officer or officers of the
871 municipality in which such land is situated, the Nature Conservancy,
872 the Trust for Public Land, the Land Trust Service Bureau and any
873 private, nonprofit land-holding organization set forth on the list
874 published annually by the Public Utilities Regulatory Authority
875 pursuant to this section which organization has indicated to the
876 authority that it may own land in the municipality in which the land is
877 located or in an adjacent municipality provided such notice shall
878 inform recipients of information pertaining to the acreage and location

879 of the land to be sold, leased, or otherwise disposed of and such notice
880 shall state that additional information, including a map of the
881 property, is available at the company and further provided, for any
882 application submitted to the Public Utilities Regulatory Authority for
883 disposition of such land within two years after such ninety-day period,
884 no further notice shall be required, and (2) provide further public
885 notice by causing a notice to be published in a newspaper of general
886 circulation in the municipalities where such water company land is
887 situated not more than forty-five days or less than thirty days before
888 and not more than thirty days after filing an application for approval
889 with the authority of such intention to sell, lease or otherwise dispose
890 of such land. Such public notice shall be published in a display form
891 that shall serve substantially to notify the public of the availability of
892 the property and shall be published in print no smaller than ten-point
893 type size. If a recipient of notice under this subsection enters into a
894 contract to purchase such land, the closing on the sale shall take place
895 not later than twelve months after the contract is entered into unless
896 the period for closing is extended by mutual agreement of the parties
897 to the contract. No agreement to sell, lease or otherwise dispose of
898 such land may be entered into by such water company except as
899 provided in this section. Any private, nonprofit land-holding
900 organization which is considering acquiring the interest in the land
901 which the water company intends to sell, lease or dispose of must
902 identify itself as a potential acquirer by giving written notice to the
903 Public Utilities Regulatory Authority and to the water company by
904 certified mail, return receipt requested, not more than ninety days after
905 the water company files an application for approval. The authority
906 shall approve or disapprove the disposition of such property pursuant
907 to subsection (a) of section 16-43, as amended by this act, not more
908 than one hundred fifty days after its receipt of an application for such
909 sale, lease or other disposition pursuant to this subsection and failure
910 to take action within such period shall be deemed to constitute
911 approval. The authority shall hold a hearing on all such land
912 transactions in which the acquisition cost of the parcels involved or the

913 transfer consideration is in excess of fifty thousand dollars. The
914 hearing shall be held in the municipality where such land is located. If
915 such land is located in more than one municipality, the authority shall
916 determine in which municipality the hearing shall be held. If the
917 hearing is scheduled for more than one day or continues for more than
918 one day, the authority may reconvene the hearing at the offices of the
919 authority. An application shall not be filed with the authority until the
920 [Commissioner of Public Health issues] the issuance of a permit
921 pursuant to section 25-32. The municipality in which such land is
922 situated shall be a party to all proceedings before the authority
923 involving such land brought pursuant to sections 16-50b to 16-50e,
924 inclusive.

925 (c) If, by the end of the ninety-day period for written notice under
926 subdivision (1) of subsection (b) of this section, no recipient of such
927 notice has entered into an agreement or option to acquire the land, the
928 water company may offer the land for sale, lease or other disposition
929 to any person. Any such recipient of notice, upon entering into a
930 contract which provides for an option to acquire such land, shall pay
931 reasonable consideration for such option with due regard for the
932 market value of the land. Such consideration shall be applied, without
933 interest, as a credit against the purchase price if the option is exercised.
934 Any such consideration shall not be refundable unless the authority
935 disapproves the disposition of such land.

936 Sec. 24. Subsection (d) of section 16-50d of the general statutes is
937 repealed and the following is substituted in lieu thereof (*Effective July*
938 *1, 2014*):

939 (d) (1) Within one hundred eighty days after such approval by the
940 Public Utilities Regulatory Authority has been so given with respect to
941 land owned by a public service company other than a water company,
942 a chief executive officer or officers or the Commissioner of Energy and
943 Environmental Protection exercising their rights under subsection (a)
944 of this section may give written notice to the authority and to the

945 public service company by certified mail, return receipt requested, of
946 the municipality's or the state's intent to acquire such land by eminent
947 domain and each shall have the right to acquire the land which the
948 public service company has declared its intent to sell, lease or
949 otherwise dispose of, provided the municipality or the state has not
950 waived its right to acquire such land as set forth in subsection (b) of
951 this section.

952 (2) Within one hundred days after such approval by the Public
953 Utilities Regulatory Authority has been so given with respect to land
954 owned by a water company, a chief executive officer or officers or the
955 Commissioner of Energy and Environmental Protection exercising
956 their rights under subsection (a) of this section may give written notice
957 to the authority and to the water company by certified mail, return
958 receipt requested, of the municipality's or the state's intent to acquire
959 such land by eminent domain and, subject to the order of rights set
960 forth in subsection (f) of this section to acquire water company land,
961 each shall have the right to acquire the land which the water company
962 has declared its intent to sell, lease or otherwise dispose of, provided
963 the municipality or the state has not waived its right to acquire such
964 land as set forth in subsection (b) of this section.

965 (3) The procedure for acquiring the land pursuant to this subsection
966 shall be as follows: The Comptroller in the name of the state or the
967 municipality shall proceed in the same manner specified for
968 redevelopment agencies in accordance with sections 8-128 to 8-133,
969 inclusive, provided, if such land is subject to the provisions of section
970 25-32, such land shall not be sold or condemned as herein provided
971 without the approval of the [Department of Public Health] Public
972 Utilities Regulatory Authority. The price, terms and conditions
973 approved by the authority in accordance with the provisions of
974 subsection (a) of section 16-43, as amended by this act, and section 16-
975 50c, as amended by this act, shall apply to any such procedure and
976 shall not be changed without the approval of the authority in
977 accordance with the provisions of subsection (a) of section 16-43, as

978 amended by this act.

979 Sec. 25. Section 16-262*l* of the general statutes is repealed and the
980 following is substituted in lieu thereof (*Effective July 1, 2014*):

981 (a) As used in this section, "water company" includes every
982 corporation, company, association, joint stock association, partnership
983 or person, or lessee thereof, except an association providing water only
984 to its members, owning, leasing, maintaining, operating, managing or
985 controlling any pond, lake, reservoir, stream, well or distributing plant
986 or system employed for the purpose of supplying water to twenty-five
987 or more consumers on a regular basis, provided if any corporation,
988 company, association, joint stock association, partnership or person, or
989 lessee thereof, owns or controls eighty per cent of the equity value of
990 more than one such water supply system, the number of consumers
991 shall, for the purposes of this definition, be the total number of
992 consumers of all such systems so controlled by that corporation,
993 company, association, joint stock association, partnership or person, or
994 lessee thereof.

995 (b) If the Public Utilities Regulatory Authority determines, after
996 notice and hearing, that any water company is unable or unwilling to
997 provide adequate service to its consumers, the authority may petition
998 the superior court for any judicial district wherein the company
999 conducts its business for an order attaching the assets of the company
1000 and placing it under the sole control and responsibility of a receiver.

1001 (c) Notwithstanding the provisions of subsection (b) of this section,
1002 the Public Utilities Regulatory Authority, [the Department of Public
1003 Health,] the municipality served by a water company or an
1004 organization representing twenty per cent of the consumers of the
1005 company may, upon notice to the company, petition the Superior
1006 Court for an order attaching the assets of the water company and
1007 placing it under the sole control and responsibility of a receiver, if (1)
1008 the company has failed to supply water to consumers for at least five

1009 days during the preceding three months, (2) the [Department of Public
1010 Health] Public Utilities Regulatory Authority determines that the
1011 company has not met the standards adopted under section 25-32, as
1012 amended by this act, for the quantity and quality of public drinking
1013 water, or (3) the petitioner has reasonable cause to believe the
1014 consumers of the company have not received and are unlikely to
1015 receive adequate service due to gross mismanagement of the company.
1016 Upon the filing of such a petition, the court shall order the company to
1017 show cause why such an order of attachment and receivership should
1018 not issue ten days from the date of service of the order to show cause
1019 upon the company at its last known address.

1020 (d) Any receiver appointed by the court shall file a bond in
1021 accordance with section 52-506 unless the court finds it unnecessary.
1022 The receiver shall operate the company to preserve its assets and to
1023 serve the best interests of its consumers. If the receiver determines that
1024 the water company's actions which caused it to be placed under the
1025 control and responsibility of the receiver under subsection (b) or (c) of
1026 this section were due to misappropriation or wrongful diversion of the
1027 assets or income of such company or to other wilful misconduct by any
1028 director, officer or manager of the company, the receiver shall file a
1029 petition, with the superior court that issued the order of attachment
1030 and receivership, for an order that such director, officer or manager be
1031 ordered to pay compensatory damages to the company by reason of
1032 such misappropriation, diversion or misconduct.

1033 (e) The Public Utilities Regulatory Authority shall determine the
1034 value of the assets of a water company at the time of appointment of a
1035 receiver and immediately prior to return of the assets to the owner.
1036 The claim of the owner of the company shall be limited to the value
1037 determined at the time of the appointment of the receiver. The assets
1038 shall be returned to the owner after full restitution has been made to
1039 the receiver for the value of any improvements to the system and after
1040 payment has been made for any appraisal pursuant to this subsection.

1041 Sec. 26. Section 16-262m of the general statutes is repealed and the
1042 following is substituted in lieu thereof (*Effective July 1, 2014*):

1043 (a) As used in this section and section 8-25a, "water company"
1044 means a corporation, company, association, joint stock association,
1045 partnership, municipality, state agency, other entity or person, or
1046 lessee thereof, owning, leasing, maintaining, operating, managing or
1047 controlling any pond, lake, reservoir, stream, well or distributing plant
1048 or system employed for the purpose of supplying water to fifteen or
1049 more service connections or twenty-five or more persons for at least
1050 sixty days in any one year.

1051 (b) No water company may begin the construction of a water supply
1052 system for the purpose of supplying water to fifteen or more service
1053 connections or twenty-five or more persons for at least sixty days in
1054 any one year, and no person or entity, except a water company
1055 supplying more than two hundred fifty service connections or one
1056 thousand persons, may begin expansion of such a water supply
1057 system, without having first obtained a certificate of public
1058 convenience and necessity.

1059 (c) For systems serving twenty-five or more residents that are not
1060 the subject of proceedings under subsection (c) of section 16-262n, as
1061 amended by this act, or section 16-262o, as amended by this act, an
1062 application for a certificate of public convenience and necessity shall
1063 be on a form prescribed by the Public Utilities Regulatory Authority [,
1064 in consultation with the Department of Public Health,] and
1065 accompanied by a copy of the applicant's construction or expansion
1066 plans, a fee of one hundred dollars and when an exclusive service area
1067 provider has been determined pursuant to section 25-33g, as amended
1068 by this act, a copy of a signed ownership agreement between the
1069 applicant and provider for the exclusive service area, as determined
1070 pursuant to section 25-33g, as amended by this act, detailing those
1071 terms and conditions under which the system will be constructed or
1072 expanded and for which the provider will assume service and

1073 ownership responsibilities. When an exclusive service area provider
1074 has been determined pursuant to section 25-33g, as amended by this
1075 act, the application shall also be accompanied by a written
1076 confirmation from the exclusive service area provider, as the person
1077 that will own the water supply system, that such exclusive service area
1078 provider has received the application and is prepared to assume
1079 responsibility for the water supply system subject to the terms and
1080 conditions of the ownership agreement. Written confirmation from the
1081 exclusive service area provider shall be on a form prescribed by said
1082 authority. [and department.] Said authority [and department] shall
1083 issue a certificate to an applicant upon determining, to [their] the
1084 authority's satisfaction, that (1) no interconnection is feasible with a
1085 water system owned by, or made available through arrangement with,
1086 the provider for the exclusive service area, as determined pursuant to
1087 section 25-33g, as amended by this act, or with another existing water
1088 system where no exclusive service area has been assigned, (2) the
1089 applicant will complete the construction or expansion in accordance
1090 with engineering standards established by regulation by the Public
1091 Utilities Regulatory Authority for water supply systems, (3) ownership
1092 of the system will be assigned to the provider for the exclusive service
1093 area, when an exclusive service area provider has been determined
1094 pursuant to section 25-33g, as amended by this act, (4) the proposed
1095 construction or expansion will not result in a duplication of water
1096 service in the applicable service area, (5) the applicant meets all federal
1097 and state standards for water supply systems, (6) the person that will
1098 own the water supply system has the financial, managerial and
1099 technical resources to (A) operate the proposed water supply system in
1100 a reliable and efficient manner, and (B) provide continuous adequate
1101 service to consumers served by the water supply system, (7) the
1102 proposed water supply system will not adversely affect the adequacy
1103 of nearby water supply systems, and (8) any existing or potential
1104 threat of pollution that the [Department of Public Health] Public
1105 Utilities Regulatory Authority deems to be adverse to public health
1106 will not affect any new source of water supply. Any construction or

1107 expansion with respect to which a certificate is required shall
1108 thereafter be built, maintained and operated in conformity with the
1109 certificate and any terms, limitations or conditions contained therein.

1110 (d) The Public Utilities Regulatory Authority [and the Department
1111 of Public Health shall each] shall adopt regulations, in accordance with
1112 the provisions of chapter 54, to carry out the purposes of subsections
1113 (a) to (c), inclusive, of this section.

1114 (e) (1) For systems serving twenty-five or more persons, but not
1115 twenty-five or more residents, at least sixty days in any one year an
1116 application for a certificate of public convenience and necessity shall
1117 be on a form prescribed by the [Department of Public Health] Public
1118 Utilities Regulatory Authority and accompanied by a copy of the
1119 construction or expansion plans. The [Department of Public Health]
1120 Public Utilities Regulatory Authority shall issue a certificate to an
1121 applicant upon determining, to its satisfaction, that (A) no
1122 interconnection is feasible with a water system owned by, or made
1123 available through arrangement with, the provider for the exclusive
1124 service area, as determined pursuant to section 25-33g, as amended by
1125 this act, or with another existing water system where no existing
1126 exclusive service area has been assigned, (B) the applicant will
1127 complete the construction or expansion in accordance with
1128 engineering standards established by regulation for water supply
1129 systems, (C) ownership of the system will be assigned to the provider
1130 for the exclusive service area, as determined pursuant to section 25-
1131 33g, as amended by this act, if agreeable to the exclusive service area
1132 provider and the [Department of Public Health] Public Utilities
1133 Regulatory Authority, or may remain with the applicant, if agreeable
1134 to the [Department of Public Health] Public Utilities Regulatory
1135 Authority, until such time as the water system for the exclusive service
1136 area, as determined by section 25-33g, as amended by this act, has
1137 made an extension of the water main, after which the applicant shall
1138 obtain service from the provider for the exclusive service area, (D) the
1139 proposed construction or expansion will not result in a duplication of

1140 water service in the applicable service area, (E) the applicant meets all
1141 federal and state standards for water supply systems, (F) the person
1142 that will own the water supply system has the financial, managerial
1143 and technical resources to (i) operate the proposed water supply
1144 system in a reliable and efficient manner, and (ii) provide continuous
1145 adequate service to consumers served by the water supply system, (G)
1146 the proposed water supply system will not adversely affect the
1147 adequacy of nearby water supply systems, and (H) any existing or
1148 potential threat of pollution that the [Department of Public Health]
1149 Public Utilities Regulatory Authority deems to be adverse to public
1150 health will not affect any new source of water supply. Any
1151 construction or expansion with respect to which a certificate is
1152 required shall thereafter be built, maintained and operated in
1153 conformity with the certificate and any terms, limitation or conditions
1154 contained therein. Properties held by the Department of Energy and
1155 Environmental Protection and used for or in support of fish culture,
1156 natural resource conservation or outdoor recreational purposes shall
1157 be exempt from the requirements of subdivisions (1), (3) and (4) of
1158 subsection (c) of this section and subparagraphs (A), (C) and (D) of
1159 subdivision (1) of subsection (e) of this section.

1160 (2) The [Department of Public Health] Public Utilities Regulatory
1161 Authority shall adopt regulations, in accordance with the provisions of
1162 chapter 54, to carry out the purposes of this subsection. Such
1163 regulations may include measures that encourage water conservation
1164 and proper maintenance.

1165 Sec. 27. Section 16-262n of the general statutes is repealed and the
1166 following is substituted in lieu thereof (*Effective July 1, 2014*):

1167 (a) As used in this section, sections 16-262o to 16-262q, inclusive, as
1168 amended by this act, and section 16-262s, as amended by this act,
1169 "water company" means a corporation, company, association, joint
1170 stock association, partnership, municipality, other entity or person, or
1171 lessee thereof, owning, leasing, maintaining, operating, managing or

1172 controlling any pond, lake, reservoir, stream, well or distributing plant
1173 or system employed for the purpose of supplying water to not less
1174 than two service connections or twenty-five persons.

1175 (b) The Public Utilities Regulatory Authority, in consultation with
1176 the [Department of Public Health and the] Department of Energy and
1177 Environmental Protection, may review the economic viability of a
1178 water company, except a municipal water company, based upon
1179 performance measures of the company's stability and financial
1180 condition, technical and managerial expertise and efficiency, and
1181 physical condition and capacity of plant. The Public Utilities
1182 Regulatory Authority shall make recommendations for improvement
1183 or provide counseling to a reviewed water company to assist in
1184 improving the company's economic viability.

1185 (c) Whenever any water company fails to comply with an order
1186 issued pursuant to section 16-11, 25-32, 25-33 or 25-34, as amended by
1187 this act, concerning the availability or potability of water or the
1188 provision of water at adequate volume and pressure, or if the Public
1189 Utilities Regulatory Authority determines a water company does not
1190 possess economic viability pursuant to subsection (b) of this section,
1191 the Public Utilities Regulatory Authority [, the Department of Public
1192 Health] and, when its participation is required, the Department of
1193 Energy and Environmental Protection, may, or following a request
1194 from a water company filed pursuant to section 16-46, as amended by
1195 this act, shall, after notice to public and private water companies,
1196 municipal utilities furnishing water service, municipalities or other
1197 appropriate governmental agencies in the service area of the water
1198 company, conduct a hearing in accordance with the provisions of
1199 sections 4-176e, 4-177, 4-177c and 4-180 to determine the actions that
1200 may be taken and the expenditures that may be required, including the
1201 acquisition of the water company by a suitable public or private entity,
1202 to assure the availability and potability of water and the provision of
1203 water at adequate volume and pressure to the persons served by the
1204 water company at a reasonable cost.

1205 Sec. 28. Subsection (a) of section 16-262o of the general statutes is
1206 repealed and the following is substituted in lieu thereof (*Effective July*
1207 *1, 2014*):

1208 (a) The Public Utilities Regulatory Authority [, in consultation with
1209 the Department of Public Health,] upon a determination that the costs
1210 of improvements to and the acquisition of the water company are
1211 necessary and reasonable, shall order the acquisition of the water
1212 company by the most suitable public or private entity. In making such
1213 determination, the authority shall consider: (1) The geographical
1214 proximity of the plant of the acquiring entity to the water company, (2)
1215 whether the acquiring entity has the financial, managerial and
1216 technical resources to operate the water company in a reliable and
1217 efficient manner and to provide continuous, adequate service to the
1218 persons served by the company, (3) the current rates that the acquiring
1219 entity charges its customers, and (4) any other factors the authority
1220 deems relevant. Such order shall authorize the recovery through rates
1221 of all reasonable costs of acquisition and necessary improvements. A
1222 public entity acquiring a water company beyond the boundaries of
1223 such entity may charge customers served by the acquired company for
1224 water service and may, to the extent appropriate, as determined by the
1225 governing body of the public entity, recover through rates all
1226 reasonable costs of acquisition and necessary improvements.

1227 Sec. 29. Section 16-262q of the general statutes is repealed and the
1228 following is substituted in lieu thereof (*Effective July 1, 2014*):

1229 Compensation for the acquisition of a water company pursuant to
1230 section 16-262o, as amended by this act, shall be determined by the
1231 procedures for determining compensation under section 25-42 or by
1232 agreement between the parties, provided the Public Utilities
1233 Regulatory Authority [in consultation with the Department of Public
1234 Health,] after a hearing, approves such agreement. The provisions of
1235 this section shall not apply to the sale of a private water company to a
1236 municipally owned and operated water company providing service in

1237 such municipality. In such cases, if the parties determine compensation
1238 for such acquisition by agreement the sale may proceed without the
1239 approval of the Public Utilities Regulatory Authority.

1240 Sec. 30. Section 19a-37a of the general statutes is repealed and the
1241 following is substituted in lieu thereof (*Effective July 1, 2014*):

1242 (a) The [Commissioner of Public Health] Public Utilities Regulatory
1243 Authority shall adopt regulations in accordance with the provisions of
1244 chapter 54 establishing standards to prevent contamination of public
1245 water supplies which may result from the installation of automatic fire
1246 extinguishing systems, irrigation systems or other physical connections
1247 between the distribution system of a public water system and any
1248 other water system in any building served by a public water system as
1249 defined in subsection (a) of section 25-33d, as amended by this act.
1250 Regulations concerning automatic fire extinguishing systems shall: (1)
1251 Delete the requirement for a reduced pressure principle backflow
1252 preventer (RPD) on fire sprinkler systems with siamese connections
1253 unless chemicals are added to such systems; (2) require owners to
1254 install a double check valve assembly (DCVA) on fire sprinkler
1255 systems with siamese connections unless chemicals are added to such
1256 systems; (3) allow owners to install an RPD instead of a DCVA on fire
1257 sprinkler systems with siamese connections; and (4) provide that any
1258 person engaged in the installation of an automatic fire extinguishing
1259 system shall notify the water company servicing the building of such
1260 installation, and shall be subject to all applicable rules and regulations
1261 of such water company.

1262 (b) The [commissioner] Public Utilities Regulatory Authority shall
1263 adopt regulations in accordance with the provisions of chapter 54
1264 concerning automatic fire extinguishing systems that provide for a
1265 civil penalty of not more than two thousand dollars if a required
1266 device is not installed on existing systems by July 1, 1999, or if the
1267 required device is not installed on new systems after June 23, 1999.

1268 Sec. 31. Section 22a-42f of the general statutes is repealed and the
1269 following is substituted in lieu thereof (*Effective July 1, 2014*):

1270 When an application is filed to conduct or cause to be conducted a
1271 regulated activity upon an inland wetland or watercourse, any portion
1272 of which is within the watershed of a water company as defined in
1273 section 25-32a, the applicant shall provide written notice of the
1274 application to the water company and the [Commissioner of Public
1275 Health] Public Utilities Regulatory Authority in a format prescribed by
1276 said [commissioner] authority, provided such water company or said
1277 [commissioner] authority has filed a map showing the boundaries of
1278 the watershed on the land records of the municipality in which the
1279 application is made and with the inland wetlands agency of such
1280 municipality. Such notice shall be made by certified mail, return
1281 receipt requested, and shall be mailed not later than seven days after
1282 the date of the application. The water company and the [Commissioner
1283 of Public Health] Public Utilities Regulatory Authority, through a
1284 representative, may appear and be heard at any hearing on the
1285 application.

1286 Sec. 32. Section 22a-354w of the general statutes is repealed and the
1287 following is substituted in lieu thereof (*Effective July 1, 2014*):

1288 The Commissioner of Energy and Environmental Protection, in
1289 consultation with the [Commissioner of Public Health and the]
1290 chairperson of the Public Utilities Regulatory Authority, shall prepare
1291 guidelines for acquisition of lands surrounding existing or proposed
1292 public water supply well fields. In preparing such guidelines the
1293 commissioner shall consider economic implications for mandating
1294 land acquisition including, but not limited to, the effect on land values
1295 and the ability of small water companies to absorb the cost of
1296 acquisition.

1297 Sec. 33. Subsection (a) of section 22a-354x of the general statutes is
1298 repealed and the following is substituted in lieu thereof (*Effective July*

1299 1, 2014):

1300 (a) The Commissioner of Energy and Environmental Protection, in
1301 consultation with the [Commissioner of Public Health] Public Utilities
1302 Regulatory Authority and water companies, shall provide, within
1303 available appropriations, technical, coordinating and research services
1304 to promote the effective administration of sections 19a-37, 22-6c, 22a-
1305 354c, 22a-354e, 22a-354g to 22a-354bb, inclusive, 25-32d, as amended
1306 by this act, 25-33h, as amended by this act, and 25-33n, as amended by
1307 this act, and subsection (a) of section 25-84 at the federal, state and
1308 local levels.

1309 Sec. 34. Section 22a-355 of the general statutes is repealed and the
1310 following is substituted in lieu thereof (*Effective July 1, 2014*):

1311 (a) The Commissioner of Energy and Environmental Protection
1312 shall study the distribution of dedicated open space within the state in
1313 relation to proposed land sales by water companies and shall assist in
1314 and, at the request of affected towns, coordinate the public acquisition
1315 of water company owned lands.

1316 (b) Upon filing of a water supply plan pursuant to section 25-32d, as
1317 amended by this act, said commissioner shall designate water utility
1318 lands which will contribute to recognized programs of the department
1319 and shall recommend their acquisition to the General Assembly. Said
1320 commissioner shall also recommend the acquisition of water company
1321 lands when such acquisition is less costly than the continued
1322 monitoring and enforcement of approved sales or changes in use of
1323 such lands.

1324 (c) Water utility lands acquired by the Department of Energy and
1325 Environmental Protection shall be subject to [Department of Public
1326 Health] Public Utilities Regulatory Authority review and such lands,
1327 as restricted by such review, shall be put into dedicated ownership and
1328 shall not be sold except by a special act of the General Assembly.

1329 Sec. 35. Section 22a-358 of the general statutes is repealed and the
1330 following is substituted in lieu thereof (*Effective July 1, 2014*):

1331 (a) Whenever any public water system has water reserves in excess
1332 of those required to maintain an abundant supply of water to
1333 inhabitants of its service area, such system may sell such excess water
1334 to any other public water system upon approval of the [Commissioner
1335 of Public Health] Public Utilities Regulatory Authority. Such approval
1336 shall be given only after (1) the applicant has clearly established to the
1337 satisfaction of the [commissioner] authority that such abundant
1338 supplies are in existence and will continue to be in existence for ten
1339 years, and (2) the purchasing community water system being supplied
1340 has agreed to restrict water usage in the same manner as the applicant
1341 when necessary in accordance with the emergency contingency
1342 provisions of the applicant's water supply plan. The [commissioner]
1343 authority shall make such determination on the basis of generally
1344 accepted engineering principles and techniques. The [commissioner]
1345 authority shall make an appropriate investigation in making such
1346 determination or shall have an investigation made by an independent
1347 person; in either event the cost of such investigation shall be borne by
1348 the applicant. Permission granted under this subsection shall be valid
1349 for such period up to ten years as the [commissioner] authority shall
1350 approve, and may be renewed in the same manner as an original
1351 application. "Public water system" includes a corporation, company,
1352 municipality, political subdivision, association, joint stock association,
1353 partnership or person, or lessee thereof, owning, maintaining,
1354 operating, managing or controlling any pond, lake, reservoir or
1355 distributing plant employed for the purpose of supplying water for
1356 general domestic use in any town, city or borough, or portion thereof,
1357 within this state. Permission granted under this section shall be in
1358 addition to any approval or other authorization which a public water
1359 system must by law receive from the Public Utilities Regulatory
1360 Authority. [, and nothing in this section shall be construed to impair
1361 the jurisdiction of the Public Utilities Regulatory Authority.]

1362 (b) Any company, town, city, borough, corporation or person may
1363 appeal from any decision of [said commissioner] the Public Utilities
1364 Regulatory Authority issued under the provisions of subsection (a) of
1365 this section to the superior court as provided in section 4-183.

1366 Sec. 36. Subsections (a) and (b) of section 22a-471 of the general
1367 statutes are repealed and the following is substituted in lieu thereof
1368 (*Effective July 1, 2014*):

1369 (a) (1) If the commissioner determines that pollution of the
1370 groundwaters has occurred or can reasonably be expected to occur and
1371 the [Commissioner of Public Health] Public Utilities Regulatory
1372 Authority determines that the extent of pollution creates or can
1373 reasonably be expected to create an unacceptable risk of injury to the
1374 health or safety of persons using such groundwaters as a public or
1375 private source of water for drinking or other personal or domestic
1376 uses, the Commissioner of Energy and Environmental Protection shall,
1377 within available appropriations, arrange for the short-term provision
1378 of potable drinking water to those residential buildings and
1379 elementary and secondary schools affected by such pollution until
1380 either he issues an order pursuant to this section requiring the
1381 provision of such short-term supply and the recipient complies with
1382 such order or a long-term supply of potable drinking water has been
1383 provided, whichever is earlier. In determining if pollution creates an
1384 unacceptable risk of injury, the [Commissioner of Public Health] Public
1385 Utilities Regulatory Authority shall balance all relevant and
1386 substantive facts and inferences and shall not be limited to a
1387 consideration of available statistical analysis but shall consider all of
1388 the evidence presented and any factor related to human health risks.
1389 The commissioner may issue an order to the person or municipality
1390 responsible for such pollution requiring that potable drinking water be
1391 provided to all persons affected by such pollution. If the commissioner
1392 finds that more than one person or municipality is responsible for such
1393 pollution, he shall attempt to apportion responsibility if he determines

1394 that apportionment is appropriate. If he does not apportion
1395 responsibility, all persons and municipalities responsible for the
1396 pollution of the groundwaters shall be jointly and severally
1397 responsible for the providing of potable drinking water to persons
1398 affected by such pollution. If the commissioner determines that the
1399 state or an agency or department of the state is responsible in whole or
1400 in part for the pollution of the groundwaters, such agency or
1401 department shall prepare or arrange for the preparation of an
1402 engineering report and shall provide or arrange for the provision of a
1403 long-term potable drinking water supply. If the commissioner is
1404 unable to determine the person or municipality responsible or if he
1405 determines that the responsible persons have no assets other than land,
1406 buildings, business machinery or livestock and are unable to secure a
1407 loan at a reasonable rate of interest to provide potable drinking water,
1408 he may prepare or arrange for the preparation of an engineering report
1409 and provide or arrange for the provision of a long-term potable
1410 drinking water supply or he may issue an order to the municipality
1411 wherein groundwaters unusable for potable drinking water are located
1412 requiring that short-term provision of potable drinking water be made
1413 to those existing residential buildings and elementary and secondary
1414 schools affected by such pollution and that long-term provision of
1415 potable drinking water be made to all persons affected by such
1416 pollution. For purposes of this section, "residential building" means
1417 any house, apartment, trailer, mobile manufactured home or other
1418 structure occupied by individuals as a dwelling, except a non-owner-
1419 occupied hotel or motel or a correctional institution.

1420 (2) Any order issued pursuant to this section may require the
1421 provision of potable drinking water in such quantities as the
1422 commissioner determines are necessary for drinking and other
1423 personal and domestic uses and may require the maintenance and
1424 monitoring of potable water supply facilities for any period which the
1425 commissioner determines is necessary. In making such determinations,
1426 the commissioner shall consider the short-term and long-term needs

1427 for potable drinking water and the health and safety of those persons
1428 whose water supply is unusable. Any order may require the
1429 submission of an engineering report which shall be subject to the
1430 approval of the commissioner and the [Commissioner of Public
1431 Health] Public Utilities Regulatory Authority and include, but not be
1432 limited to, a description in detail of the problem, area and population
1433 affected by pollution of the groundwaters; the expected duration of
1434 and extent of the pollution; alternate solutions including relative cost
1435 of construction or installation, operation and maintenance; design
1436 criteria on all alternate solutions; and any other information which the
1437 commissioner deems necessary. Upon review of such report, the
1438 commissioner and the [Commissioner of Public Health] Public Utilities
1439 Regulatory Authority shall consider the nature of the pollution, the
1440 expected duration and extent of the pollution, the health and safety of
1441 the persons affected, the initial and ongoing cost-effectiveness and
1442 reliability of each alternative and any other factors which they deem
1443 relevant, and shall approve a system or method to provide potable
1444 drinking water pursuant to the order. Each order shall include a time
1445 schedule for the accomplishment of the steps leading to the provision
1446 of potable drinking water. Notwithstanding the fact that a responsible
1447 party has been or may be identified or a request for a hearing on or a
1448 pending appeal from an order issued pursuant to this section, when
1449 pollution of the groundwaters has occurred or may reasonably be
1450 expected to occur, the commissioner may prepare or arrange for the
1451 preparation of an engineering report as described in this subdivision
1452 and may provide or arrange for the provision of a long-term potable
1453 drinking water supply. In any case where the state or an agency or
1454 department of the state is responsible in whole or in part for the
1455 pollution of the groundwaters, such agency or department shall
1456 prepare or arrange for the preparation of an engineering report and
1457 shall provide or arrange for the provision of a long-term potable
1458 drinking water supply, and if the state is not the sole responsible party,
1459 the commissioner shall seek reimbursement under subdivision (4) of
1460 subsection (b) of this section for the costs of such report and for the

1461 provision of potable water. The cost of the report and of the provision
1462 of a long-term potable drinking water supply, as funds allow, shall be
1463 paid from the proceeds of any bonds authorized for the provision of
1464 potable drinking water.

1465 (3) The provisions of this section shall not affect the rights of any
1466 municipality to institute suit to recover all damages, expenses and
1467 costs incurred by the municipality from any responsible party,
1468 including, but not limited to, the costs specified in subparagraph (B)(i)
1469 and (ii) of subdivision (4) of subsection (b) of this section and, in the
1470 case of any municipality which is not responsible for the pollution of
1471 the groundwaters, the additional amounts specified in subparagraph
1472 (B)(iii) and (iv) of subdivision (4) of subsection (b) of this section.

1473 (4) No provision of this section shall limit the liability of any person
1474 who or municipality which renders the groundwaters unusable for
1475 potable drinking water from a suit for damages by a person who or
1476 municipality which relied on said groundwaters for potable drinking
1477 water prior to the determination by the commissioner that the
1478 groundwaters are polluted.

1479 (5) The commissioner may issue any order pursuant to this section if
1480 the pollution of the groundwaters occurred before or after July 1, 1982.

1481 (6) The commissioner may at any time require further action by any
1482 person to whom or municipality to which an order is issued pursuant
1483 to this section if he determines that such action is necessary to protect
1484 the health and safety of those persons whose water supply was
1485 rendered unusable.

1486 (b) (1) (A) Any municipality not responsible for the pollution of the
1487 groundwaters which is ordered to provide potable drinking water in
1488 accordance with subsection (a) of this section may apply to the
1489 commissioner for a grant as provided by this subsection. Except as
1490 provided in subparagraph (C) of subdivision (1) of this subsection and
1491 in subdivision (2) of this subsection, the commissioner shall make

1492 grants for the short-term provision of potable drinking water and the
1493 construction or installation of individual wells or individual water
1494 treatment systems, including, but not limited to, carbon absorption
1495 filters and shall make grants for other capital improvements for the
1496 long-term provision of potable drinking water from any bond
1497 authorization established for that purpose.

1498 (B) The amount distributed to a municipality shall, as funds allow,
1499 equal one hundred per cent of the cost of short-term provision of
1500 potable drinking water, one hundred per cent of the cost of the
1501 engineering report required by this section, one hundred per cent of
1502 the cost of capital improvements for the most cost-effective long-term
1503 method of providing potable drinking water as determined by the
1504 commissioner and the [Commissioner of Public Health] Public Utilities
1505 Regulatory Authority upon consideration of such engineering report,
1506 and one hundred per cent of the cost during the first five years of
1507 installation of monitoring and maintaining individual water treatment
1508 systems and monitoring drinking water wells located in an area where
1509 the commissioner determines that pollution of the groundwater is
1510 reasonably likely to occur. No state funds shall be distributed to a
1511 municipality for the cost of operating or maintaining any potable
1512 water supply facilities other than as specified in this subsection.

1513 (C) Notwithstanding any provision of this subsection to the
1514 contrary, the commissioner may advance to a municipality, from the
1515 proceeds of any bonds authorized for the provision of potable drinking
1516 water, any percentage of the cost of short-term and long-term
1517 provision of potable drinking water which he deems necessary.

1518 (2) (A) If the commissioner is unable to determine the person or
1519 municipality responsible for rendering the groundwaters unusable for
1520 potable drinking water or if he determines that the responsible persons
1521 have no assets other than land, buildings, business machinery or
1522 livestock and are unable to secure a loan at a reasonable rate of interest
1523 to provide potable drinking water, a water company which has less

1524 than ten thousand customers and which owns, maintains, operates,
1525 manages, controls or employs a water supply well which is rendered
1526 unusable for potable drinking water, may apply to the commissioner
1527 for a grant from funds established pursuant to section 22a-451 or from
1528 the proceeds of any bonds authorized for the provision of potable
1529 drinking water. If, upon review of the engineering report required by
1530 this subsection to be submitted with an application for such a grant,
1531 the commissioner determines that a grant to a water company from
1532 available appropriations or from the proceeds of any bonds authorized
1533 for the provision of potable drinking water is appropriate, he may
1534 make such a grant in accordance with regulations adopted by him
1535 pursuant to subsection (e) of this section.

1536 (B) The total amount distributed to a water company pursuant to
1537 this subsection shall, as funds allow, equal fifty per cent of the cost of
1538 the engineering report required by this subsection and fifty per cent of
1539 the cost of the most cost-effective long-term method of rendering the
1540 water supply in question usable for potable drinking water, as
1541 determined by the commissioner and the [Commissioner of Public
1542 Health] Public Utilities Regulatory Authority upon consideration of
1543 the required engineering report.

1544 (C) For purposes of this section, "water company" and "customer"
1545 shall have the same meaning as specified in section 25-32a.

1546 (D) Any water company applying for a grant pursuant to this
1547 section shall prepare or have prepared an engineering report which
1548 shall be subject to the approval of the commissioner and the
1549 [Commissioner of Public Health] Public Utilities Regulatory Authority
1550 and include, but not be limited to, a description in detail of the
1551 problem, area and population affected by pollution of the
1552 groundwaters; alternate solutions including relative cost of
1553 construction or installation, operation and maintenance; design criteria
1554 on all alternate solutions and any other information the commissioner
1555 deems necessary.

1556 (3) (A) If a municipality or water company receives funding from a
1557 private source, a federal grant or another state grant for any cost for
1558 which a grant may be awarded pursuant to this section, the grant
1559 under this section shall equal the specified percentage of the costs
1560 specified in this subsection minus the amount of the other funding.

1561 (B) If a municipality or water company receives a grant under this
1562 section and is compensated by a person who or municipality which is
1563 responsible for rendering the groundwaters unusable for potable
1564 drinking water, the municipality or water company shall reimburse
1565 the account from which the funds were made available for the grant as
1566 follows: If the compensation from the responsible party equals or
1567 exceeds the costs toward which the grant was to be applied, the
1568 municipality or water company shall reimburse the total amount of the
1569 grant; if the compensation is less than the cost toward which the grant
1570 was to be applied, the municipality or water company shall reimburse
1571 a percentage of the compensation equal to the percentage of such costs
1572 paid by the grant.

1573 (4) (A) Notwithstanding any request for a hearing or a pending
1574 appeal therefrom, if a person or municipality responsible for pollution
1575 of the groundwaters fails to comply with an order of the commissioner
1576 issued pursuant to this section, the municipality wherein such
1577 pollution is located may, after giving written notice of its intent to the
1578 commissioner and the responsible person or municipality, undertake
1579 the actions required by the order and seek reimbursement for the cost
1580 of such actions from the responsible person or municipality. If at any
1581 time after receipt of such a notice, the responsible party intends to
1582 comply with a step of the order which the municipality has not yet
1583 completed, the responsible party may do so with the written approval
1584 of the commissioner and municipality, provided the actions which the
1585 responsible party takes are consistent with those taken by the
1586 municipality.

1587 (B) The commissioner may order any person or municipality

1588 responsible for pollution of the groundwaters to reimburse the state, a
1589 water company, and any municipality which is not responsible for
1590 pollution but received an order pursuant to this section or which did
1591 not receive such an order but voluntarily provided potable drinking
1592 water, for (i) the expenses each incurred in providing potable drinking
1593 water to any person affected by such pollution, provided the required
1594 reimbursement for such expenses shall not exceed the actual cost of
1595 short-term provision of potable drinking water and an amount equal
1596 to the reasonable cost of planning and implementing the most cost-
1597 effective long-term method of providing potable drinking water as
1598 determined by the commissioner and the [Commissioner of Public
1599 Health] Public Utilities Regulatory Authority; (ii) costs for recovering
1600 such reimbursement; (iii) interest on the expenses specified in (i) at a
1601 rate of ten per cent a year from the date such expenses were paid; and
1602 (iv) reasonable attorney's fees. The commissioner may request the
1603 Attorney General to bring a civil action to recover any costs or
1604 expenses incurred by the commissioner pursuant to this subsection
1605 provided no such action may be brought later than ten years after the
1606 date of discovery of the pollution of public or private sources of water
1607 for drinking or other personal or domestic use.

1608 (C) If a municipality fails to recover all expenses specified in
1609 subparagraph (B)(i) of subdivision (4) of this subsection from the
1610 responsible party, the municipality may apply to the commissioner for
1611 a grant in accordance with this subsection, provided the total amount
1612 of funds received from the commissioner and the responsible party
1613 shall not exceed the amounts specified in subparagraph (B) of
1614 subdivision (1) of subsection (b) of this section.

1615 (5) For purposes of this section except subdivision (3) of subsection
1616 (a) and subparagraph (B)(ii) of subdivision (4) of this subsection, "cost"
1617 includes only those costs which the commissioner determines are
1618 necessary and reasonable, including, but not limited to, the cost of
1619 plans and specifications, construction or installation and supervision
1620 thereof.

1621 (6) If any grant application is pending on June 7, 1994, and is
1622 approved by the commissioner, the percentage of costs to be paid by
1623 the grant shall be determined in accordance with this section. Any
1624 order pending on May 31, 1985, shall be construed in accordance with
1625 this section.

1626 (7) Any person who or municipality which provides potable
1627 drinking water pursuant to this section may, with the approval of the
1628 commissioner, construct or install facilities beyond the areas included
1629 in the order or facilities which are more costly than those which are
1630 determined to be most cost-effective, provided any request for a grant
1631 or reimbursement shall be limited to the amounts specified in this
1632 section.

1633 Sec. 37. Section 22a-475 of the general statutes is repealed and the
1634 following is substituted in lieu thereof (*Effective July 1, 2014*):

1635 As used in this section and sections 22a-476 to 22a-483, inclusive, the
1636 following terms shall have the following meanings unless the context
1637 clearly indicates a different meaning or intent:

1638 (1) "Bond anticipation note" means a note issued by a municipality
1639 in anticipation of the receipt of the proceeds of a project loan obligation
1640 or a grant account loan obligation.

1641 (2) "Clean Water Fund" means the fund created under section 22a-
1642 477, as amended by this act.

1643 (3) "Combined sewer projects" means any project undertaken to
1644 mitigate pollution due to combined sewer and storm drain systems,
1645 including, but not limited to, components of regional water pollution
1646 control facilities undertaken to prevent the overflow of untreated
1647 wastes due to collection system inflow, provided the state share of the
1648 cost of such components is less than the state share of the estimated
1649 cost of eliminating such inflow by means of physical separation at the
1650 sources of such inflow.

1651 (4) "Commissioner" means the Commissioner of Energy and
1652 Environmental Protection.

1653 (5) "Department" means the Department of Energy and
1654 Environmental Protection.

1655 (6) "Disadvantaged communities" means the service area of a public
1656 water system that meets affordability criteria established by the Office
1657 of Policy and Management in accordance with applicable federal
1658 regulations.

1659 (7) "Drinking water federal revolving loan account" means the
1660 drinking water federal revolving loan account of the Clean Water Fund
1661 created under section 22a-477, as amended by this act.

1662 (8) "Drinking water state account" means the drinking water state
1663 account of the Clean Water Fund created under section 22a-477, as
1664 amended by this act.

1665 (9) "Eligible drinking water project" means the planning, design,
1666 development, construction, repair, extension, improvement,
1667 remodeling, alteration, rehabilitation, reconstruction or acquisition of
1668 all or a portion of a public water system approved by the
1669 [Commissioner of Public Health] Public Utilities Regulatory Authority,
1670 under sections 22a-475 to 22a-483, inclusive, as amended by this act.

1671 (10) "Eligible project" means an eligible drinking water project or an
1672 eligible water quality project, as applicable.

1673 (11) "Eligible water quality project" means the planning, design,
1674 development, construction, repair, extension, improvement,
1675 remodeling, alteration, rehabilitation, reconstruction or acquisition of a
1676 water pollution control facility approved by the commissioner under
1677 sections 22a-475 to 22a-483, inclusive, as amended by this act.

1678 (12) "Eligible project costs" means the total costs of an eligible
1679 project which are determined by (A) the commissioner, or (B) if the

1680 project is an eligible drinking water project, the [Commissioner of
1681 Public Health, and in consultation with the] Public Utilities Regulatory
1682 Authority, [when the recipient is a water company, as defined in
1683 section 16-1,] to be necessary and reasonable. The total costs of a
1684 project may include the costs of all labor, materials, machinery and
1685 equipment, lands, property rights and easements, interest on project
1686 loan obligations and bond anticipation notes, including costs of
1687 issuance approved by the commissioner or by the [Commissioner of
1688 Public Health] Public Utilities Regulatory Authority if the project is an
1689 eligible drinking water project, plans and specifications, surveys or
1690 estimates of costs and revenues, engineering and legal services,
1691 auditing and administrative expenses, and all other expenses
1692 approved by the commissioner or by the [Commissioner of Public
1693 Health] Public Utilities Regulatory Authority if the project is an
1694 eligible drinking water project, which are incident to all or part of an
1695 eligible project.

1696 (13) "Eligible public water system" means a water company, as
1697 defined in section 25-32a, serving twenty-five or more persons or
1698 fifteen or more service connections year round and nonprofit
1699 noncommunity water systems.

1700 (14) "Grant account loan" means a loan to a municipality by the state
1701 from the water pollution control state account of the Clean Water
1702 Fund.

1703 (15) "Grant account loan obligation" means bonds or other
1704 obligations issued by a municipality to evidence the permanent
1705 financing by such municipality of its indebtedness under a project
1706 funding agreement with respect to a grant account loan, made payable
1707 to the state for the benefit of the water pollution control state account
1708 of the Clean Water Fund and containing such terms and conditions
1709 and being in such form as may be approved by the commissioner.

1710 (16) "Grant anticipation note" means any note or notes issued in

1711 anticipation of the receipt of a project grant.

1712 (17) "Interim funding obligation" means any bonds or notes issued
1713 by a recipient in anticipation of the issuance of project loan obligations,
1714 grant account loan obligations or the receipt of project grants.

1715 (18) "Intended use plan" means a document if required, prepared by
1716 the [Commissioner of Public Health] Public Utilities Regulatory
1717 Authority, in accordance with section 22a-478, as amended by this act.

1718 (19) "Municipality" means any metropolitan district, town,
1719 consolidated town and city, consolidated town and borough, city,
1720 borough, village, fire and sewer district, sewer district or public
1721 authority and each municipal organization having authority to levy
1722 and collect taxes or make charges for its authorized function.

1723 (20) "Pollution abatement facility" means any equipment, plant,
1724 treatment works, structure, machinery, apparatus or land, or any
1725 combination thereof, which is acquired, used, constructed or operated
1726 for the storage, collection, reduction, recycling, reclamation, disposal,
1727 separation or treatment of water or wastes, or for the final disposal of
1728 residues resulting from the treatment of water or wastes, and includes,
1729 but is not limited to: Pumping and ventilating stations, facilities, plants
1730 and works; outfall sewers, interceptor sewers and collector sewers; and
1731 other real or personal property and appurtenances incident to their use
1732 or operation.

1733 (21) "Priority list of eligible drinking water projects" means the
1734 priority list of eligible drinking water projects established by the
1735 [Commissioner of Public Health] Public Utilities Regulatory Authority
1736 in accordance with the provisions of sections 22a-475 to 22a-483,
1737 inclusive, as amended by this act.

1738 (22) "Priority list of eligible projects" means the priority list of
1739 eligible drinking water projects or the priority list of eligible water
1740 quality projects, as applicable.

1741 (23) "Priority list of eligible water quality projects" means the
1742 priority list of eligible water quality projects established by the
1743 commissioner in accordance with the provisions of sections 22a-475 to
1744 22a-483, inclusive, as amended this act.

1745 (24) "Program" means the municipal water quality financial
1746 assistance program, including the drinking water financial assistance
1747 program, created under sections 22a-475 to 22a-483, inclusive, as
1748 amended by this act.

1749 (25) "Project grant" means a grant made to a municipality by the
1750 state from the water pollution control state account of the Clean Water
1751 Fund or the Long Island Sound clean-up account of the Clean Water
1752 Fund.

1753 (26) "Project loan" means a loan made to a recipient by the state
1754 from the Clean Water Fund.

1755 (27) "Project funding agreement" means a written agreement
1756 between the state, acting by and through the commissioner or, if the
1757 project is an eligible drinking water project, acting by and through [the
1758 Commissioner of Public Health, in consultation with] the Public
1759 Utilities Regulatory Authority when the recipient is a water company,
1760 as defined in section 16-1, and a recipient with respect to a project
1761 grant, a grant account loan and a project loan as provided under
1762 sections 22a-475 to 22a-483, inclusive, as amended by this act, and
1763 containing such terms and conditions as may be approved by the
1764 commissioner or, if the project is an eligible drinking water project, by
1765 the [Commissioner of Public Health] Public Utilities Regulatory
1766 Authority.

1767 (28) "Project obligation" or "project loan obligation" means bonds or
1768 other obligations issued by a recipient to evidence the permanent
1769 financing by such recipient of its indebtedness under a project funding
1770 agreement with respect to a project loan, made payable to the state for
1771 the benefit of the water pollution control federal revolving loan

1772 account, the drinking water federal revolving loan account or the
1773 drinking water state account, as applicable, of the Clean Water Fund
1774 and containing such terms and conditions and being in such form as
1775 may be approved by the commissioner or, if the project is an eligible
1776 drinking water project, by the [Commissioner of Public Health] Public
1777 Utilities Regulatory Authority.

1778 (29) "Public water system" means a public water system, as defined
1779 for purposes of the federal Safe Drinking Water Act, as amended or
1780 superseded.

1781 (30) "Recipient" means a municipality or eligible public water
1782 system, as applicable.

1783 (31) "State bond anticipation note" means any note or notes issued
1784 by the state in anticipation of the issuance of bonds.

1785 (32) "State grant anticipation note" means any note or notes issued
1786 by the state in anticipation of the receipt of federal grants.

1787 (33) "Water pollution control facility" means a pollution abatement
1788 facility which stores, collects, reduces, recycles, reclaims, disposes of,
1789 separates or treats sewage, or disposes of residues from the treatment
1790 of sewage.

1791 (34) "Water pollution control state account" means the water
1792 pollution control state account of the Clean Water Fund created under
1793 section 22a-477, as amended by this act.

1794 (35) "Water pollution control federal revolving loan account" means
1795 the water pollution control federal revolving loan account of the Clean
1796 Water Fund created under section 22a-477, as amended by this act.

1797 (36) "Long Island Sound clean-up account" means the Long Island
1798 Sound clean-up account created under section 22a-477, as amended by
1799 this act.

1800 Sec. 38. Subsections (p) to (t), inclusive, of section 22a-477 of the
1801 general statutes are repealed and the following is substituted in lieu
1802 thereof (*Effective July 1, 2014*):

1803 (p) Within the drinking water federal revolving loan account there
1804 are established the following subaccounts: (1) A federal receipts
1805 subaccount, into which shall be deposited federal capitalization grants
1806 and federal capitalization awards received by the state pursuant to the
1807 federal Safe Drinking Water Act or other related federal acts; (2) a state
1808 bond receipts subaccount into which shall be deposited the proceeds of
1809 notes, bonds or other obligations issued by the state for the purpose of
1810 deposit therein; (3) a state General Fund receipts subaccount into
1811 which shall be deposited funds appropriated by the General Assembly
1812 for the purpose of deposit therein; and (4) a federal loan repayment
1813 subaccount into which shall be deposited payments received from any
1814 recipient in repayment of a project loan made from any moneys
1815 deposited in the drinking water federal revolving loan account.
1816 Moneys in each subaccount created under this subsection may be
1817 expended by the [Commissioner of Public Health] Public Utilities
1818 Regulatory Authority for any of the purposes of the drinking water
1819 federal revolving loan account and investment earnings of any
1820 subaccount shall be deposited in such account.

1821 (q) There shall be deposited in the drinking water state account of
1822 the Clean Water Fund: (1) The proceeds of notes, bonds or other
1823 obligations issued by the state for the purpose of deposit therein and
1824 use in accordance with the permissible uses thereof; (2) funds
1825 appropriated by the General Assembly for the purpose of deposit
1826 therein and use in accordance with the permissible uses thereof; (3)
1827 interest or other income earned on the investment of moneys in the
1828 drinking water state account; (4) payments received from any recipient
1829 as repayment for a project loan made with moneys on deposit in the
1830 drinking water state account; and (5) any additional moneys made
1831 available from any sources, public or private, for the purposes for
1832 which the drinking water state account has been established other than

1833 moneys on deposit in the federal receipts subaccount of the drinking
1834 water federal revolving loan account.

1835 (r) Within the drinking water state account there are established the
1836 following subaccounts: (1) A state bond receipts subaccount, into
1837 which shall be deposited the proceeds of notes, bonds or other
1838 obligations issued by the state for the purpose of deposit therein; (2) a
1839 General Fund receipts subaccount into which shall be deposited funds
1840 appropriated by the General Assembly for the purpose of deposit
1841 therein; and (3) a state loan repayment subaccount into which shall be
1842 deposited payments received from any recipient in repayment of a
1843 project loan made from any moneys deposited in the drinking water
1844 state account.

1845 (s) Amounts in the drinking water federal revolving loan account of
1846 the Clean Water Fund shall be available to the [Commissioner of
1847 Public Health] Public Utilities Regulatory Authority to provide
1848 financial assistance (1) to any recipient for construction of eligible
1849 drinking water projects approved by the [Department of Public
1850 Health] authority, and (2) for any other purpose authorized by the
1851 federal Safe Drinking Water Act or other related federal acts. In
1852 providing such financial assistance to recipients, amounts in such
1853 account may be used only: (A) By the [Commissioner of Public Health]
1854 Public Utilities Regulatory Authority in conjunction with the State
1855 Treasurer to make loans to recipients at an interest rate not exceeding
1856 one-half the rate of the average net interest cost as determined by the
1857 last previous similar bond issue by the state of Connecticut as
1858 determined by the State Bond Commission in accordance with
1859 subsection (t) of section 3-20, provided such loans shall not exceed a
1860 term of twenty years, or such longer period as may be permitted by
1861 applicable federal law, and shall have principal and interest payments
1862 commencing not later than one year after scheduled completion of the
1863 project, and provided the loan recipient shall establish a dedicated
1864 source of revenue for repayment of the loan, except to the extent that
1865 the priority list of eligible drinking water projects allows for the

1866 making of project loans upon different terms, including reduced
1867 interest rates or an extended term, if permitted by federal law; (B) by
1868 the [Commissioner of Public Health] Public Utilities Regulatory
1869 Authority to guarantee, or purchase insurance for, local obligations,
1870 where such action would improve credit market access or reduce
1871 interest rates; (C) as a source of revenue or security for the payment of
1872 principal and interest on revenue or general obligation bonds issued
1873 by the state if the proceeds of the sale of such bonds have been
1874 deposited in such account; (D) to be invested by the State Treasurer
1875 and earn interest on moneys in such account; (E) by the [Department of
1876 Public Health] Public Utilities Regulatory Authority to pay for the
1877 reasonable costs of administering such account and conducting
1878 activities under the federal Safe Drinking Water Act or other related
1879 federal acts; and (F) by the [Commissioner of Public Health] Public
1880 Utilities Regulatory Authority to provide additional forms of
1881 subsidization, including grants, principal forgiveness or negative
1882 interest loans or any combination thereof, if permitted by federal law
1883 and made pursuant to a project funding agreement in accordance with
1884 subsection (k) of section 22a-478, as amended by this act.

1885 (t) Amounts in the drinking water state account of the Clean Water
1886 Fund shall be available: (1) To be invested by the State Treasurer to
1887 earn interest on moneys in such account; (2) for the [Commissioner of
1888 Public Health] Public Utilities Regulatory Authority to provide
1889 additional forms of subsidization, including grants, principal
1890 forgiveness or negative forgiveness loans or any combination thereof
1891 to recipients in a manner provided under the federal Safe Drinking
1892 Water Act in the amounts and in the manner set forth in a project
1893 funding agreement; (3) for the [Commissioner of Public Health] Public
1894 Utilities Regulatory Authority to make loans to recipients in amounts
1895 and in the manner set forth in a project funding agreement for
1896 planning and developing eligible drinking water projects prior to
1897 construction and permanent financing; (4) for the [Commissioner of
1898 Public Health] Public Utilities Regulatory Authority to make loans to

1899 recipients, for terms not exceeding twenty years, for an eligible
1900 drinking water project; (5) for the [Commissioner of Public Health]
1901 Public Utilities Regulatory Authority to pay the costs of studies and
1902 surveys to determine drinking water needs and priorities and to pay
1903 the expenses of the [Department of Public Health] authority in
1904 undertaking such studies and surveys and in administering the
1905 program; (6) for the payment of costs as agreed to by the [Department
1906 of Public Health] Public Utilities Regulatory Authority after
1907 consultation with the Secretary of the Office of Policy and
1908 Management and the office of the State Treasurer for administration
1909 and management of the drinking water programs within the Clean
1910 Water Fund; (7) for the State Treasurer to pay debt service on bonds of
1911 the state issued to fund the drinking water programs within the Clean
1912 Water Fund, or for the purchase or redemption of such bonds; and (8)
1913 for any other purpose of the drinking water programs within the Clean
1914 Water Fund and the program relating thereto.

1915 Sec. 39. Subsections (h) to (n), inclusive, of section 22a-478 of the
1916 general statutes are repealed and the following is substituted in lieu
1917 thereof (*Effective July 1, 2014*):

1918 (h) The [Department of Public Health] Public Utilities Regulatory
1919 Authority shall establish and maintain a priority list of eligible
1920 drinking water projects and shall establish a system setting the priority
1921 for making project loans to eligible public water systems. In
1922 establishing such priority list and ranking system, the [Commissioner
1923 of Public Health] Public Utilities Regulatory Authority shall consider
1924 all factors which [he] it deems relevant, including but not limited to the
1925 following: (1) The public health and safety; (2) protection of
1926 environmental resources; (3) population affected; (4) risk to human
1927 health; (5) public water systems most in need on a per household basis
1928 according to applicable state affordability criteria; (6) compliance with
1929 the applicable requirements of the federal Safe Drinking Water Act and
1930 other related federal acts; (7) applicable state and federal regulations.

1931 The priority list of eligible drinking water projects shall include a
1932 description of each project and its purpose, impact, cost and
1933 construction schedule, and an explanation of the manner in which
1934 priorities were established. The [Commissioner of Public Health]
1935 Public Utilities Regulatory Authority shall adopt an interim priority
1936 list of eligible drinking water projects for the purpose of making
1937 project loans prior to adoption of final regulations, and in so doing
1938 may utilize existing rules and regulations of the [department]
1939 authority relating to the program. To the extent required by applicable
1940 federal law, the [Department of Public Health] Public Utilities
1941 Regulatory Authority shall prepare any required intended use plan
1942 with respect to eligible drinking water projects; (8) consistency with
1943 the plan of conservation and development; (9) consistency with the
1944 policies delineated in section 22a-380; and (10) consistency with the
1945 coordinated water system plan in accordance with subsection (f) of
1946 section 25-33d, as amended by this act.

1947 (i) In each fiscal year the [Commissioner of Public Health] Public
1948 Utilities Regulatory Authority may make project loans to recipients in
1949 the order of the priority list of eligible drinking water projects to the
1950 extent of moneys available therefor in the appropriate accounts of the
1951 Clean Water Fund. Each recipient undertaking an eligible drinking
1952 water project may apply for and receive a project loan or loans in an
1953 amount equal to one hundred per cent of the eligible project costs.

1954 (j) The funding of an eligible drinking water project shall be
1955 pursuant to a project funding agreement between the state, acting by
1956 and through the [Commissioner of Public Health] Public Utilities
1957 Regulatory Authority, and the recipient undertaking such project and
1958 shall be evidenced by a project fund obligation or an interim funding
1959 obligation of such recipient issued in accordance with section 22a-479,
1960 as amended by this act. A project funding agreement shall be in a form
1961 prescribed by the [Commissioner of Public Health] Public Utilities
1962 Regulatory Authority. Any eligible drinking water project shall receive
1963 a project loan for the costs of the project. All loans made in accordance

1964 with the provisions of this section for an eligible drinking water project
1965 shall bear an interest rate not exceeding one-half the rate of the average
1966 net interest cost as determined by the last previous similar bond issue
1967 by the state of Connecticut as determined by the State Bond
1968 Commission in accordance with subsection (t) of section 3-20. The
1969 [Commissioner of Public Health] Public Utilities Regulatory Authority
1970 may allow any project fund obligation or interim funding obligation
1971 for an eligible drinking water project to be repaid by a borrowing
1972 recipient prior to maturity without penalty.

1973 (k) Each project loan for an eligible drinking water project shall be
1974 made pursuant to a project funding agreement between the state,
1975 acting by and through the [Commissioner of Public Health] Public
1976 Utilities Regulatory Authority, and such recipient, and each project
1977 loan for an eligible drinking water project shall be evidenced by a
1978 project loan obligation or by an interim funding obligation of such
1979 recipient issued in accordance with sections 22a-475 to 22a-483,
1980 inclusive, as amended by this act. Except as otherwise provided in said
1981 sections 22a-475 to 22a-483, inclusive, as amended by this act, each
1982 project funding agreement shall contain such terms and conditions,
1983 including provisions for default which shall be enforceable against a
1984 recipient, as shall be approved by the [Commissioner of Public Health]
1985 Public Utilities Regulatory Authority. Each project loan obligation or
1986 interim funding obligation issued pursuant to a project funding
1987 agreement for an eligible drinking water project shall bear an interest
1988 rate not exceeding one-half the rate of the average net interest cost as
1989 determined by the last previous similar bond issue by the state of
1990 Connecticut as determined by the State Bond Commission in
1991 accordance with subsection (t) of section 3-20. Except as otherwise
1992 provided in said sections 22a-475 to 22a-483, inclusive, as amended by
1993 this act, each project loan obligation and interim funding obligation
1994 shall be issued in accordance with the terms and conditions set forth in
1995 the project funding agreement. Notwithstanding any other provision
1996 of the general statutes, public act or special act to the contrary, each

1997 project loan obligation for an eligible drinking water project shall
1998 mature no later than twenty years from the date of completion of the
1999 construction of the project and shall be paid in monthly installments of
2000 principal and interest or in monthly installments of principal unless a
2001 finding is otherwise made by the State Treasurer requiring a different
2002 payment schedule. Interest on each project loan obligation for an
2003 eligible drinking water project shall be payable monthly unless a
2004 finding is otherwise made by the State Treasurer requiring a different
2005 payment schedule. Principal and interest on interim funding
2006 obligations issued under a project funding agreement for an eligible
2007 drinking water project shall be payable at such time or times as
2008 provided in the project funding agreement, not exceeding six months
2009 after the date of completion of the planning and design phase or the
2010 construction phase, as applicable, of the eligible drinking water project,
2011 as determined by the [Commissioner of Public Health] Public Utilities
2012 Regulatory Authority, and may be paid from the proceeds of a renewal
2013 note or notes or from the proceeds of a project loan obligation. The
2014 [Commissioner of Public Health] Public Utilities Regulatory Authority
2015 may allow any project loan obligation or interim funding obligation for
2016 an eligible drinking water project to be repaid by the borrowing
2017 recipient prior to maturity without penalty.

2018 (l) The [Commissioner of Public Health] Public Utilities Regulatory
2019 Authority may make a project loan to a recipient pursuant to a project
2020 funding agreement for an eligible drinking water project for the
2021 planning and design phase of an eligible project, to the extent provided
2022 by the federal Safe Drinking Water Act, as amended. Principal and
2023 interest on a project loan for the planning and design phases of an
2024 eligible drinking water project may be paid from and included in the
2025 principal amount of a loan for the construction phase of an eligible
2026 drinking water project.

2027 (m) A project loan for an eligible drinking water project shall not be
2028 made to a recipient unless: (1) In the case of a project loan for the
2029 construction phase, final plans and specifications for such project are

2030 approved by the [Commissioner of Public Health,] Public Utilities
2031 Regulatory Authority; [and when the recipient is a water company, as
2032 defined in section 16-1, with the concurrence of the Public Utilities
2033 Regulatory Authority, and with the approval of the Commissioner of
2034 Public Health for consistency with financial requirements of the
2035 general statutes, regulations and resolutions;] (2) each recipient
2036 undertaking such project provides assurances satisfactory to the
2037 [Commissioner of Public Health] Public Utilities Regulatory Authority
2038 that the recipient shall undertake and complete such project with due
2039 diligence and, in the case of a project loan for the construction phase,
2040 that it shall own such project and shall operate and maintain the
2041 eligible drinking water project for a period and in a manner
2042 satisfactory to the [Department of Public Health] authority after
2043 completion of such project; (3) each recipient undertaking such project
2044 has filed with the [Commissioner of Public Health] Public Utilities
2045 Regulatory Authority all applications and other documents prescribed
2046 by the [Public Utilities Regulatory Authority and the Commissioner of
2047 Public Health] authority within time periods prescribed by the
2048 [Commissioner of Public Health] authority; (4) each recipient
2049 undertaking such project has established separate accounts for the
2050 receipt and disbursement of the proceeds of such project loan and has
2051 agreed to maintain project accounts in accordance with generally
2052 accepted government accounting standards or uniform system of
2053 accounts, as applicable; (5) in any case in which an eligible drinking
2054 water project shall be owned or maintained by more than one
2055 recipient, the [Commissioner of Public Health] Public Utilities
2056 Regulatory Authority has received evidence satisfactory to him that all
2057 such recipients are legally required to complete their respective
2058 portions of such project; (6) each recipient undertaking such project
2059 has agreed to comply with such audit requirements as may be
2060 imposed by the [Commissioner of Public Health] Public Utilities
2061 Regulatory Authority; and (7) in the case of a project loan for the
2062 construction phase, each recipient shall assure the Public Utilities
2063 Regulatory Authority [, as required, and the Commissioner of Public

2064 Health] that it has adequate legal, institutional, technical, managerial
2065 and financial capability to ensure compliance with the requirements of
2066 applicable federal law, except to the extent otherwise permitted by
2067 federal law.

2068 (n) Notwithstanding any provision of sections 22a-475 to 22a-483,
2069 inclusive, as amended by this act, [to the contrary, the Commissioner
2070 of Public Health] the Public Utilities Regulatory Authority may make a
2071 project loan or loans in accordance with the provisions of subsection (j)
2072 of this section with respect to an eligible drinking water project
2073 without regard to the priority list of eligible drinking water projects if
2074 a public drinking water supply emergency exists, pursuant to section
2075 25-32b, as amended by this act, which requires that the eligible
2076 drinking water project be undertaken to protect the public health and
2077 safety.

2078 Sec. 40. Subsections (c) to (f), inclusive, of section 22a-479 of the
2079 general statutes are repealed and the following is substituted in lieu
2080 thereof (*Effective July 1, 2014*):

2081 (c) Whenever a recipient has entered into a project funding
2082 agreement and has authorized the issuance of project loan obligations
2083 or grant account loan obligations, it may authorize the issuance of
2084 interim funding obligations. Proceeds from the issuance and sale of
2085 interim funding obligations shall be used to temporarily finance an
2086 eligible project pending receipt of the proceeds of a project loan
2087 obligation, a grant account loan obligation or project grant. Such
2088 interim funding obligations may be issued and sold to the state for the
2089 benefit of the Clean Water Fund or issued and sold to any other lender
2090 on such terms and in such manner as shall be determined by a
2091 recipient. Such interim funding obligations may be renewed from time
2092 to time by the issuance of other notes, provided the final maturity of
2093 such notes shall not exceed six months from the date of completion of
2094 the planning and design phase or the construction phase, as applicable,
2095 of an eligible project, as determined by the commissioner or, if the

2096 project is an eligible drinking water project, by the [Commissioner of
2097 Public Health] Public Utilities Regulatory Authority. Such notes and
2098 any renewals of a municipality shall not be subject to the requirements
2099 and limitations set forth in sections 7-378, 7-378a and 7-264. The
2100 provisions of section 7-374 shall apply to such notes and any renewals
2101 thereof of a municipality; except that project loan obligations, grant
2102 account loan obligations and interim funding obligations issued in
2103 order to meet the requirements of an abatement order of the
2104 commissioner shall not be subject to the debt limitation provisions of
2105 section 7-374, provided the municipality files a certificate, signed by its
2106 chief fiscal officer, with the commissioner demonstrating to the
2107 satisfaction of the commissioner that the municipality has a plan for
2108 levying a system of charges, assessments or other revenues sufficient,
2109 together with other available funds of the municipality, to repay such
2110 obligations as the same become due and payable. The officer or agency
2111 authorized by law or by vote of the recipient to issue such interim
2112 funding obligations shall, within any limitation imposed by such law
2113 or vote, determine the date, maturity, interest rate, form, manner of
2114 sale and other details of such obligations. Such obligations may bear
2115 interest or be sold at a discount and the interest or discount on such
2116 obligations, including renewals thereof, and the expense of preparing,
2117 issuing and marketing them may be included as a part of the cost of an
2118 eligible project. Upon the issuance of a project loan obligation or grant
2119 account loan obligation, the proceeds thereof, to the extent required,
2120 shall be applied forthwith to the payment of the principal of and
2121 interest on all interim funding obligations issued in anticipation
2122 thereof and upon receipt of a project grant, the proceeds thereof, to the
2123 extent required, shall be applied forthwith to the payment of the
2124 principal of and interest on all grant anticipation notes issued in
2125 anticipation thereof or, in either case, shall be deposited in trust for
2126 such purpose with a bank or trust company, which may be the bank or
2127 trust company, if any, at which such obligations are payable.

2128 (d) Project loan obligations, grant account loan obligations, interim

2129 funding obligations or any obligation of a municipality that satisfies
2130 the requirements of Title VI of the federal Water Pollution Control Act
2131 or the federal Safe Drinking Water Act or other related federal act may,
2132 as determined by the commissioner or, if the project is an eligible
2133 drinking water project, by the [Commissioner of Public Health] Public
2134 Utilities Regulatory Authority, be general obligations of the issuing
2135 municipality and in such case each such obligation shall recite that the
2136 full faith and credit of the issuing municipality are pledged for the
2137 payment of the principal thereof and interest thereon. To the extent a
2138 municipality is authorized pursuant to sections 22a-475 to 22a-483,
2139 inclusive, as amended by this act, to issue project loan obligations or
2140 interim funding obligations, such obligations may be secured by a
2141 pledge of revenues and other funds derived from its sewer system or
2142 public water supply system, as applicable. Each pledge and agreement
2143 made for the benefit or security of any of such obligations shall be in
2144 effect until the principal of, and interest on, such obligations have been
2145 fully paid, or until provision has been made for payment in the
2146 manner provided in the resolution authorizing their issuance or in the
2147 agreement for the benefit of the holders of such obligations. In any
2148 such case, such pledge shall be valid and binding from the time when
2149 such pledge is made. Any revenues or other receipts, funds or moneys
2150 so pledged and thereafter received by the municipality shall
2151 immediately be subject to the lien of such pledge without any physical
2152 delivery thereof or further act. The lien of any such pledge shall be
2153 valid and binding as against all parties having claims of any kind in
2154 tort, contract or otherwise against the municipality, irrespective of
2155 whether such parties have notice thereof. Neither the project loan
2156 obligation, interim funding obligation, project funding agreement nor
2157 any other instrument by which a pledge is created need be recorded.
2158 All securities or other investments of moneys of the state permitted or
2159 provided for under sections 22a-475 to 22a-483, inclusive, as amended
2160 by this act, may, upon the determination of the State Treasurer, be
2161 purchased and held in fully marketable form, subject to provision for
2162 any registration in the name of the state. Securities or other

2163 investments at any time purchased, held or owned by the state may,
2164 upon the determination of the State Treasurer and upon delivery to the
2165 state, be accompanied by such documentation, including approving
2166 bond opinion, certification and guaranty as to signatures and
2167 certification as to absence of litigation, and such other or further
2168 documentation as shall from time to time be required in the municipal
2169 bond market or required by the state.

2170 (e) Notwithstanding the provisions of the general statutes, any
2171 special act or any municipal charter governing the authorization of
2172 bonds, notes or obligations or the appropriation of funds, or governing
2173 the application for, and expenditure of, grants or loans, or governing
2174 the authorization of contracts or financing agreements or governing
2175 the pledging of sewer or water revenues or funds, a municipality may,
2176 by resolution approved by its legislative body and by (1) its water
2177 pollution control authority or sewer authority, if any, authorize a
2178 project loan and project grant agreement between the municipality and
2179 the state pursuant to sections 22a-475 to 22a-483, inclusive, as amended
2180 by this act, and appropriate funds and authorize project loan
2181 obligations and interim funding obligations of the municipality paid
2182 and secured solely by a pledge of revenues, funds and moneys of the
2183 municipality and the water pollution control authority or sewer
2184 authority, if any, derived from its sewer system, to pay for and finance
2185 the total project costs of an eligible water quality project, pursuant to a
2186 project loan and project grant agreement between the municipality and
2187 the state pursuant to sections 22a-475 to 22a-483, inclusive, as amended
2188 by this act, or (2) by its water authority, if any, authorize a project loan
2189 and project grant agreement between the municipality and the state
2190 pursuant to sections 22a-475 to 22a-483, inclusive, as amended by this
2191 act, and appropriate funds and authorize project loan obligations and
2192 interim funding obligations of the municipality paid and secured
2193 solely by a pledge of revenues, funds and moneys of the municipality
2194 and the water authority, if any, derived from its public water supply
2195 system, to pay for and finance the total project costs of an eligible

2196 water quality project, pursuant to a project loan agreement between
2197 the municipality and the state pursuant to sections 22a-475 to 22a-483,
2198 inclusive, as amended by this act. The provisions of chapter 103 shall
2199 apply to the obligations authorized by this section, to the extent such
2200 section is not inconsistent with this subsection. A project loan and
2201 project grant agreement authorized by such resolution may contain
2202 covenants and agreements with respect to, and may pledge the
2203 revenues, funds and moneys derived from, the sewer system or public
2204 water system to secure such project loan obligations and interim
2205 funding obligations, including, but not limited to, covenants and
2206 agreements with respect to holding or depositing such revenues, funds
2207 and moneys in separate accounts and agreements described in section
2208 7-266. As used in this subsection, "legislative body" means (A) the
2209 board of selectmen in a town that does not have a charter, special act
2210 or home rule ordinance relating to its government, (B) the council,
2211 board of aldermen, representative town meeting, board of selectmen or
2212 other elected legislative body described in a charter, special act or
2213 home rule ordinance relating to government in a city, consolidated
2214 town and city, consolidated town and borough or a town having a
2215 charter, special act, consolidation ordinance or home rule ordinance
2216 relating to its government, (C) the board of burgesses or other elected
2217 legislative body in a borough, or (D) the district committee or other
2218 elected legislative body in a district, metropolitan district or other
2219 municipal corporation.

2220 (f) Any recipient which is not a municipality shall execute and
2221 deliver project loan obligations and interim financing obligations in
2222 accordance with applicable law and in such form and with such
2223 requirements as may be determined by the commissioner or by the
2224 [Commissioner of Public Health] Public Utilities Regulatory Authority
2225 if the project is an eligible drinking water project. The [Commissioner
2226 of Public Health and the] Public Utilities Regulatory Authority as
2227 required by section 16-19e shall review and approve all costs that are
2228 necessary and reasonable prior to the award of the project funding

2229 agreement with respect to an eligible drinking water project. The
2230 Public Utilities Regulatory Authority, where appropriate, shall include
2231 these costs in the recipient's rate structure in accordance with section
2232 16-19e.

2233 Sec. 41. Section 22a-482 of the general statutes is repealed and the
2234 following is substituted in lieu thereof (*Effective July 1, 2014*):

2235 The Commissioner of Energy and Environmental Protection shall
2236 adopt regulations in accordance with the provisions of chapter 54 to
2237 carry out the purposes of sections 22a-475 to 22a-483, inclusive, as
2238 amended by this act, except that the [Commissioner of Public Health]
2239 Public Utilities Regulatory Authority shall adopt regulations in
2240 accordance with the provisions of chapter 54 to carry out the purposes
2241 of sections 22a-475 to 22a-483, inclusive, as amended by this act,
2242 pertaining to the drinking water accounts, as defined in subdivisions
2243 (7) and (8) of section 22a-475, as amended by this act, and eligible
2244 drinking water projects. Pending the adoption of regulations
2245 concerning the drinking water accounts, as defined in subdivisions (7)
2246 and (8) of section 22a-475, as amended by this act, the regulations in
2247 effect and applicable to the management and operation of the Clean
2248 Water Fund shall be utilized by the [Commissioner of Public Health]
2249 Public Utilities Regulatory Authority with the operation of the
2250 drinking water accounts, as defined in subdivisions (7) and (8) of said
2251 section 22a-475, as amended by this act.

2252 Sec. 42. Subsection (b) of section 23-8 of the general statutes is
2253 repealed and the following is substituted in lieu thereof (*Effective July*
2254 *1, 2014*):

2255 (b) Twenty-one per cent of the state's land area shall be held as open
2256 space land. The goal of the state's open space acquisition program shall
2257 be to acquire land such that ten per cent of the state's land area is held
2258 by the state as open space land and not less than eleven per cent of the
2259 state's land area is held by municipalities, water companies or

2260 nonprofit land conservation organizations as open space land
2261 consistent with the provisions of sections 7-131d to 7-131g, inclusive,
2262 as amended by this act. Such program shall not affect the ability of any
2263 water company to reclassify or sell any land, or interest in land, which
2264 was not acquired, in whole or in part, with funds made available
2265 under the program established under sections 7-131d to 7-131g,
2266 inclusive, as amended by this act. The Commissioner of Energy and
2267 Environmental Protection, in consultation with the chairperson of the
2268 Public Utilities Regulatory Authority, the Commissioner of
2269 Agriculture, the Commissioner of Public Health and the Council on
2270 Environmental Quality established under section 22a-11,
2271 municipalities, regional planning agencies and private nonprofit land
2272 conservation organizations, shall prepare not later than December 15,
2273 2012, and update not less than once every five years thereafter, a
2274 comprehensive strategy for achieving the state goal. Such strategy
2275 shall include, but not be limited to: (1) An estimate of the acres of land
2276 preserved by the state, municipalities, water companies and nonprofit
2277 land conservation organizations, (2) an evaluation of the potential
2278 methods, cost and benefits of establishing a system for increasing the
2279 accuracy of such estimate of acres of land preserved by encouraging
2280 the voluntary submittal of information regarding new acquisitions by
2281 municipalities, water companies and nonprofit land conservation
2282 organizations, including the relative costs and benefits of having a
2283 state agency, a constituent unit of higher education or a
2284 nongovernmental organization host and operate such system, (3)
2285 timetables for acquisition of land by the state, (4) plans for
2286 management of such land, (5) an assessment of resources to be used for
2287 acquisition and management of such land, and (6) the highest
2288 priorities for acquisition of land, including the wildlife habitat and
2289 ecological resources identified to be in greatest need for immediate
2290 preservation, and the general location of each high priority. On or
2291 before January first, annually, the commissioner shall submit a report
2292 to the joint standing committee of the General Assembly having
2293 cognizance of matters relating to the environment regarding the

2294 strategy and the progress being made towards the goals. For the
2295 purpose of this subsection, "to acquire land" includes, but is not limited
2296 to, the acquisition in fee simple of land and the acquisition of
2297 easements for the conservation of land.

2298 Sec. 43. Subsection (e) of section 23-8 of the general statutes is
2299 repealed and the following is substituted in lieu thereof (*Effective July*
2300 *1, 2014*):

2301 (e) To further the efforts to preserve open space in the state and to
2302 help realize the goals established in subsection (b) of this section, on or
2303 before October 1, 2014, the Commissioner of Energy and
2304 Environmental Protection, in consultation with each state agency, shall
2305 identify lands owned by the state that are in the custody of each state
2306 agency and that are valuable for conservation purposes. Said
2307 commissioner shall consult with the [Commissioner of Public Health]
2308 Public Utilities Regulatory Authority about any lands owned by the
2309 state that are identified as water supply lands.

2310 Sec. 44. Subsections (b) to (d), inclusive, of section 23-8b of the
2311 general statutes are repealed and the following is substituted in lieu
2312 thereof (*Effective July 1, 2014*):

2313 (b) Notwithstanding the provisions of section 16-50d, as amended
2314 by this act, the right of the state to acquire such water company land
2315 from any of said companies shall be superior to any other water
2316 company or municipality or a municipality's right of eminent domain.

2317 (c) Notwithstanding the provisions of section 25-32, as amended by
2318 this act, the [Commissioner of Public Health] Public Utilities
2319 Regulatory Authority may grant one or more permits, pursuant to the
2320 provisions of subsection (d) of said section 25-32 for the sale of said
2321 companies' Class II land to The Nature Conservancy and for the sale or
2322 assignment of interests in land on Class I and II land to the
2323 Commissioner of Energy and Environmental Protection or to The

2324 Nature Conservancy.

2325 (d) Notwithstanding the provisions of section 16-43, as amended by
2326 this act, and subsection (b) of section 16-50c, as amended by this act, (1)
2327 the Public Utilities Regulatory Authority may accept applications for a
2328 sale or assignment of water company land under the provisions of this
2329 section prior to the issuance [by the Department of Public Health] of a
2330 permit for such sale or assignment pursuant to section 25-32, provided
2331 final Public Utilities Regulatory Authority approval of any such sale
2332 shall not be granted [unless] until the [Department of Public Health
2333 has issued such a] issuance of such permit, [pursuant to said section
2334 25-32,] and (2) no prior public notices of said company or companies'
2335 intent to sell such water company land shall be required.

2336 Sec. 45. Section 25-32 of the general statutes is repealed and the
2337 following is substituted in lieu thereof (*Effective July 1, 2014*):

2338 (a) The [Department of Public Health] Public Utilities Regulatory
2339 Authority shall have jurisdiction over all matters concerning the purity
2340 and adequacy of any water supply source used by any municipality,
2341 public institution or water company for obtaining water, the safety of
2342 any distributing plant and system for public health purposes, the
2343 adequacy of methods used to assure water purity, and such other
2344 matters relating to the construction and operation of such distributing
2345 plant and system as may affect public health.

2346 (b) No water company shall sell, lease, assign or otherwise dispose
2347 of or change the use of any watershed lands, except as provided in
2348 section 25-43c, as amended by this act, without a written permit from
2349 the [Commissioner of Public Health] Public Utilities Regulatory
2350 Authority. The [commissioner] authority shall not grant: (1) A permit
2351 for the sale of class I land, except as provided in subsection (d) of this
2352 section, (2) a permit for the lease of class I land except as provided in
2353 subsection (p) of this section, or (3) a permit for a change in use of class
2354 I land unless the applicant demonstrates that such change will not

2355 have a significant adverse impact upon the present and future purity
2356 and adequacy of the public drinking water supply and is consistent
2357 with any water supply plan filed and approved pursuant to section
2358 25-32d, as amended by this act. The [commissioner] authority may
2359 reclassify class I land only upon determination that such land no
2360 longer meets the criteria established by subsection (a) of section 25-37c,
2361 as amended by this act, because of abandonment of a water supply
2362 source or a physical change in the watershed boundary. Not more than
2363 fifteen days before filing an application for a permit under this section,
2364 the applicant shall provide notice of such intent, by certified mail,
2365 return receipt requested, to the chief executive officer and the chief
2366 elected official of each municipality in which the land is situated.

2367 (c) The [commissioner] Public Utilities Regulatory Authority may
2368 grant a permit for the sale, lease, assignment or change in use of any
2369 land in class II subject to any conditions or restrictions in use which the
2370 [commissioner] authority may deem necessary to maintain the purity
2371 and adequacy of the public drinking water supply, giving due
2372 consideration to: (1) The creation and control of point or nonpoint
2373 sources of contamination; (2) the disturbance of ground vegetation; (3)
2374 the creation and control of subsurface sewage disposal systems; (4) the
2375 degree of water treatment provided; (5) the control of watershed land
2376 by the applicant through ownership, easements or use restrictions or
2377 other water supply source protection measures; (6) the effect of
2378 development of any such land; and (7) any other significant potential
2379 source of contamination of the public drinking water supply. The
2380 [commissioner] Public Utilities Regulatory Authority may grant a
2381 permit for the sale, lease or assignment of class II land to another water
2382 company, municipality or nonprofit land conservation organization
2383 provided, as a condition of approval, a permanent conservation
2384 easement on the land is entered into to preserve the land in perpetuity
2385 predominantly in its natural scenic and open condition for the
2386 protection of natural resources and public water supplies while
2387 allowing for recreation consistent with such protection and

2388 improvements necessary for the protection or provision of safe and
2389 adequate potable water. Preservation in perpetuity shall not include
2390 permission for the land to be developed for any commercial,
2391 residential or industrial uses, nor shall it include permission for
2392 recreational purposes requiring intense development, including, but
2393 not limited to, golf courses, driving ranges, tennis courts, ballfields,
2394 swimming pools and uses by motorized vehicles other than vehicles
2395 needed by water companies to carry out their purposes, provided trails
2396 or pathways for pedestrians, motorized wheelchairs or nonmotorized
2397 vehicles shall not be considered intense development. The
2398 [commissioner] Public Utilities Regulatory Authority may reclassify
2399 class II land only upon determination that such land no longer meets
2400 the criteria established by subsection (b) of section 25-37c, as amended
2401 by this act, because of abandonment of a water supply source or a
2402 physical change in the watershed boundary.

2403 (d) The [commissioner] Public Utilities Regulatory Authority may
2404 grant a permit for (1) the sale of class I or II land to another water
2405 company, to a state agency or to a municipality, (2) the sale of class II
2406 land or the sale or assignment of a conservation restriction or a public
2407 access easement on class I or class II land to a private, nonprofit land-
2408 holding conservation organization, or (3) the sale of class I land to a
2409 private nonprofit land-holding conservation organization if the water
2410 company is denied a permit to abandon a source not in current use or
2411 needed by the water company pursuant to subsection (c) of section 25-
2412 33k, as amended by this act, if the purchasing entity agrees to maintain
2413 the land subject to the provisions of this section, any regulations
2414 adopted pursuant to this section and the terms of any permit issued
2415 pursuant to this section. Such purchasing entity or assignee may not
2416 sell, lease or assign any such land or conservation restriction or public
2417 access easement or sell, lease, assign or change the use of such land
2418 without obtaining a permit pursuant to this section.

2419 (e) The [commissioner] Public Utilities Regulatory Authority shall
2420 not grant a permit for the sale, lease, assignment or change in use of

2421 any land in class II unless (1) the land in class II is being sold, leased or
2422 assigned as part of a larger parcel of land also containing land in class
2423 III and use restrictions applicable to the land in class II will prevent the
2424 land in class II from being developed, (2) the applicant demonstrates
2425 that the proposed sale, lease, assignment or change in use will not have
2426 a significant adverse impact upon the purity and adequacy of the
2427 public drinking water supply and that any use restrictions which the
2428 [commissioner] authority requires as a condition of granting a permit
2429 can be enforced against subsequent owners, lessees and assignees, (3)
2430 the [commissioner] authority determines, after giving effect to any use
2431 restrictions which may be required as a condition of granting the
2432 permit, that such proposed sale, lease, assignment or change in use
2433 will not have a significant adverse effect on the public drinking water
2434 supply, whether or not similar permits have been granted, and (4) on
2435 or after January 1, 2003, as a condition to the sale, lease or assignment
2436 of any class II lands, a permanent conservation easement on the land is
2437 entered into to preserve the land in perpetuity predominantly in its
2438 natural scenic and open condition for the protection of natural
2439 resources and public water supplies while allowing for recreation
2440 consistent with such protection and improvements necessary for the
2441 protection or provision of safe and adequate potable water, except in
2442 cases where the class II land is deemed necessary to provide access or
2443 egress to a parcel of class III land, as defined in section 25-37c, as
2444 amended by this act, that is approved for sale. Preservation in
2445 perpetuity shall not include permission for the land to be developed
2446 for any commercial, residential or industrial uses, nor shall it include
2447 permission for recreational purposes requiring intense development,
2448 including, but not limited to, golf courses, driving ranges, tennis
2449 courts, ballfields, swimming pools and uses by motorized vehicles
2450 other than vehicles needed by water companies to carry out their
2451 purposes, provided trails or pathways for pedestrians, motorized
2452 wheelchairs or nonmotorized vehicles shall not be considered intense
2453 development.

2454 (f) Nothing in this section shall prevent the lease or change in use of
2455 water company land to allow for recreational purposes that do not
2456 require intense development or improvements for water supply
2457 purposes, for leases of existing structures, or for radio towers or
2458 telecommunications antennas on existing structures. For purposes of
2459 this subsection, intense development includes golf courses, driving
2460 ranges, tennis courts, ballfields, swimming pools and uses by
2461 motorized vehicles, provided trails or pathways for pedestrians,
2462 motorized wheelchairs or nonmotorized vehicles shall not be
2463 considered intense development.

2464 (g) As used in this section, (1) "water supply source" includes all
2465 springs, streams, watercourses, brooks, rivers, lakes, ponds, wells or
2466 underground waters from which water is taken, and all springs,
2467 streams, watercourses, brooks, rivers, lakes, ponds, wells or aquifer
2468 protection areas, as defined in section 22a-354h, thereto and all lands
2469 drained thereby; and (2) "watershed land" means land from which
2470 water drains into a public drinking water supply.

2471 (h) The [commissioner] Public Utilities Regulatory Authority shall
2472 adopt and from time to time may amend the following: (1) Physical,
2473 chemical, radiological and microbiological standards for the quality of
2474 public drinking water; (2) minimum treatment methods, taking into
2475 account the costs of such methods, required for all sources of drinking
2476 water, including guidelines for the design and operation of treatment
2477 works and water sources, which guidelines shall serve as the basis for
2478 approval of local water supply plans by the [commissioner] authority;
2479 (3) minimum standards to assure the long-term purity and adequacy
2480 of the public drinking water supply to all residents of this state; and (4)
2481 classifications of water treatment plants and water distribution
2482 systems which treat or supply water used or intended for use by the
2483 public. On or after October 1, 1975, any water company which requests
2484 approval of any drinking water source shall provide for such
2485 treatment methods as specified by the [commissioner] Public Utilities
2486 Regulatory Authority, provided any water company in operation prior

2487 to October 1, 1975, and having such source shall comply with
2488 regulations adopted by the [commissioner] authority, in accordance
2489 with chapter 54, in conformance with The Safe Drinking Water Act,
2490 Public Law 93-523, and shall submit on or before February 1, 1976, a
2491 statement of intent to provide for treatment methods as specified by
2492 the [commissioner] authority, to the [commissioner] authority for
2493 approval. The [commissioner] authority shall adopt regulations, in
2494 accordance with chapter 54, requiring water companies to report
2495 elevated levels of copper in public drinking water.

2496 (i) The [department] Public Utilities Regulatory Authority may
2497 perform the collection and testing of water samples required by
2498 regulations adopted by the [commissioner] authority pursuant to this
2499 section, in accordance with chapter 54, when requested to do so by a
2500 water company. The [department] authority shall collect a fee equal to
2501 the cost of such collection and testing. Water companies serving one
2502 thousand or more persons shall not request routine bacteriological or
2503 physical tests under this subsection.

2504 (j) The condemnation by a state department, institution or agency of
2505 any land owned by a water company shall be subject to the provisions
2506 of this section.

2507 (k) The [commissioner] Public Utilities Regulatory Authority may
2508 issue an order declaring a moratorium on the expansion or addition to
2509 any existing public water system that the [commissioner] authority
2510 deems incapable of providing new services with a pure and adequate
2511 water supply.

2512 (l) The [commissioner] Public Utilities Regulatory Authority may
2513 issue, modify or revoke orders as needed to carry out the provisions of
2514 this part. Except as otherwise provided in this part, such order shall be
2515 issued, modified or revoked in accordance with procedures set forth in
2516 subsection (b) of section 25-34, as amended by this act.

2517 (m) The [commissioner] Public Utilities Regulatory Authority shall

2518 adopt regulations, in accordance with the provisions of chapter 54, to
2519 include local health departments in the notification process when a
2520 water utility reports a water quality problem.

2521 (n) (1) On and after the effective date of regulations adopted under
2522 this subsection, no person may operate any water treatment plant,
2523 water distribution system or small water system that treats or supplies
2524 water used or intended for use by the public, test any backflow
2525 prevention device, or perform a cross connection survey without a
2526 certificate issued by the [commissioner] Public Utilities Regulatory
2527 Authority under this subsection. The [commissioner] authority shall
2528 adopt regulations, in accordance with chapter 54, to provide: (A)
2529 Standards for the operation of such water treatment plants, water
2530 distribution systems and small water systems; (B) standards and
2531 procedures for the issuance of certificates to operators of such water
2532 treatment plants, water distribution systems and small water systems;
2533 (C) procedures for the renewal of such certificates every three years;
2534 (D) standards for training required for the issuance or renewal of a
2535 certificate; and (E) standards and procedures for the issuance and
2536 renewal of certificates to persons who test backflow prevention devices
2537 or perform cross connection surveys. Such regulations shall be
2538 consistent with applicable federal law and guidelines for operator
2539 certification programs promulgated by the United States
2540 Environmental Protection Agency. For purposes of this subsection,
2541 "small water system" means a public water system, as defined in
2542 section 25-33d, as amended by this act, that serves less than one
2543 thousand persons and has no treatment or has only treatment that
2544 does not require any chemical treatment, process adjustment,
2545 backwashing or media regeneration by an operator.

2546 (2) The [commissioner] Public Utilities Regulatory Authority may
2547 take any disciplinary action set forth in section 19a-17, except for the
2548 assessment of a civil penalty under subdivision (6) of subsection (a) of
2549 section 19a-17, against an operator, a person who tests backflow
2550 prevention devices or a person who performs cross connection surveys

2551 holding a certificate issued under this subsection for any of the
2552 following reasons: (A) Fraud or material deception in procuring a
2553 certificate, the renewal of a certificate or the reinstatement of a
2554 certificate; (B) fraud or material deception in the performance of the
2555 certified operator's professional activities; (C) incompetent, negligent
2556 or illegal performance of the certified operator's professional activities;
2557 (D) conviction of the certified operator for a felony; or (E) failure of the
2558 certified operator to complete the training required under subdivision
2559 (1) of this subsection.

2560 (3) The [commissioner] Public Utilities Regulatory Authority may
2561 issue an initial certificate to perform a function set forth in subdivision
2562 (1) of this subsection upon receipt of a completed application, in a form
2563 prescribed by the [commissioner] authority, together with an
2564 application fee as follows: (A) For a water treatment plant, water
2565 distribution system or small water system operator certificate, two
2566 hundred twenty-four dollars, except there shall be no such application
2567 fee required for a student enrolled in an accredited high school small
2568 water system operator certification course; (B) for a backflow
2569 prevention device tester certificate, one hundred fifty-four dollars; and
2570 (C) for a cross-connection survey inspector certificate, one hundred
2571 fifty-four dollars. A certificate issued pursuant to this subdivision shall
2572 expire three years from the date of issuance unless renewed by the
2573 certificate holder prior to such expiration date. The [commissioner]
2574 Public Utilities Regulatory Authority may renew a certificate for an
2575 additional three years upon receipt of a completed renewal
2576 application, in a form prescribed by the [commissioner] authority,
2577 together with a renewal application fee as follows: (i) For a water
2578 treatment plant, water distribution system or small water system
2579 operator certificate, ninety-eight dollars; (ii) for a backflow prevention
2580 device tester certificate, sixty-nine dollars; and (iii) for a cross-
2581 connection survey inspector certificate, sixty-nine dollars.

2582 (o) The [commissioner] Public Utilities Regulatory Authority may
2583 adopt regulations, in accordance with the provisions of chapter 54, that

2584 incorporate by reference the provisions of the federal National Primary
2585 Drinking Water Regulations in 40 C.F.R. Parts 141 and 142,
2586 promulgated by the United States Environmental Protection Agency,
2587 provided such regulations (1) are consistent with other regulations
2588 adopted pursuant to this section, and (2) explicitly incorporate any
2589 future amendments to said federal regulations.

2590 (p) The [commissioner] Public Utilities Regulatory Authority may
2591 grant a permit for the lease of class I land associated with a
2592 groundwater source for use for public drinking water purposes to
2593 another water company that serves one thousand or more persons or
2594 two hundred fifty or more customers and maintains an approved
2595 water supply plan pursuant to section 25-32d, as amended by this act,
2596 provided a water company acquiring such interest in the property
2597 demonstrates that such lease will improve conditions for the existing
2598 public drinking water system and will not have a significant adverse
2599 impact upon the present and future purity and adequacy of the public
2600 drinking water supply. Any water company requesting a permit under
2601 this subsection may be required to convey an easement that provides
2602 for the protection of the public water supply source and shall submit
2603 such easement and any provisions of the lease that pertain to the
2604 protection of the public water supply to the [commissioner] authority
2605 for approval.

2606 Sec. 46. Section 25-32b of the general statutes is repealed and the
2607 following is substituted in lieu thereof (*Effective July 1, 2014*):

2608 The [Commissioner of Public Health] Public Utilities Regulatory
2609 Authority, in consultation with the Commissioner of Energy and
2610 Environmental Protection, [and the Public Utilities Regulatory
2611 Authority,] may declare a public drinking water supply emergency
2612 upon receipt of information that a public water supply emergency
2613 exists or is imminent. Notwithstanding any other provision of the
2614 general statutes or regulations adopted thereunder, or special act or
2615 municipal ordinance, the [Commissioner of Public Health] Public

2616 Utilities Regulatory Authority may authorize or order the sale, supply
2617 or taking of any waters, including waters into which sewage is
2618 discharged, or the temporary interconnection of water mains for the
2619 sale or transfer of water among water companies. The Public Utilities
2620 Regulatory Authority shall determine the terms of the sale of any
2621 water sold pursuant to this section if the water companies that are
2622 party to the sale cannot determine such terms or if one of such water
2623 companies is regulated by the authority. The authorization or order
2624 may be implemented prior to such determination. Any authorization
2625 or order shall be for an initial period of not more than thirty days but
2626 may be extended for additional periods of thirty days up to one
2627 hundred fifty days, consistent with the contingency procedures for a
2628 public drinking water supply emergency in the plan approved
2629 pursuant to section 25-32d, as amended by this act, to the extent the
2630 [Commissioner of Public Health] Public Utilities Regulatory Authority
2631 deems appropriate. Upon request by the [Commissioner of Public
2632 Health] Public Utilities Regulatory Authority, the Commissioner of
2633 Energy and Environmental Protection, pursuant to section 22a-378,
2634 shall suspend a permit issued pursuant to section 22a-368 or impose
2635 conditions on a permit held pursuant to said section. The time for such
2636 suspension or conditions shall be established in accordance with
2637 subdivision (1) of subsection (a) of section 22a-378. As used in this
2638 section and section 22a-378, "public drinking water supply emergency"
2639 includes the contamination of water, the failure of a water supply
2640 system or the shortage of water.

2641 Sec. 47. Section 25-32c of the general statutes is repealed and the
2642 following is substituted in lieu thereof (*Effective July 1, 2014*):

2643 Any person who violates any provision of an authorization or order
2644 issued pursuant to section 25-32b, as amended by this act, shall pay a
2645 civil fine not to exceed five thousand dollars per day, to be fixed by the
2646 Superior Court, commencing from the date compliance to the
2647 authorization or order was required. Each violation shall be a separate

2648 and distinct offense and, in the case of a continuing violation, each
2649 day's continuance thereof shall be deemed to be a separate and distinct
2650 offense. The Attorney General, upon complaint of the [Commissioner
2651 of Public Health] Public Utilities Regulatory Authority, shall institute a
2652 civil action to recover such fine.

2653 Sec. 48. Section 25-32d of the general statutes is repealed and the
2654 following is substituted in lieu thereof (*Effective July 1, 2014*):

2655 (a) Each water company, as defined in section 25-32a, and supplying
2656 water to one thousand or more persons or two hundred fifty or more
2657 consumers and any other water company as defined in said section
2658 requested by the [Commissioner of Public Health] Public Utilities
2659 Regulatory Authority shall submit a water supply plan to the
2660 [Commissioner of Public Health] authority for approval in accordance
2661 with the requirements of this section and with the concurrence of the
2662 Commissioner of Energy and Environmental Protection. [The
2663 concurrence of the Public Utilities Regulatory Authority shall be
2664 required for approval of a plan submitted by a water company
2665 regulated by the authority. The Commissioner of Public Health shall
2666 consider the comments of the Public Utilities Regulatory Authority on
2667 any plan which may impact any water company regulated by the
2668 authority. The Commissioner of Public Health] The Public Utilities
2669 Regulatory Authority shall distribute a copy of the plan to the
2670 Commissioner of Energy and Environmental Protection, [and the
2671 Public Utilities Regulatory Authority.] A copy of the plan shall be sent
2672 to the Secretary of the Office of Policy and Management for
2673 information and comment. A plan shall be revised at such time as the
2674 water company filing the plan or the [Commissioner of Public Health]
2675 Public Utilities Regulatory Authority determines, or at intervals of not
2676 less than six years or more than nine years after the date of the most
2677 recently approved plan. Unless the [Commissioner of Public Health]
2678 Public Utilities Regulatory Authority requests otherwise, any water
2679 company that fails to meet public drinking water supply quality and

2680 quantity obligations, as prescribed in state law or regulation, shall be
2681 required to file plan revisions six years after the date of the most
2682 recently approved plan. On and after October 1, 2009, upon the
2683 approval of a water supply plan, any subsequent revisions to such
2684 plan shall minimally consist of updates to those elements described in
2685 subsection (b) of this section that have changed after the date of the
2686 most recently approved plan provided the [Commissioner of Public
2687 Health] Public Utilities Regulatory Authority has not otherwise
2688 requested submission of an entire water supply plan.

2689 (b) Any water supply plan submitted pursuant to this section shall
2690 evaluate the water supply needs in the service area of the water
2691 company submitting the plan and propose a strategy to meet such
2692 needs. The plan shall include: (1) A description of existing water
2693 supply systems; (2) an analysis of future water supply demands; (3) an
2694 assessment of alternative water supply sources which may include
2695 sources receiving sewage and sources located on state land; (4)
2696 contingency procedures for public drinking water supply emergencies,
2697 including emergencies concerning the contamination of water, the
2698 failure of a water supply system or the shortage of water; (5) a
2699 recommendation for new water system development; (6) a forecast of
2700 any future land sales, an identification which includes the acreage and
2701 location of any land proposed to be sold, sources of public water
2702 supply to be abandoned and any land owned by the company which it
2703 has designated, or plans to designate, as class III land; (7) provisions
2704 for strategic groundwater monitoring; (8) an analysis of the impact of
2705 water conservation practices and a strategy for implementing supply
2706 and demand management measures; (9) on and after January 1, 2004,
2707 an evaluation of source water protection measures for all sources of the
2708 water supply, based on the identification of critical lands to be
2709 protected and incompatible land use activities with the potential to
2710 contaminate a public drinking water source; and (10) a brief summary
2711 of the water company's underground infrastructure replacement
2712 practices, which may include current and future infrastructure needs,

2713 methods by which projects are identified and prioritized for
2714 rehabilitation and replacement and funding needs.

2715 (c) For security and safety reasons, procedures for sabotage
2716 prevention and response shall be provided separately from the water
2717 supply plan as a confidential document to the [Department of Public
2718 Health] Public Utilities Regulatory Authority. Such procedures shall
2719 not be subject to disclosure under the Freedom of Information Act, as
2720 defined in section 1-200. Additionally, procedures for sabotage
2721 prevention and response that are established by municipally owned
2722 water companies shall not be subject to disclosure under the Freedom
2723 of Information Act, as defined in section 1-200.

2724 (d) The [Commissioner of Public Health] Public Utilities Regulatory
2725 Authority, in consultation with the Commissioner of Energy and
2726 Environmental Protection, [and the Public Utilities Regulatory
2727 Authority,] shall adopt regulations in accordance with the provisions
2728 of chapter 54. Such regulations shall include a method for calculating
2729 safe yield, the contents of emergency contingency plans and water
2730 conservation plans, the contents of an evaluation of source water
2731 protection measures, a process for approval, modification or rejection
2732 of plans submitted pursuant to this section, a schedule for submission
2733 of the plans and a mechanism for determining the completeness of the
2734 plan. The plan shall be deemed complete if the [commissioner] Public
2735 Utilities Regulatory Authority does not request additional information
2736 within ninety days after the date on which the plan was submitted or,
2737 in the event that additional information has been requested, within
2738 forty-five days after the submission of such information. [, except that
2739 the commissioner may request an additional thirty days beyond the
2740 time in which the application is deemed complete to further determine
2741 completeness.] In determining whether the water supply plan is
2742 complete, the [commissioner] Public Utilities Regulatory Authority
2743 may request only information that is specifically required by
2744 regulation. The Department of Energy and Environmental Protection
2745 [and the Public Utilities Regulatory Authority, in the case of any plan

2746 which may impact any water company regulated by that agency,] shall
2747 have ninety days upon notice that a plan is deemed complete to
2748 comment on the plan.

2749 (e) Any water company, when submitting any plan or revision or
2750 amendment of a plan after July 1, 1998, which involves a forecast of
2751 land sales, abandonment of any water supply source, sale of any lands,
2752 or land reclassification, shall provide notice, return receipt requested,
2753 to the chief elected official of each municipality in which the land or
2754 source is located, the Nature Conservancy, the Trust for Public Land
2755 and the Land Trust Service Bureau and any organization on the list
2756 prepared under subsection (b) of section 16-50c, as amended by this
2757 act. Such notice shall specify any proposed abandonment of a source of
2758 water supply, any proposed changes to land sales forecasts or any land
2759 to be designated as class III land in such plan. Such notice shall specify
2760 the location and acreage proposed for sale or reclassification as class III
2761 land and identify sources to be abandoned and shall be provided no
2762 later than the date of submission of such plan or revision. Such notice
2763 shall indicate that public comment on such plan or revision shall be
2764 received by the [Commissioners of Public Health and Energy and
2765 Environmental Protection] Public Utilities Regulatory Authority not
2766 later than sixty days after the date of notice. The [Commissioner of
2767 Public Health] Public Utilities Regulatory Authority shall take such
2768 comment into consideration in making any determination or approval
2769 under this section.

2770 Sec. 49. Subsection (a) of section 25-32e of the general statutes is
2771 repealed and the following is substituted in lieu thereof (*Effective July*
2772 *1, 2014*):

2773 (a) If, upon review, investigation or inspection, the [Commissioner
2774 of Public Health] Public Utilities Regulatory Authority determines that
2775 a water company has violated any provision of section 25-32, section
2776 25-32d, as amended by this act, or any regulation adopted under
2777 section 25-32d, as amended by this act, or any regulation [in the Public

2778 Health Code] adopted by the Public Utilities Regulatory Authority
2779 relating to the purity and adequacy of water supplies or to the testing
2780 of water supplies or any report of such testing, the [commissioner]
2781 Public Utilities Regulatory Authority may impose a civil penalty not to
2782 exceed five thousand dollars per violation per day upon such water
2783 company. Governmental immunity shall not be a defense against the
2784 imposition of any civil penalty imposed pursuant to this section. The
2785 [commissioner] Public Utilities Regulatory Authority shall adopt
2786 regulations, in accordance with the provisions of chapter 54,
2787 establishing a schedule or schedules of the amounts, or the ranges of
2788 amounts, of civil penalties which may be imposed under this section.
2789 In adopting such regulations, the [commissioner] Public Utilities
2790 Regulatory Authority shall consider the size of or the number of
2791 persons served by the water company, the level of assessment
2792 necessary to insure immediate and continued compliance with such
2793 provision, and the character and degree of injury or impairment to or
2794 interference with or threat thereof to: (1) The purity of drinking water
2795 supplies; (2) the adequacy of drinking water supplies; and (3) the
2796 public health, safety or welfare. No such civil penalty may be imposed
2797 until the regulations required by this subsection have been adopted.

2798 Sec. 50. Section 25-32f of the general statutes is repealed and the
2799 following is substituted in lieu thereof (*Effective July 1, 2014*):

2800 The [Commissioner of Public Health or his designee] Public Utilities
2801 Regulatory Authority may submit written testimony to any municipal
2802 board or commission and may appear by right as a party to any
2803 hearing before such municipal board or commission concerning any
2804 proposed municipal plan of conservation and development or zoning
2805 regulations or changes thereto affecting a public water supply or a
2806 municipal approval, permit or license for a building, use or structure
2807 affecting a public water supply and said [commissioner] authority may
2808 appeal, or appear as a party to any appeal of, a municipal decision
2809 concerning such matters whether or not [he] it has appeared as a party

2810 before the municipal board or commission. If the decision of such
2811 board or commission is upheld by a court of competent jurisdiction,
2812 the state shall reimburse the municipality within three months for all
2813 costs incurred in defending the appeal.

2814 Sec. 51. Section 25-32g of the general statutes is repealed and the
2815 following is substituted in lieu thereof (*Effective July 1, 2014*):

2816 If the [Commissioner of Public Health] Public Utilities Regulatory
2817 Authority finds after investigation that any person is causing,
2818 engaging in or maintaining, or is about to cause, engage in or maintain,
2819 any condition or activity which violates any provision of sections 19a-
2820 36 to 19a-39, inclusive, or sections 25-32 to 25-53, inclusive, as amended
2821 by this act, or any regulation or permit adopted or issued thereunder
2822 and constitutes an immediate threat to the quality or adequacy of any
2823 source of water supply, the [commissioner] Public Utilities Regulatory
2824 Authority may, without prior hearing, issue an order in writing to
2825 such person to discontinue, abate, alleviate or correct such condition or
2826 activity. Upon receipt of such an order such person shall immediately
2827 discontinue, abate, alleviate or correct such condition or activity. The
2828 [commissioner] Public Utilities Regulatory Authority shall, within ten
2829 days after such order, hold a hearing to provide the person an
2830 opportunity to be heard and show that such condition, activity or
2831 violation does not exist. The local director of health in the municipality
2832 or municipalities in which such violation occurred or that utilize such
2833 water shall have the right to be heard in such proceeding. Such order
2834 shall remain in effect until ten days after the hearing within which time
2835 a new decision based on the hearing shall be made.

2836 Sec. 52. Section 25-32i of the general statutes is repealed and the
2837 following is substituted in lieu thereof (*Effective July 1, 2014*):

2838 There is created a Residential Water-Saving Advisory Board to
2839 advise the [Commissioner of Public Health] Public Utilities Regulatory
2840 Authority on educational materials or information on water

2841 conservation. The board shall consist of eight members as follows: The
2842 Commissioners of Energy and Environmental Protection and Public
2843 Health, the Secretary of the Office of Policy and Management, the
2844 chairperson of the Public Utilities Regulatory Authority, and the
2845 Consumer Counsel, or their respective designees; a representative of a
2846 small investor-owned water company, who shall be appointed by the
2847 minority leader of the Senate; a representative of a large investor-
2848 owned water company, who shall be appointed by the minority leader
2849 of the House of Representatives; and a representative of a municipal or
2850 regional water authority, who shall be jointly appointed by the
2851 president pro tempore of the Senate and the speaker of the House of
2852 Representatives. The Governor shall designate the chairman of the
2853 board.

2854 Sec. 53. Section 25-32k of the general statutes is repealed and the
2855 following is substituted in lieu thereof (*Effective July 1, 2014*):

2856 (a) Each water company, as defined in section 25-32a, serving one
2857 thousand or more persons or two hundred fifty or more consumers, as
2858 defined in section 25-32a, shall annually provide to residential
2859 customers, without charge, educational materials or information on (1)
2860 water conservation, (2) water supply source protection methods,
2861 including methods to reduce contamination, and (3) on or before July
2862 1, 2002, and annually thereafter, information developed by the
2863 [Commissioner of Public Health] Public Utilities Regulatory Authority,
2864 pursuant to subsection (b) of this section, on the health effects and
2865 sources of lead and copper. Every year each public water company
2866 shall provide a copy of these educational materials to the
2867 [Commissioner of Public Health] Public Utilities Regulatory Authority.

2868 (b) The [Commissioner of Public Health] Public Utilities Regulatory
2869 Authority shall, within available resources, develop, in consultation
2870 with public water suppliers, public education materials on health
2871 effects and sources of lead and copper, which shall be distributed
2872 pursuant to subsection (a) of this section.

2873 (c) The [Commissioner of Public Health] Public Utilities Regulatory
2874 Authority may impose a civil penalty on any water company that
2875 violates the provisions of this section. In imposing such civil penalty,
2876 the [commissioner] Public Utilities Regulatory Authority shall comply
2877 with the procedures set forth in section 25-32e, as amended by this act,
2878 except that the amount shall not exceed five thousand dollars per
2879 violation. Each year the company fails to offer educational materials or
2880 information on water conservation shall be deemed to be a separate
2881 violation.

2882 Sec. 54. Section 25-32l of the general statutes is repealed and the
2883 following is substituted in lieu thereof (*Effective July 1, 2014*):

2884 The [Commissioner of Public Health] Public Utilities Regulatory
2885 Authority may require in a water supply plan, prepared pursuant to
2886 section 25-32d, as amended by this act, the inclusion of a description of
2887 a water company's program to provide educational material or
2888 information on water conservation to residential customers.

2889 Sec. 55. Section 25-33 of the general statutes is repealed and the
2890 following is substituted in lieu thereof (*Effective July 1, 2014*):

2891 (a) On or before January first, annually, each water company shall
2892 file with the [Department of Public Health] Public Utilities Regulatory
2893 Authority, in such form as the [Commissioner of Public Health]
2894 authority shall prescribe, a written statement containing the following
2895 information: (1) The business name and address of the water company;
2896 (2) the name and residence address of the proprietor thereof or, if a
2897 partnership, the name and residence address of each partner or, if an
2898 association or corporation, the name and residence address of each
2899 officer and director; (3) the number and types of its consumers and a
2900 description of the area which the company serves; (4) an identification
2901 and description of its source of water supply; and (5) such other
2902 information as the [Commissioner of Public Health] authority may
2903 require.

2904 (b) No system of water supply owned or used by a water company
2905 shall be constructed or expanded or a new additional source of water
2906 supply utilized until the plans therefor have been submitted to and
2907 reviewed and approved by the [department] Public Utilities
2908 Regulatory Authority, except that no such prior review or approval is
2909 required for distribution water main installations that are constructed
2910 in accordance with sound engineering standards and all applicable
2911 laws and regulations. A plan for any proposed new source of water
2912 supply submitted to the [department] authority pursuant to this
2913 subsection shall include documentation that provides for: (1) A brief
2914 description of potential effects that the proposed new source of water
2915 supply may have on nearby water supply systems including public
2916 and private wells; and (2) the water company's ownership or control of
2917 the proposed new source of water supply's sanitary radius and
2918 minimum setback requirements as specified in the regulations of
2919 Connecticut state agencies and that such ownership or control shall
2920 continue to be maintained as specified in such regulations. If the
2921 [department] authority determines, based upon documentation
2922 provided, that the water company does not own or control the
2923 proposed new source of water supply's sanitary radius or minimum
2924 setback requirements as specified in the regulations of Connecticut
2925 state agencies, the [department] authority shall require the water
2926 company proposing a new source of water supply to supply additional
2927 documentation to the [department] authority that adequately
2928 demonstrates the alternative methods that will be utilized to assure the
2929 proposed new source of water supply's long-term purity and
2930 adequacy. In reviewing any plan for a proposed new source of water
2931 supply, the [department] authority shall consider the issues specified
2932 in this subsection. The [Commissioner of Public Health] authority may
2933 adopt regulations, in accordance with the provisions of chapter 54, to
2934 carry out the provisions of this subsection and subsection (c) of this
2935 section. For purposes of this subsection and subsection (c) of this
2936 section, "distribution water main installations" means installations,
2937 extensions, replacements or repairs of public water supply system

2938 mains from which water is or will be delivered to one or more service
2939 connections and which do not require construction or expansion of
2940 pumping stations, storage facilities, treatment facilities or sources of
2941 supply.

2942 (c) Each water company shall report to the [Department of Public
2943 Health] Public Utilities Regulatory Authority, annually in an electronic
2944 format prescribed by the [department] authority, the number and
2945 location of all new distribution water main installations.

2946 (d) Each petition to the General Assembly for authority to develop
2947 or introduce any system of public water supply shall be accompanied
2948 by a copy of the recommendation and advice of said [department]
2949 Public Utilities Regulatory Authority thereon.

2950 (e) Each water company shall maintain (1) a list of the names and
2951 addresses of its customers, and (2) the results of water purity tests
2952 conducted under this chapter. Such list and results shall be retained for
2953 a period of three years and be available for inspection and copying by
2954 the [Department of Public Health] Public Utilities Regulatory
2955 Authority and municipal and district health departments, for the
2956 purpose of public health investigations.

2957 Sec. 56. Subsection (a) of section 25-33a of the general statutes is
2958 repealed and the following is substituted in lieu thereof (*Effective July*
2959 *1, 2014*):

2960 (a) The State Bond Commission shall have power, from time to time
2961 to authorize the issuance of bonds of the state in one or more series
2962 and in principal amounts not exceeding in the aggregate four million
2963 one hundred fifty-one thousand five hundred ninety-nine dollars, for
2964 the purposes of providing funds for (1) grants to municipally-owned
2965 water companies for the planning, design, modification or construction
2966 of drinking water facilities of such companies made necessary by the
2967 requirements of the Safe Water Act of 1974, or by an order of the

2968 [Department of Public Health] Public Utilities Regulatory Authority
2969 deeming the water supplied by such companies to be inadequate,
2970 which facilities shall include, but need not be limited to, collection
2971 facilities, treatment facilities, wells, tanks, mains, pumps, transmission
2972 facilities and any other machinery and equipment necessary to meet
2973 the requirements of said act, (2) grants in accordance with the
2974 provisions of section 22a-471, as amended by this act, to water
2975 companies, as defined in section 25-32a, which have less than ten
2976 thousand customers, as defined in said section 25-32a, for the
2977 treatment of a contaminated water supply well which is owned,
2978 maintained, operated, managed, controlled or employed by the water
2979 company, and (3) water supply emergency assistance grants to
2980 investor-owned water companies which supply water to at least
2981 twenty-five but less than one thousand customers for repair,
2982 rehabilitation, interconnection or replacement, in the event that such
2983 company has ceased to provide water as a result of equipment or
2984 facility failure and the Commissioner of Economic and Community
2985 Development, upon recommendation of the [Department of Public
2986 Health and in consultation with the] Public Utilities Regulatory
2987 Authority, makes a determination that the company is financially
2988 unable to immediately restore service and there is no alternative water
2989 company reasonably able to immediately supply water. The grants
2990 shall be made in accordance with terms and conditions as provided in
2991 regulations to be promulgated by the Commissioner of Economic and
2992 Community Development, subject to approval by the [Commissioner
2993 of Public Health] Public Utilities Regulatory Authority, provided the
2994 amount of any such grant under subdivision (1) of this subsection shall
2995 not exceed one hundred thousand dollars or thirty per cent of the cost
2996 of the project being funded by the grant, whichever is greater. For the
2997 purposes of this section, planning costs shall include, but need not be
2998 limited to, fees and expenses of architects, engineers, attorneys,
2999 accountants and other professional consultants, and costs of preparing
3000 surveys, studies, site plans and plans and specifications for eligible
3001 drinking water facilities. Not more than four million dollars of the

3002 proceeds of such bonds shall be allocated to the municipally owned
3003 water companies grant program under subdivision (1) of this
3004 subsection, not more than two million dollars of the proceeds of such
3005 bonds shall be allocated for the treatment of contaminated water
3006 supply wells which are owned, maintained, operated, managed,
3007 controlled or employed by a water company under subdivision (2) of
3008 this subsection, and not more than seven hundred thousand dollars of
3009 the proceeds of such bonds shall be allocated to the investor-owned
3010 emergency assistance grant program under subdivision (3) of this
3011 subsection.

3012 Sec. 57. Section 25-33c of the general statutes is repealed and the
3013 following is substituted in lieu thereof (*Effective July 1, 2014*):

3014 The General Assembly finds that an adequate supply of potable
3015 water for domestic, commercial and industrial use is vital to the health
3016 and well-being of the people of the state. Readily available water for
3017 use in public water systems is limited and should be developed with a
3018 minimum of loss and waste. In order to maximize efficient and
3019 effective development of the state's public water supply systems and to
3020 promote public health, safety and welfare, the [Department of Public
3021 Health] Public Utilities Regulatory Authority shall administer a
3022 procedure to coordinate the planning of public water supply systems.

3023 Sec. 58. Section 25-33d of the general statutes is repealed and the
3024 following is substituted in lieu thereof (*Effective July 1, 2014*):

3025 As used in sections 25-33c to 25-33j, inclusive, as amended by this
3026 act:

3027 (a) "Public water system" means any private, municipal or regional
3028 utility supplying water to fifteen or more service connections or
3029 twenty-five or more persons;

3030 (b) "Public water supply management area" means a region
3031 determined by the [Commissioner of Public Health] Public Utilities

3032 Regulatory Authority to have similar water supply problems and
3033 characteristics;

3034 (c) "Exclusive service area" means an area where public water is
3035 supplied by one system;

3036 (d) "Commissioner" means the Commissioner of Public Health;

3037 (e) "Satellite management" means management of a public water
3038 supply system by another water company;

3039 (f) "Coordinated water system plan" means (1) the individual water
3040 system plans of each public water system within a public water supply
3041 management area, filed pursuant to section 25-32d, as amended by this
3042 act, and (2) an area-wide supplement to such plans developed
3043 pursuant to section 25-33h, as amended by this act, which addresses
3044 water system concerns pertaining to the public water supply
3045 management area as a whole.

3046 Sec. 59. Section 25-33e of the general statutes is repealed and the
3047 following is substituted in lieu thereof (*Effective July 1, 2014*):

3048 (a) Not more than six months after July 1, 1985, the [Commissioner
3049 of Public Health] Public Utilities Regulatory Authority, in consultation
3050 with the [Public Utilities Regulatory Authority,] the Commissioner of
3051 Energy and Environmental Protection and the Secretary of the Office
3052 of Policy and Management, shall delineate the preliminary boundaries
3053 of public water supply management areas and establish preliminary
3054 priorities for initiation in such areas of the planning process
3055 established in sections 25-33f to 25-33h, inclusive, as amended by this
3056 act. Not more than one year after July 1, 1985, the [commissioner]
3057 Public Utilities Regulatory Authority, after a hearing, shall delineate
3058 the final boundaries of such areas. In making such delineation, the
3059 [commissioner] Public Utilities Regulatory Authority shall consider the
3060 following: (1) The similarity of water supply problems among water
3061 companies operating in the preliminary management area; (2)

3062 population density and distribution in the area; (3) the location of
3063 existing sources of public water supply, service areas or franchise
3064 areas; (4) existing interconnections between public water systems; (5)
3065 municipal and regional planning agency boundaries; (6) natural
3066 drainage basins; (7) topographic and geologic characteristics; and (8)
3067 any other factor [he] it deems relevant.

3068 (b) Not more than one year after July 1, 1985, the [commissioner]
3069 Public Utilities Regulatory Authority, after hearing, shall establish the
3070 final priorities, for initiation of the planning process. In establishing
3071 such priorities, the [commissioner] Public Utilities Regulatory
3072 Authority shall consider the existence and severity of the following in
3073 each management area: (1) Uncoordinated planning, (2) inadequate
3074 water supply, (3) unreliable water service, and (4) any other factor [he]
3075 it deems relevant.

3076 Sec. 60. Section 25-33f of the general statutes is repealed and the
3077 following is substituted in lieu thereof (*Effective July 1, 2014*):

3078 (a) The [Commissioner of Public Health] Public Utilities Regulatory
3079 Authority, following the final priorities established pursuant to section
3080 25-33e, as amended by this act, shall convene a water utility
3081 coordinating committee for each public water supply management
3082 area to implement the planning process established by this section and
3083 sections 25-33g, as amended by this act, and 25-33h, as amended by
3084 this act.

3085 (b) A water utility coordinating committee shall consist of one
3086 representative from each public water system with a source of water
3087 supply or a service area within the public water supply management
3088 area and one representative from each regional planning agency
3089 within such area, elected by majority vote of the chief elected officials
3090 of the municipalities that are members of such regional planning
3091 agency. Each committee shall elect a chairman, adopt and amend, as
3092 required, a work plan and schedule for a coordinated plan and adopt

3093 rules, including, but not limited to, rules for publication of meeting
3094 times and agendas, and for public comment, including notice of a
3095 comment period and documentation of responses to comments.

3096 Sec. 61. Section 25-33g of the general statutes is repealed and the
3097 following is substituted in lieu thereof (*Effective July 1, 2014*):

3098 (a) Each water utility coordinating committee, in consultation with
3099 the [Commissioners of Public Health] Public Utilities Regulatory
3100 Authority, [and] Commissioner of Energy and Environmental
3101 Protection [,] and the Secretary of the Office of Policy and
3102 Management, [and the Public Utilities Regulatory Authority,] shall
3103 develop a preliminary assessment of water supply conditions and
3104 problems within the public water supply management area. The
3105 committee shall solicit comments on the preliminary assessment from
3106 municipalities, regional planning agencies, state agencies and other
3107 interested parties and respond to any comment received. The
3108 committee shall thereafter prepare a final assessment.

3109 (b) The committee shall establish preliminary exclusive service area
3110 boundaries, based on the final assessment, for each public water
3111 system within the management area, and may change such
3112 boundaries. In establishing exclusive service area boundaries the
3113 committee shall solicit comments on such boundaries from
3114 municipalities, regional planning agencies, the [Commissioners of]
3115 Public Utilities Regulatory Authority, Commissioner of Energy and
3116 Environmental Protection, [and Public Health, the Public Utilities
3117 Regulatory Authority,] the Secretary of the Office of Policy and
3118 Management and other interested persons within the management
3119 area and respond to any comment received. If there is no agreement by
3120 the committee on such boundaries, or on a change to such boundaries,
3121 the committee shall consult with the Public Utilities Regulatory
3122 Authority. If there is no agreement by the committee after such
3123 consultation, the [Commissioner of Public Health] Public Utilities
3124 Regulatory Authority shall establish or may change such exclusive

3125 service area boundaries taking into consideration any water company
3126 rights established by statute, special act or administrative decisions. In
3127 establishing such boundaries, the [commissioner] Public Utilities
3128 Regulatory Authority shall maintain existing service areas and
3129 consider the orderly and efficient development of public water
3130 supplies. In considering any change to exclusive service area
3131 boundaries, the [commissioner] Public Utilities Regulatory Authority
3132 shall maintain existing service areas, consider established exclusive
3133 service areas, and consider the orderly and efficient development of
3134 public water supplies.

3135 Sec. 62. Section 25-33h of the general statutes is repealed and the
3136 following is substituted in lieu thereof (*Effective July 1, 2014*):

3137 (a) Each water utility coordinating committee shall prepare a
3138 coordinated water system plan in the public water supply
3139 management area. Such plan shall be submitted to the [Commissioner
3140 of Public Health for his] Public Utilities Regulatory Authority for its
3141 approval not more than two years after the first meeting of the
3142 committee. The plan shall promote cooperation among public water
3143 systems and include, but not be limited to, provisions for (1)
3144 integration of public water systems, consistent with the protection and
3145 enhancement of public health and well-being; (2) integration of water
3146 company plans; (3) exclusive service areas; (4) joint management or
3147 ownership of services; (5) satellite management services; (6)
3148 interconnections between public water systems; (7) integration of land
3149 use and water system plans; (8) minimum design standards; (9) water
3150 conservation; (10) the impact on other uses of water resources; and (11)
3151 acquisition of land surrounding wells proposed to be located in
3152 stratified drifts.

3153 (b) The plan shall be adopted in accordance with the provisions of
3154 this section. The committee shall prepare a draft of the plan and solicit
3155 comments thereon from the [Commissioners of Public Health and]
3156 Public Utilities Regulatory Authority, Commissioner of Energy and

3157 Environmental Protection, [the Public Utilities Regulatory Authority,]
3158 the Secretary of the Office of Policy and Management and any
3159 municipality, regional planning agency or other interested party
3160 within the management area. The municipalities and regional planning
3161 agencies shall comment on, but shall not be limited to commenting on,
3162 the consistency of the plan with local and regional land use plans and
3163 policies. The Public Utilities Regulatory Authority shall comment on,
3164 but shall not be limited to commenting on, the cost-effectiveness of the
3165 plan and the availability of pure and adequate water supplies,
3166 potential conflicts over the use of such supplies, and consistency with
3167 the goals of sections 25-33c to 25-33j, inclusive, as amended by this act.
3168 The Secretary of the Office of Policy and Management shall comment
3169 on, but shall not be limited to commenting on, the consistency of the
3170 plan with state policies. The Commissioner of Energy and
3171 Environmental Protection shall comment on, but shall not be limited to
3172 commenting on, the availability of water for any proposed diversion.
3173 [The Commissioner of Public Health shall comment on, but shall not
3174 be limited to commenting on, the availability of pure and adequate
3175 water supplies, potential conflicts over the use of such supplies, and
3176 consistency with the goals of sections 25-33c to 25-33j, inclusive.]

3177 (c) The [Commissioner of Public Health] Public Utilities Regulatory
3178 Authority shall adopt regulations in accordance with the provisions of
3179 chapter 54 establishing the contents of a plan and a procedure for
3180 approval or amendment to the plan.

3181 Sec. 63. Section 25-33i of the general statutes is repealed and the
3182 following is substituted in lieu thereof (*Effective July 1, 2014*):

3183 (a) Any permit issued by the [Commissioner of Public Health]
3184 Public Utilities Regulatory Authority pursuant to this chapter shall, to
3185 the extent feasible, be consistent with any coordinated plan adopted
3186 pursuant to section 25-33h, as amended by this act.

3187 (b) No public water supply system may be approved within a public

3188 water supply management area after the [Commissioner of Public
3189 Health] Public Utilities Regulatory Authority has convened a water
3190 utility coordinating committee unless (1) an existing public water
3191 supply system is unable to provide water service or (2) the committee
3192 recommends such approval.

3193 Sec. 64. Section 25-33j of the general statutes is repealed and the
3194 following is substituted in lieu thereof (*Effective July 1, 2014*):

3195 The [Commissioner of Public Health] Public Utilities Regulatory
3196 Authority may enter into contracts with consultants to provide
3197 services to water utility coordinating committees. The amount of any
3198 contract shall not exceed two hundred thousand dollars. Any
3199 appropriation made to the [Department of Public Health] Public
3200 Utilities Regulatory Authority for the purposes of this section shall not
3201 lapse until [The Department of Public Health] the authority has
3202 completed the planning process for a water utility coordinating
3203 committee.

3204 Sec. 65. Section 25-33k of the general statutes is repealed and the
3205 following is substituted in lieu thereof (*Effective July 1, 2014*):

3206 (a) For purposes of this section, "safe yield" means the maximum
3207 dependable quantity of water per unit of time that may flow or be
3208 pumped continuously from a source of supply during a critical dry
3209 period without consideration of available water limitations.

3210 (b) No source of water supply shall be abandoned by a water
3211 company or other entity without a permit from the [Commissioner of
3212 Public Health] Public Utilities Regulatory Authority. A water company
3213 or other entity shall apply for such permit in the manner prescribed by
3214 the [commissioner] authority. Not later than thirty days before filing
3215 an application for such permit, the applicant shall notify the chief
3216 elected official of any municipality and any local health department or
3217 district in which such source of supply is located. Not later than sixty

3218 days after receipt of such notification, the municipality or
3219 municipalities and local health departments or districts receiving such
3220 notice, and any water company as defined in section 25-32a, may
3221 submit comments on such application to the [commissioner] Public
3222 Utilities Regulatory Authority. The [commissioner] authority shall take
3223 such comments into consideration when reviewing the application.

3224 (c) (1) In determining whether to approve an application, the
3225 [commissioner] Public Utilities Regulatory Authority shall (A)
3226 consider the water supply needs of the water company, the state and
3227 any comments submitted pursuant to subsection (b) of this section,
3228 and (B) consult with the Commissioner of Energy and Environmental
3229 Protection [,] and the Secretary of the Office of Policy and
3230 Management, [and the Public Utilities Regulatory Authority.] The
3231 [Commissioner of Public Health] Public Utilities Regulatory Authority
3232 shall not be required to make a consultation pursuant to subparagraph
3233 (B) of this subdivision if the [commissioner] authority determines the
3234 source of water supply to be abandoned is a groundwater source with
3235 a safe yield of less than ten gallons per minute and is of poor water
3236 quality.

3237 (2) The [Commissioner of Public Health] Public Utilities Regulatory
3238 Authority shall grant a permit upon a finding that any groundwater
3239 source with a safe yield of less than 0.75 millions of gallons per day,
3240 any reservoir with a safe yield of less than 0.75 millions of gallons per
3241 day, any reservoir system with a safe yield of less than 0.75 millions of
3242 gallons per day, or any individual source within a reservoir system
3243 when such system has a safe yield of less than 0.75 millions of gallons
3244 per day will not be needed by such water company for present or
3245 future water supply and, in the case of a water company required to
3246 file a water supply plan under section 25-32d, as amended by this act,
3247 that such abandonment is consistent with a water supply plan filed
3248 and approved pursuant to said section. No permit shall be granted if
3249 the [commissioner] Public Utilities Regulatory Authority determines
3250 that the source would be necessary for water supply by the company

3251 owning such source in an emergency or the proposed abandonment
3252 would impair the ability of such company to provide a pure, adequate
3253 and reliable water supply for present and projected future customers.
3254 As used in this section, a future source of water supply shall be
3255 considered to be any source of water supply necessary to serve areas
3256 reasonably expected to require service by the water company owning
3257 such source for a period of not more than fifty years after the date of
3258 the application for a permit under this section.

3259 (3) The [Commissioner of Public Health] Public Utilities Regulatory
3260 Authority shall grant a permit upon a finding that any groundwater
3261 source with a safe yield of more than 0.75 millions of gallons per day,
3262 any reservoir with a safe yield of more than 0.75 millions of gallons per
3263 day, any reservoir system with a safe yield of more than 0.75 millions
3264 of gallons per day, or any individual source within a reservoir system
3265 when such system has a safe yield of more than 0.75 millions of gallons
3266 per day is of a size or condition that makes it unsuitable for present or
3267 future use as a drinking water supply by the water company, other
3268 entity or the state. In making a decision, the [commissioner] Public
3269 Utilities Regulatory Authority shall consider the general utility of the
3270 source and the viability for use to meet water supply needs. The
3271 [commissioner] authority shall consider any public water supply plans
3272 filed and approved pursuant to sections 25-32d, as amended by this
3273 act, and 25-33h, as amended by this act, and any other water system
3274 plan approved by the [commissioner] authority, and the efficient and
3275 effective development of public water supply in the state. In assessing
3276 the general utility of the source, the [commissioner] authority shall
3277 consider factors including, but not limited to, (A) the safe yield of the
3278 source, (B) the location of the source relative to other public water
3279 supply systems, (C) the water quality of the source and the potential
3280 for treatment, (D) water quality compatibility between systems and
3281 interconnections, (E) extent of water company-owned lands for source
3282 protection of the supply, (F) types of land uses and land use controls in
3283 the aquifer protection area or watershed and their potential impact on

3284 water quality of the source, and (G) physical limitations to water
3285 service, system hydraulics and topography.

3286 Sec. 66. Section 25-33l of the general statutes is repealed and the
3287 following is substituted in lieu thereof (*Effective July 1, 2014*):

3288 (a) Whenever any water company intends to sell a source, potential
3289 source or abandoned source of water supply, it shall notify the
3290 [Commissioner of Public Health] Public Utilities Regulatory Authority.
3291 The [commissioner] Public Utilities Regulatory Authority shall order
3292 such company to notify, in writing, by certified mail, return receipt
3293 requested, other water companies that may reasonably be expected to
3294 utilize the source, potential source or abandoned source of its intention
3295 and the price at which it intends to sell such source. The
3296 [commissioner] Public Utilities Regulatory Authority shall determine
3297 the water companies that shall receive notice after consideration of
3298 public water supply plans filed and approved pursuant to section 25-
3299 32d, as amended by this act, and any other water system plan
3300 approved by the [commissioner] Public Utilities Regulatory Authority.
3301 No agreement to sell such source may be entered into by the water
3302 company except as hereinafter provided.

3303 (b) Within ninety days after notice has been mailed pursuant to
3304 subsection (a) of this section, a water company receiving notice of the
3305 sale pursuant to said subsection shall give notice to the water company
3306 selling the source, potential source or abandoned source of water
3307 supply by certified mail, return receipt requested, of a desire to acquire
3308 such source and such water company shall have the right to acquire
3309 the interest in such source for water supply purposes. If two or more
3310 water companies seek to acquire such source, potential source or
3311 abandoned source at the price at which it is offered, the
3312 [Commissioner of Public Health] Public Utilities Regulatory Authority
3313 shall hold a hearing to determine which company shall be allowed to
3314 acquire such source. In making his determination, the [commissioner]
3315 Public Utilities Regulatory Authority shall consider any public water

3316 supply plans filed and approved pursuant to section 25-32d, as
3317 amended by this act, any other water system plans approved by the
3318 [commissioner] Public Utilities Regulatory Authority, the needs of
3319 each company and the efficient and effective development of public
3320 water supply in the state. The decision of the [commissioner] Public
3321 Utilities Regulatory Authority shall be subject to appeal pursuant to
3322 section 4-183 and shall have precedence in the order of trial as
3323 provided in section 52-191.

3324 (c) If a water company fails to give notice pursuant to subsection (b)
3325 of this section by certified mail, return receipt requested, of its desire to
3326 acquire such source, potential source or abandoned source of water
3327 supply, such water company shall have waived its right to acquire the
3328 source or potential source of water supply in accordance with the
3329 terms of this section.

3330 (d) The water company desiring to acquire the interest in the source,
3331 potential source or abandoned source of water supply shall acquire
3332 such interest within twelve months of the determination by the
3333 [commissioner] Public Utilities Regulatory Authority of which water
3334 company shall be allowed to acquire such source. If the rates of the
3335 water company acquiring such source are regulated by the Public
3336 Utilities Regulatory Authority, the source acquired may be included in
3337 the rate base of such company at the acquisition price.

3338 Sec. 67. Section 25-33n of the general statutes is repealed and the
3339 following is substituted in lieu thereof (*Effective July 1, 2014*):

3340 On or before the second Wednesday after the convening of each
3341 regular session of the General Assembly, the [Commissioner of Public
3342 Health] Public Utilities Regulatory Authority shall submit a report to
3343 the joint standing committees of the General Assembly having
3344 cognizance of matters relating to the environment and public utilities,
3345 which describes the status of, for the year ending the preceding June
3346 thirtieth, the water planning process established under sections 25-33g

3347 to 25-33j, inclusive, as amended by this act, and efforts to expedite the
3348 process.

3349 Sec. 68. Subsection (a) of section 25-33o of the general statutes is
3350 repealed and the following is substituted in lieu thereof (*Effective July*
3351 *1, 2014*):

3352 (a) The chairperson of the Public Utilities Regulatory Authority, or
3353 the chairperson's designee, the Commissioner of Energy and
3354 Environmental Protection, or the commissioner's designee, and the
3355 Secretary of the Office of Policy and Management, or the secretary's
3356 designee, [and the Commissioner of Public Health, or the
3357 commissioner's designee,] shall constitute a Water Planning Council to
3358 address issues involving the water companies, water resources and
3359 state policies regarding the future of the state's drinking water supply.
3360 On or after July 1, 2007, and each year thereafter, the chairperson of the
3361 Water Planning Council shall be elected by the members of the Water
3362 Planning Council.

3363 Sec. 69. Subsection (d) of section 25-33o of the general statutes is
3364 repealed and the following is substituted in lieu thereof (*Effective July*
3365 *1, 2014*):

3366 (d) The council shall, not later than January 1, 2002, and annually
3367 thereafter, report its preliminary findings and any proposed legislative
3368 changes to the joint standing committees of the General Assembly
3369 having cognizance of matters relating to public health, the
3370 environment and public utilities in accordance with section 11-4a,
3371 except that not later than February 1, 2004, the council shall report its
3372 recommendations in accordance with this subsection with regard to (1)
3373 a water allocation plan based on water budgets for each watershed, (2)
3374 funding for water budget planning, giving priority to the most highly
3375 stressed watersheds, and (3) the feasibility of merging the data
3376 collection and regulatory functions of the Department of Energy and
3377 Environmental Protection's inland water resources program and the

3378 [Department of Public Health's] Public Utility Regulatory Authority's
3379 water supplies section.

3380 Sec. 70. Section 25-34 of the general statutes is repealed and the
3381 following is substituted in lieu thereof (*Effective July 1, 2014*):

3382 (a) The [Department of Public Health] Public Utilities Regulatory
3383 Authority may, and upon complaint shall, investigate any system of
3384 water supply or source of water or ice supply from which water or ice
3385 used by the public is obtained, and, if it finds any pollution or
3386 threatened pollution which in its judgment is prejudicial to public
3387 health, it shall notify the owner or operator of such water company or
3388 system of ice supply, or the person or corporation causing or
3389 permitting such pollution or threatened pollution, and the
3390 Commissioner of Energy and Environmental Protection, of its findings
3391 and shall make such orders as it deems necessary to protect such water
3392 or ice supply and render such water or ice safe for domestic use.

3393 (b) A copy of any such order shall be mailed to such owner or
3394 operator or such person or corporation by certified mail, return receipt
3395 requested. Within thirty days of the date of mailing, the recipient of the
3396 order may request a hearing to show why the findings in the order are
3397 not based on substantial evidence or that the order is an abuse of
3398 discretion. Upon receipt of such request, the commissioner shall grant
3399 a hearing as soon thereafter as practicable or within ten business days
3400 if the order requires immediate compliance. The commissioner shall
3401 not grant any request for a hearing at any time thereafter. The order
3402 shall be effective on a date set by the commissioner, but the recipient of
3403 the order may request a stay of such order pending the decision of the
3404 commissioner. Any hearing shall be deemed to be a contested case and
3405 held in accordance with the provisions of chapter 54. The request for a
3406 hearing shall be a condition precedent to an appeal under the
3407 provisions of section 25-36, as amended by this act.

3408 Sec. 71. Section 25-35 of the general statutes is repealed and the

3409 following is substituted in lieu thereof (*Effective July 1, 2014*):

3410 The [Department of Public Health] Public Utilities Regulatory
3411 Authority may employ agents and engineers to carry out the
3412 provisions of sections 25-32, as amended by this act, 25-33, as amended
3413 by this act, and 25-34, as amended by this act, at such expense as may
3414 be approved by the Secretary of the Office of Policy and Management.

3415 Sec. 72. Section 25-36 of the general statutes is repealed and the
3416 following is substituted in lieu thereof (*Effective July 1, 2014*):

3417 (a) Except as provided otherwise in this part, any person or
3418 corporation aggrieved by any order of the [Department of Public
3419 Health] Public Utilities Regulatory Authority made under the
3420 provisions of this part, may appeal therefrom in accordance with the
3421 provisions of section 4-183, except venue shall be in the judicial district
3422 in which the source of the water or ice supply is located. If such source
3423 is located in more than one judicial district, the appeal shall be taken to
3424 the court for that judicial district containing the part of such source
3425 nearest the mouth of the stream or river forming the main portion of
3426 the source of supply. If a water company is subject to such an order
3427 and such water company takes an appeal in accordance with this
3428 subsection, the water company shall provide notice of such appeal to
3429 the local director of health in the municipality or municipalities in
3430 which a violation occurred or that utilize such water, and such local
3431 director of health shall have the right to be heard in such appeal. Each
3432 order of the [Department of Public Health] Public Utilities Regulatory
3433 Authority issued under the foregoing provisions to any person or
3434 corporation shall specify the time within which such person or
3435 corporation shall comply with the terms thereof. If such person or
3436 corporation fails to comply with the terms of such order and no appeal
3437 is taken therefrom, the state's attorney for the judicial district of
3438 Hartford shall bring a complaint against such person or corporation to
3439 the superior court for said judicial district.

3440 (b) Except as provided otherwise in this part, upon the failure of any
3441 person or corporation to comply with any order made under the
3442 provisions of this part, the Attorney General, upon request of the
3443 [Commissioner of Public Health] Public Utilities Regulatory Authority,
3444 may bring an action in the superior court for the judicial district of
3445 Hartford to obtain enforcement of the order by the court. All actions
3446 brought by the Attorney General pursuant to the provisions of this
3447 section shall have precedence in the order of trial as provided in
3448 section 52-191. The court may issue such orders as are necessary to
3449 obtain compliance with the order of the [department] Public Utilities
3450 Regulatory Authority and shall impose a civil penalty not exceeding
3451 five thousand dollars per day commencing from the date compliance
3452 was ordered.

3453 Sec. 73. Section 25-37a of the general statutes is repealed and the
3454 following is substituted in lieu thereof (*Effective July 1, 2014*):

3455 The General Assembly finds and declares that an adequate supply
3456 of pure water is and will always be essential for the health and safety
3457 and economic well-being of the state, that lands acquired for public
3458 water supply purposes are and will in the future be necessary to
3459 protect the public water supply notwithstanding the availability of
3460 water filtration plants; that some of such lands have been acquired by
3461 water companies having the power of eminent domain, that such lands
3462 are in imminent danger of being disposed of by water companies for
3463 residential and commercial development, that such lands constitute a
3464 significant portion of the remaining undeveloped and open space
3465 lands in close proximity to the urbanized areas of the state, and that it
3466 is in the public interest that there be established criteria for the orderly
3467 disposition of such lands. The General Assembly further finds and
3468 declares that in order to protect the purity and adequacy of the water
3469 supply the [Department of Public Health] Public Utilities Regulatory
3470 Authority should be directed to revise its procedure for the review of
3471 applications to sell water company land located on public drinking

3472 water supply watersheds, that the disposition of such land prior to the
3473 revision of application review procedures would jeopardize the public
3474 health and welfare, and that therefore the prohibition against sale or
3475 development of water company land located on the watershed should
3476 be extended for a period of three years from June 26, 1977.

3477 Sec. 74. Section 25-37b of the general statutes is repealed and the
3478 following is substituted in lieu thereof (*Effective July 1, 2014*):

3479 As used in sections 25-32, as amended by this act, and 25-37a to 25-
3480 37e, inclusive, as amended by this act, "critical components of a stream
3481 belt" means (1) the watercourse of a defined stream including banks,
3482 beds and water; (2) land subject to stream overflow; (3) associated
3483 wetlands, and (4) shorelines of lakes and ponds associated with the
3484 stream. "First-order stream" means a stream which directly enters a
3485 reservoir; "purity and adequacy of public drinking water supply"
3486 means the quality and quantity of public drinking water as determined
3487 by the [Commissioner of Public Health] Public Utilities Regulatory
3488 Authority under subsection (d) of section 25-32, as amended by this
3489 act; "water company" means any water company as defined in section
3490 25-32a; "authority" means the Public Utilities Regulatory Authority; [
3491 and "commissioner" means the Commissioner of Public Health.

3492 Sec. 75. Section 25-37c of the general statutes is repealed and the
3493 following is substituted in lieu thereof (*Effective July 1, 2014*):

3494 The [Department of Public Health] Public Utilities Regulatory
3495 Authority shall adopt, in accordance with chapter 54, regulations
3496 establishing criteria and performance standards for three classes of
3497 water-company-owned land.

3498 (a) Class I land includes all land owned by a water company or
3499 acquired from a water company through foreclosure or other
3500 involuntary transfer of ownership or control which is either: (1) Within
3501 two hundred and fifty feet of high water of a reservoir or one hundred

3502 feet of all watercourses as defined in agency regulations adopted
3503 pursuant to this section; (2) within the areas along watercourses which
3504 are covered by any of the critical components of a stream belt; (3) land
3505 with slopes fifteen per cent or greater without significant interception
3506 by wetlands, swales and natural depressions between the slopes and
3507 the watercourses; (4) within two hundred feet of groundwater wells;
3508 (5) an identified direct recharge area or outcrop of aquifer now in use
3509 or available for future use, or (6) an area with shallow depth to
3510 bedrock, twenty inches or less, or poorly drained or very poorly
3511 drained soils as defined by the United States Soil Conservation Service
3512 that are contiguous to land described in subdivision (3) or (4) of this
3513 subsection and that extend to the top of the slope above the receiving
3514 watercourse.

3515 (b) Class II land includes all land owned by a water company or
3516 acquired from a water company through foreclosure or other
3517 involuntary transfer of ownership or control which is either (1) on a
3518 public drinking supply watershed which is not included in class I or
3519 (2) completely off a public drinking supply watershed and which is
3520 within one hundred and fifty feet of a distribution reservoir or a first-
3521 order stream tributary to a distribution reservoir.

3522 (c) Class III land includes all land owned by a water company or
3523 acquired from a water company through foreclosure or other
3524 involuntary transfer of ownership or control which is unimproved
3525 land off public drinking supply watersheds and beyond one hundred
3526 and fifty feet from a distribution reservoir or first-order stream
3527 tributary to a distribution reservoir.

3528 Sec. 76. Section 25-37d of the general statutes is repealed and the
3529 following is substituted in lieu thereof (*Effective July 1, 2014*):

3530 Within two years after June 26, 1977, the [commissioner] Public
3531 Utilities Regulatory Authority shall adopt regulations in accordance
3532 with chapter 54 for the review of permit applications. Such procedure

3533 shall include a standard application form, a public hearing and
3534 enforcement provisions. A permit application shall be deemed
3535 complete if the [commissioner] authority does not request additional
3536 information within forty-five days after the date on which the
3537 application was submitted or, in the event that additional information
3538 has been requested, upon the submission of such information. The
3539 [commissioner] authority may request further information after the
3540 application has been deemed complete if the need for such information
3541 was not apparent within forty-five days after submission of the
3542 application. If, in the judgment of the [commissioner] authority, the
3543 proposed sale, lease, assignment or change in use of class II land may
3544 have a significant adverse impact upon the applicant's water supply,
3545 said [commissioner] authority may, within thirty days of his receipt of
3546 a complete permit application, refer such application for detailed
3547 review to a consultant chosen by the [commissioner] authority, with
3548 skills in the fields of water supply, hydrology, aquatic biology,
3549 forestry, geology, planning or other related fields. The [commissioner]
3550 authority shall notify the applicant of such referral. The fee for such
3551 consultant shall be paid by the applicant. If the [commissioner]
3552 authority does not refer the application to a consultant pursuant to the
3553 provisions of this section, the [commissioner] authority shall refer such
3554 application to a professional review team appointed by said
3555 [commissioner] authority, consisting of a professional from the staff of
3556 the Department of Energy and Environmental Protection with
3557 expertise in one of the following areas: Water supply, hydrology,
3558 aquatic biology, forestry, geology or other related fields; a professional
3559 planner recommended by the chief executive officer of the town or
3560 towns in which the land proposed for disposition is located; a
3561 professional planner from the staff of the Office of Policy and
3562 Management; an appointee from the staff of the [Department of Public
3563 Health] Public Utilities Regulatory Authority and up to three other
3564 experts in the public health field, provided nothing in this section shall
3565 be construed to prevent the [commissioner] authority from referring
3566 such application to both a consultant and a professional review team.

3567 No appointee or consultant shall serve at the time of his appointment
3568 in the employ of the applicant. Such team or consultant shall evaluate
3569 the impact of the proposed sale, lease, assignment or change in use of
3570 land upon the purity and adequacy of the water supply under the
3571 most severe climatic conditions and its ability to meet current drinking
3572 water standards adopted by the [Department of Public Health] Public
3573 Utilities Regulatory Authority.

3574 Sec. 77. Section 25-37e of the general statutes is repealed and the
3575 following is substituted in lieu thereof (*Effective July 1, 2014*):

3576 Within sixty days after the receipt of a complete permit application,
3577 the [Commissioner of Public Health] Public Utilities Regulatory
3578 Authority shall issue a written decision granting or denying the permit
3579 and setting forth the reasons for his decision, provided, if the
3580 [commissioner] authority has utilized the services of a consultant or a
3581 professional review team as provided for by section 25-37d, as
3582 amended by this act, such consultant or review team shall submit to
3583 said [commissioner] authority, within ninety days of his receipt of such
3584 application, a written report of its findings, and said [commissioner]
3585 authority shall issue his decision within one hundred twenty days of
3586 his receipt of such application or within one hundred sixty-five days of
3587 the initial submission of the application. The [commissioner] authority
3588 shall forward a copy of his decision to the applicant, the Public
3589 Utilities Regulatory Authority, the Department of Energy and
3590 Environmental Protection and the chief executive officer of the town in
3591 which the land is located. If no decision is issued within one hundred
3592 twenty days after receipt of a complete application or within one
3593 hundred sixty-five days of the initial submission of the application, the
3594 applicant may submit a written request to the [commissioner]
3595 authority to issue the permit. If the [commissioner] authority does not
3596 issue a decision within forty-five days after the submission of such a
3597 request, the permit shall be deemed to have been granted.

3598 Sec. 78. Section 25-37g of the general statutes is repealed and the

3599 following is substituted in lieu thereof (*Effective July 1, 2014*):

3600 No water company land classified under section 25-37c, as amended
3601 by this act, as class II land shall be sold, leased or assigned for a period
3602 of three years from June 26, 1977, or until the final adoption of
3603 regulations by the [Commissioner of Public Health] Public Utilities
3604 Regulatory Authority as required in section 25-37d, as amended by
3605 this act, whichever occurs first.

3606 Sec. 79. Section 25-37h of the general statutes is repealed and the
3607 following is substituted in lieu thereof (*Effective July 1, 2014*):

3608 Any water company which mortgages or gives a security interest in
3609 class I or II land or any essential part of its plant equipment or other
3610 property necessary or useful in the performance of its duty to the
3611 public shall immediately notify the [Commissioner of Public Health]
3612 Public Utilities Regulatory Authority in writing that such mortgage or
3613 security interest has been given and shall provide the [commissioner]
3614 Public Utilities Regulatory Authority with the name and address of the
3615 mortgagee or the holder of the security interest, a description of the
3616 land, equipment or property affected, and any other information that
3617 the [commissioner] authority may require. Any water company having
3618 land, equipment or property subject to a mortgage or security interest
3619 on July 1, 1995, shall, by September 1, 1995, notify the [commissioner]
3620 Public Utilities Regulatory Authority in writing of the name and
3621 address of the holder of that mortgage or security interest and shall
3622 provide a description of the land, equipment or property affected and
3623 any other information the [commissioner] authority may require.

3624 Sec. 80. Section 25-40 of the general statutes is repealed and the
3625 following is substituted in lieu thereof (*Effective July 1, 2014*):

3626 Town, city and borough directors of health shall, when in their
3627 judgment health may be menaced or impaired through a water supply,
3628 send, subject to the approval of the [Department of Public Health]

3629 Public Utilities Regulatory Authority, samples of such water to said
3630 [department] authority for examination and analysis. Said
3631 [department] authority shall perform such examination and analysis
3632 without charge unless such town, city or borough is to be reimbursed
3633 for the expense of any such examination and analysis, and in such
3634 event a fee shall be charged in accordance with a schedule of fees to be
3635 established by the [Commissioner of Public Health] Public Utilities
3636 Regulatory Authority, based upon nationally recognized standards
3637 and performance measures for such examination and analysis. Any
3638 person, firm or corporation which operates or maintains a laboratory
3639 in which any determination, examination or analysis is made of any
3640 sample of water or sewage as a basis for advice as to the sanitary
3641 quality of such water or sewage or as to any possible danger to health
3642 involved, unless such laboratory has been approved specifically for
3643 that purpose by the [Department of Public Health] Public Utilities
3644 Regulatory Authority, after meeting the requirements established by
3645 said [department] authority, shall be fined not more than one hundred
3646 dollars.

3647 Sec. 81. Section 25-40a of the general statutes is repealed and the
3648 following is substituted in lieu thereof (*Effective July 1, 2014*):

3649 Not later than five business days after receiving notice that a public
3650 water system is in violation of the federal Environmental Protection
3651 Agency national primary drinking water standards, the
3652 [Commissioner of Public Health] Public Utilities Regulatory Authority
3653 shall give written or electronic notification of such violation to the chief
3654 elected official of the municipality where such public water system is
3655 located and of any municipality that is served by such public water
3656 system.

3657 Sec. 82. Section 25-43c of the general statutes is repealed and the
3658 following is substituted in lieu thereof (*Effective July 1, 2014*):

3659 (a) Sport fishing from designated locations on shoreline or from

3660 boats propelled by oars or by electric motors with sealed storage
3661 batteries on public water supply storage and distribution reservoirs, as
3662 defined in subsection (a) of section 25-43, or aquifer protection areas as
3663 mapped pursuant to section 22a-354c, and additional recreational
3664 activities subject to the provisions of subsection (b) of this section,
3665 within designated areas of the watersheds of such reservoirs or aquifer
3666 protection areas may be permitted by a water company, as defined in
3667 section 25-32a, in accordance with rules made by such water company
3668 after consultation with the [Commissioner of Public Health] Public
3669 Utilities Regulatory Authority and the Department of Energy and
3670 Environmental Protection.

3671 (b) The [Commissioner of Public Health] Public Utilities Regulatory
3672 Authority, upon application by a water company, may issue to such
3673 company a permit authorizing recreational activities on storage and
3674 distribution reservoirs or aquifer protection areas. Any person who
3675 engages in any recreational activity which involves the use of a boat on
3676 reservoirs which are wholly owned by a water company shall use
3677 boats owned by said water company. If, in the opinion of the
3678 [commissioner] Public Utilities Regulatory Authority, the proposed
3679 recreational activities may have a significant adverse impact upon the
3680 applicant's water supply, said [commissioner] authority may, within
3681 thirty days of receipt of a complete permit application, refer such
3682 application for detailed review to a consultant, chosen by the
3683 [commissioner] authority, with skills in the fields of water supply,
3684 hydrology, aquatic biology, forestry, geology, planning or other
3685 related fields, whose fee shall be paid by the applicant. The
3686 [commissioner] Public Utilities Regulatory Authority shall notify the
3687 applicant of such referral. The permit shall be issued subject to any
3688 terms or conditions the [commissioner] Public Utilities Regulatory
3689 Authority deems necessary to maintain the purity of the water in such
3690 storage and distribution reservoirs or aquifer protection areas. The
3691 [commissioner] Public Utilities Regulatory Authority may approve the
3692 use of electric motors with sealed storage batteries in a storage or

3693 distribution reservoir with an existing approved fishing program,
3694 provided such reservoir has conventional filtration treatment and is
3695 adequately supervised at all times when electric motors are in use,
3696 subject to monitoring, inspection and reporting by the water company
3697 satisfactory to the [commissioner] Public Utilities Regulatory
3698 Authority. The [commissioner] Public Utilities Regulatory Authority
3699 may adopt regulations in accordance with the provisions of chapter 54
3700 establishing criteria for such recreational activities on storage and
3701 distribution reservoirs or aquifer protection areas and for monitoring
3702 the water quality thereof. The [Commissioner of Public Health] Public
3703 Utilities Regulatory Authority shall prohibit fishing and recreational
3704 activities in those cases where treatment facilities are deemed
3705 inadequate by the [commissioner] authority to properly safeguard the
3706 health of persons drinking the water.

3707 (c) Water companies are empowered, after consultation with the
3708 Department of Energy and Environmental Protection, to issue permits
3709 and to charge fees for the issuance of such permits in order to
3710 reimburse such companies for the cost to them of such fishing and
3711 other recreational activities in public water supply storage and
3712 distribution reservoirs and on the watersheds of such public water
3713 supply storage and distribution reservoirs or within aquifer protection
3714 areas.

3715 (d) All public water supply reservoirs constructed on or after
3716 January 1, 1975, except for such reservoirs as may be under
3717 construction before January 1, 1975, shall have such water treatment or
3718 purification facilities as the [Commissioner of Public Health] Public
3719 Utilities Regulatory Authority determines are necessary to assure the
3720 purity of the water supplies from sources in such reservoirs in which
3721 sport fishing is permitted or in watersheds of such reservoirs in which
3722 such recreational activities are permitted as provided in this section,
3723 provided nothing in this section shall be deemed to permit any
3724 recreational use of an existing reservoir or of the watershed land of
3725 such reservoir which use would require the installation of new water

3726 treatment or purification facilities.

3727 (e) No water company shall be liable in damages except with respect
3728 to wilful or wanton conduct for injury or property damage to any
3729 person who enters upon its lands or waters under the provisions of
3730 this section.

3731 Sec. 83. Section 25-46 of the general statutes is repealed and the
3732 following is substituted in lieu thereof (*Effective July 1, 2014*):

3733 For the purpose of protecting the purity of interstate waters used or
3734 intended for use by any municipality, public institution or water
3735 company of this or of any adjoining state or states as sources of
3736 drinking water supply, and with a view to reciprocal action by
3737 adjoining states for the benefit of this state, the [Department of Public
3738 Health] Public Utilities Regulatory Authority is authorized, at the
3739 request of the [Department of Public Health] Public Utilities
3740 Regulatory Authority, or the official body having similar powers and
3741 duties, of an adjoining state, to provide in the [Public Health Code]
3742 regulations adopted by the Public Utilities Regulatory Authority for
3743 the protection of the purity of the waters of any lakes, ponds, streams
3744 and reservoirs, within any specified drainage area in this state,
3745 tributary to any such drinking water supply of an adjoining state.

3746 Sec. 84. Section 26-141b of the general statutes is repealed and the
3747 following is substituted in lieu thereof (*Effective July 1, 2014*):

3748 The Commissioner of Energy and Environmental Protection shall,
3749 on or before December 31, 2006, and after consultation and cooperation
3750 with the [Department of Public Health,] the Public Utilities Regulatory
3751 Authority, an advisory group convened by the Commissioner of
3752 Energy and Environmental Protection, and any other agency, board or
3753 commission of the state with which said commissioner shall deem it
3754 advisable to consult and after recognizing and providing for the needs
3755 and requirements of public health, flood control, industry, public

3756 utilities, water supply, public safety, agriculture and other lawful uses
3757 of such waters and further recognizing and providing for stream and
3758 river ecology, the requirements of natural aquatic life, natural wildlife
3759 and public recreation, and after considering the natural flow of water
3760 into an impoundment or diversion, and being reasonably consistent
3761 therewith, shall adopt regulations, in accordance with the provisions of
3762 chapter 54, establishing flow regulations for all river and stream
3763 systems. Such flow regulations shall: (1) Apply to all river and stream
3764 systems within this state; (2) preserve and protect the natural aquatic
3765 life, including anadromous fish, contained within such waters; (3)
3766 preserve and protect the natural and stocked wildlife dependent upon
3767 the flow of such water; (4) promote and protect the usage of such
3768 water for public recreation; (5) be based, to the maximum extent
3769 practicable, on natural variation of flows and water levels while
3770 providing for the needs and requirements of public health, flood
3771 control, industry, public utilities, water supply, public safety,
3772 agriculture and other lawful uses of such waters; and (6) be based on
3773 the best available science, including, but not limited to, natural aquatic
3774 habitat, biota, subregional basin boundaries, areas of stratified drift,
3775 stream gages and flow data, locations of registered, permitted, and
3776 proposed diversions and withdrawal data reported pursuant to section
3777 22a-368a, locations where any dams or other structures impound or
3778 divert the waters of a river or stream and any release made therefrom,
3779 and any other data for developing such regulations or individual
3780 management plans. Such flow regulations may provide special
3781 conditions or exemptions including, but not limited to, an extreme
3782 economic hardship or other circumstance, an agricultural diversion, a
3783 water quality certification related to a license issued by the Federal
3784 Energy Regulatory Commission or as necessary to allow a public water
3785 system, as defined in subsection (a) of section 25-33d, as amended by
3786 this act, to comply with the obligations of such system as set forth in
3787 the regulations of Connecticut state agencies. Any flow management
3788 plan contained in a resolution, agreement or stipulated judgment to
3789 which the state, acting through the Commissioner of Energy and

3790 Environmental Protection, is a party, or the management plan
3791 developed pursuant to section 3 of public act 00-152, is exempt from
3792 any such flow regulations. Flow regulations that were adopted
3793 pursuant to this section and sections 26-141a and 26-141c prior to
3794 October 1, 2005, shall remain in effect until the Commissioner of
3795 Energy and Environmental Protection adopts new regulations
3796 pursuant to this section.

3797 Sec. 85. Subsections (d) and (e) of Section 22a-2d of the general
3798 statutes are repealed and the following is substituted in lieu thereof
3799 (*Effective from passage*):

3800 (d) Wherever the words "Department of Environmental Protection"
3801 are used or referred to in the following sections of the general statutes,
3802 the words "Department of Energy and Environmental Protection" shall
3803 be substituted in lieu thereof: 1-84, 1-206, 1-217, 2-20a, as amended by
3804 this act, 4-38c, 4-66c, 4-66aa, 4-89, 4a-53, 5-142, 7-131e, 7-151a, 7-151b, 7-
3805 252, 8-387, 10-282, 10-291, 10-413, 10a-119e, 12-63e, 12-263m, 13a-142b,
3806 13a-142c, 13a-142d, 13b-38a, 14-386, 15-129, 15-130a, 15-140e, 15-140f,
3807 15-140j, 15-154, 15-155, 16-19h, as amended by this act, 16-19o, 16-50j,
3808 16-50k, 16-50p, 16-243q, 16-244d, 16-244j, 16-245l, 16-245y, 16-262m, as
3809 amended by this act, 16-262n, as amended by this act, 19a-197b, 19a-
3810 320, 20-420, 21-84b, 22-11f, 22-11g, 22-11h, 22-26cc, 22-91e, 22-455, 22a-
3811 1d, 22a-2a, 22a-2c, 22a-5b, 22a-6, 22a-6f, 22a-6g, 22a-6l, 22a-6p, 22a-6r,
3812 22a-6u, 22a-6x, 22a-6cc, 22a-10, 22a-11, 22a-20a, 22a-21, 22a-21a, 22a-
3813 21b, 22a-21c, 22a-21i, 22a-21j, 22a-21k, 22a-22, 22a-25, 22a-26, 22a-26a,
3814 22a-27j, 22a-27l, 22a-27s, 22a-29, 22a-33, 22a-40, 22a-47a, 22a-58, 22a-61,
3815 22a-66z, 22a-68, 22a-115, 22a-118, 22a-119, 22a-122, 22a-123, 22a-126,
3816 22a-132, 22a-133v, 22a-133w, 22a-134i, 22a-135, 22a-170, 22a-174, 22a-
3817 174l, 22a-186, 22a-188a, 22a-196, 22a-198, 22a-200b, 22a-200c, 22a-200d,
3818 22a-207, 22a-208a, 22a-209f, 22a-223, 22a-233a, 22a-239a, 22a-244, 22a-
3819 245a, 22a-247, 22a-248, 22a-250, 22a-255h, 22a-256m, 22a-256y, 22a-259,
3820 22a-260, 22a-264, 22a-275, 22a-314, 22a-315, 22a-336, 22a-352, 22a-355,
3821 as amended by this act, 22a-361, 22a-363b, 22a-416, 22a-426, 22a-446,
3822 22a-449f, 22a-449l, 22a-449n, 22a-454a, 22a-475, as amended by this act,

3823 22a-477, as amended by this act, 22a-509, 22a-521, 22a-601, 22a-629,
3824 22a-630, 22a-635, 23-5c, 23-8, as amended by this act, 23-8b, as
3825 amended by this act, 23-10b, 23-10d, 23-15, 23-15b, 23-19, 23-20, 23-24a,
3826 23-32a, 23-61a, 23-65f, 23-65h, 23-65i, 23-65k, 23-67, 23-68, 23-72, 23-73,
3827 23-101, 23-102, 23-103, 25-32d, as amended by this act, [25-33p,] 25-37d,
3828 as amended by this act, 25-37e, as amended by this act, 25-37i, 25-43c,
3829 as amended by this act, 25-102e, 25-102f, 25-128, 25-131, 25-157, 25-
3830 157a, 25-157b, 25-157n, 25-175, 25-201, 25-206, 25-231, 26-6a, 26-15, 26-
3831 15a, 26-15b, 26-17a, 26-27b, 26-31, 26-40a, 26-55, 26-55a, 26-59, 26-66a,
3832 26-66b, 26-72, 26-86f, 26-105, 26-142a, 26-157d, 26-192k, 26-300, 26-304,
3833 26-314, 28-31, 29-28, 29-36f, 30-55a, 32-1e, 32-9t, 32-9dd, 32-9kk, 32-9ll,
3834 32-11a, 32-23d, 32-23x, 32-242, 32-242a, 32-726, 46b-220, 47-46a, 47-64,
3835 52-557b, 53-204, 53-205, 53-206d, 53a-44a, 53a-217e, 54-56g and 54-143.

3836 (e) Wherever the words "Department of Public Utility Control" are
3837 used or referred to in the following sections of the general statutes, the
3838 words "Public Utilities Regulatory Authority" shall be substituted in
3839 lieu thereof: 1-84, 1-84b, 2-20a, as amended by this act, 2-71p, 4-38c, 4a-
3840 57, 4a-74, 4d-2, 4d-80, 7-223, 7-233t, 7-233ii, 8-387, 12-81q, as amended
3841 by this act, 12-94d, 12-264, 12-265, 12-408b, 12-412, 12-491, 13a-82, 13a-
3842 126a, 13b-10a, 13b-43, 13b-44, 13b-387a, 15-96, 16-1, 16-2, 16-2a, 16-6,
3843 16-6a, 16-6b, 16-7, 16-8, 16-8b, 16-8c, 16-8d, 16-9, 16-9a, 16-10, 16-10a,
3844 16-11, 16-12, 16-13, 16-14, 16-15, 16-16, 16-17, 16-18, 16-19, 16-19a, 16-
3845 19b, 16-19d, 16-19f, 16-19k, 16-19n, 16-19o, 16-19u, 16-19w, 16-19x, 16-
3846 19z, as amended by this act, 16-19aa, 16-19bb, 16-19cc, 16-19dd, 16-
3847 19ee, 16-19ff, 16-19gg, 16-19jj, 16-19kk, 16-19mm, 16-19nn, 16-19oo, 16-
3848 19pp, 16-19qq, 16-19tt, 16-19uu, 16-19vv, 16-20, 16-21, 16-23, 16-24, 16-
3849 25, 16-25a, 16-26, 16-27, 16-28, 16-29, as amended by this act, 16-32, 16-
3850 32a, 16-32b, 16-32c, 16-32e, 16-32f, 16-32g, 16-33, 16-35, 16-41, 16-42, 16-
3851 43, as amended by this act, 16-43a, 16-43d, 16-44, 16-44a, 16-45, 16-46,
3852 as amended by this act, 16-47, 16-47a, 16-48, 16-49e, 16-50c, as amended
3853 by this act, 16-50d, as amended by this act, 16-50f, 16-50k, 16-50aa, 16-
3854 216, 16-227, 16-231, 16-233, 16-234, 16-235, 16-238, 16-243, 16-243a, 16-
3855 243b, 16-243c, 16-243f, 16-243i, 16-243j, 16-243k, 16-243m, 16-243n, 16-

3856 243p, 16-243q, 16-243r, 16-243s, 16-243t, 16-243u, 16-243v, 16-243w, 16-
 3857 244a, 16-244b, 16-244c, 16-244d, 16-244e, 16-244f, 16-244g, 16-244h, 16-
 3858 244i, 16-244k, 16-244l, 16-245, 16-245a, 16-245b, 16-245c, 16-245e, 16-
 3859 245g, 16-245l, 16-245p, 16-245q, 16-245s, 16-245t, 16-245u, 16-245v, 16-
 3860 245w, 16-245x, 16-245aa, 16-246, 16-246e, 16-246g, 16-247c, 16-247j, 16-
 3861 247l, 16-247m, 16-247o, 16-247p, 16-247t, 16-249, 16-250, 16-250a, 16-
 3862 250b, 16-256b, 16-256c, 16-256h, 16-256k, 16-258a, 16-258b, 16-258c, 16-
 3863 259, 16-261, 16-262a, 16-262c, 16-262d, 16-262i, 16-262j, 16-262k, 16-262l,
 3864 as amended by this act, 16-262m, as amended by this act, 16-262n, as
 3865 amended by this act, 16-262o, as amended by this act, 16-262q, as
 3866 amended by this act, 16-262r, 16-262s, as amended by this act, 16-262v,
 3867 as amended by this act, 16-262w, as amended by this act, 16-262x, 16-
 3868 265, 16-269, 16-271, 16-272, 16-273, 16-274, 16-275, 16-276, 16-278, 16-
 3869 280a, 16-280b, 16-280d, 16-280e, 16-280f, 16-280h, 16-281a, 16-331, 16-
 3870 331c, 16-331e, 16-331f, 16-331g, 16-331h, 16-331i, 16-331j, 16-331k, 16-
 3871 331n, 16-331o, 16-331p, 16-331q, 16-331r, 16-331t, 16-331u, 16-331v, 16-
 3872 331y, 16-331z, 16-331aa, 16-331cc, 16-331dd, 16-331ff, 16-331gg, 16-332,
 3873 16-333, 16-333a, 16-333b, 16-333e, 16-333f, 16-333g, 16-333h, 16-333i, 16-
 3874 333l, 16-333n, 16-333o, 16-333p, 16-347, 16-348, 16-356, 16-357, 16-358,
 3875 16-359, 16a-3b, 16a-3c, 16a-7b, 16a-7c, 16a-13b, 16a-37c, subsection (b)
 3876 of section 16a-38n, 16a-38o, 16a-40b, 16a-40k, 16a-41, 16a-46, 16a-46b,
 3877 16a-46c, 16a-47a, 16a-47b, 16a-47c, 16a-47d, 16a-47e, 16a-48, 16a-49,
 3878 16a-103, 20-298, 20-309, 20-340, 20-340a, 20-341k, 20-341z, 20-357, 20-
 3879 541, 22a-174l, 22a-256dd, 22a-266, 22a-358, as amended by this act, 22a-
 3880 475, as amended by this act, 22a-478, as amended by this act, 22a-479,
 3881 as amended by this act, 23-8b, as amended by this act, 23-65, 25-33a, as
 3882 amended by this act, 25-33h, as amended by this act, 25-33k, as
 3883 amended by this act, 25-33l, as amended by this act, [25-33p,] 25-37d,
 3884 as amended by this act, 25-37e, as amended by this act, 26-141b, as
 3885 amended by this act, 28-1b, 28-24, 28-26, 28-27, 28-31, 29-282, 29-415,
 3886 32-80a, 32-222, 33-219, 33-221, 33-241, 33-951, 42-287, 43-44, 49-4c and
 3887 52-259a.

3888 Sec. 86. Section 25-33p of the general statutes is repealed. (*Effective*

3889 from passage)

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>	New section
Sec. 3	<i>from passage</i>	New section
Sec. 4	<i>from passage</i>	7-239(a)
Sec. 5	<i>from passage</i>	16-29
Sec. 6	<i>from passage</i>	16-262v
Sec. 7	<i>from passage</i>	16-262w(i)
Sec. 8	<i>from passage</i>	16-262s
Sec. 9	<i>from passage</i>	16-262e(a)
Sec. 10	<i>from passage</i>	16-262f
Sec. 11	<i>from passage</i>	16-262t
Sec. 12	<i>July 1, 2014</i>	New section
Sec. 13	<i>July 1, 2014</i>	2-20a
Sec. 14	<i>July 1, 2014</i>	4-67e
Sec. 15	<i>July 1, 2014</i>	7-131d(e)
Sec. 16	<i>July 1, 2014</i>	7-131g(b)
Sec. 17	<i>July 1, 2014</i>	8-3i
Sec. 18	<i>July 1, 2014</i>	12-81q
Sec. 19	<i>July 1, 2014</i>	16-19h
Sec. 20	<i>July 1, 2014</i>	16-19z
Sec. 21	<i>July 1, 2014</i>	16-43(a)
Sec. 22	<i>July 1, 2014</i>	16-46
Sec. 23	<i>July 1, 2014</i>	16-50c
Sec. 24	<i>July 1, 2014</i>	16-50d(d)
Sec. 25	<i>July 1, 2014</i>	16-262l
Sec. 26	<i>July 1, 2014</i>	16-262m
Sec. 27	<i>July 1, 2014</i>	16-262n
Sec. 28	<i>July 1, 2014</i>	16-262o(a)
Sec. 29	<i>July 1, 2014</i>	16-262q
Sec. 30	<i>July 1, 2014</i>	19a-37a
Sec. 31	<i>July 1, 2014</i>	22a-42f
Sec. 32	<i>July 1, 2014</i>	22a-354w
Sec. 33	<i>July 1, 2014</i>	22a-354x(a)
Sec. 34	<i>July 1, 2014</i>	22a-355

Sec. 35	July 1, 2014	22a-358
Sec. 36	July 1, 2014	22a-471(a) and (b)
Sec. 37	July 1, 2014	22a-475
Sec. 38	July 1, 2014	22a-477(p) to (t)
Sec. 39	July 1, 2014	22a-478(h) to (n)
Sec. 40	July 1, 2014	22a-479(c) to (f)
Sec. 41	July 1, 2014	22a-482
Sec. 42	July 1, 2014	23-8(b)
Sec. 43	July 1, 2014	23-8(e)
Sec. 44	July 1, 2014	23-8b(b) to (d)
Sec. 45	July 1, 2014	25-32
Sec. 46	July 1, 2014	25-32b
Sec. 47	July 1, 2014	25-32c
Sec. 48	July 1, 2014	25-32d
Sec. 49	July 1, 2014	25-32e(a)
Sec. 50	July 1, 2014	25-32f
Sec. 51	July 1, 2014	25-32g
Sec. 52	July 1, 2014	25-32i
Sec. 53	July 1, 2014	25-32k
Sec. 54	July 1, 2014	25-32l
Sec. 55	July 1, 2014	25-33
Sec. 56	July 1, 2014	25-33a(a)
Sec. 57	July 1, 2014	25-33c
Sec. 58	July 1, 2014	25-33d
Sec. 59	July 1, 2014	25-33e
Sec. 60	July 1, 2014	25-33f
Sec. 61	July 1, 2014	25-33g
Sec. 62	July 1, 2014	25-33h
Sec. 63	July 1, 2014	25-33i
Sec. 64	July 1, 2014	25-33j
Sec. 65	July 1, 2014	25-33k
Sec. 66	July 1, 2014	25-33l
Sec. 67	July 1, 2014	25-33n
Sec. 68	July 1, 2014	25-33o(a)
Sec. 69	July 1, 2014	25-33o(d)
Sec. 70	July 1, 2014	25-34
Sec. 71	July 1, 2014	25-35
Sec. 72	July 1, 2014	25-36
Sec. 73	July 1, 2014	25-37a

Sec. 74	<i>July 1, 2014</i>	25-37b
Sec. 75	<i>July 1, 2014</i>	25-37c
Sec. 76	<i>July 1, 2014</i>	25-37d
Sec. 77	<i>July 1, 2014</i>	25-37e
Sec. 78	<i>July 1, 2014</i>	25-37g
Sec. 79	<i>July 1, 2014</i>	25-37h
Sec. 80	<i>July 1, 2014</i>	25-40
Sec. 81	<i>July 1, 2014</i>	25-40a
Sec. 82	<i>July 1, 2014</i>	25-43c
Sec. 83	<i>July 1, 2014</i>	25-46
Sec. 84	<i>July 1, 2014</i>	26-141b
Sec. 85	<i>from passage</i>	22a-2d(d) and (e)
Sec. 86	<i>from passage</i>	Repealer section

Statement of Purpose:

To promote water conservation and efficient use of the state's water infrastructure, to reorganize the regulation of water companies from the Department of Public Health to the Public Utilities Regulatory Authority, to eliminate the requirement that a municipality providing water service file an annual report, and to address unpaid utility accounts at multi-family dwellings.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]