



General Assembly

January Session, 2013

Raised Bill No. 814

LCO No. 1601

01601_____PD_

Referred to Committee on PLANNING AND DEVELOPMENT

Introduced by:
(PD)

***AN ACT CONCERNING INTERVENTION IN PERMIT PROCEEDINGS
PURSUANT TO THE ENVIRONMENTAL PROTECTION ACT OF 1971.***

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

1 Section 1. Section 22a-19 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2013*):

3 (a) (1) In any administrative, licensing or other proceeding, and in
4 any judicial review thereof made available by law, the Attorney
5 General, any political subdivision of the state, any instrumentality or
6 agency of the state or of a political subdivision thereof, any person,
7 partnership, corporation, association, organization or other legal entity
8 may intervene as a party on the filing of a verified pleading asserting
9 that the proceeding or action for judicial review involves conduct
10 which has, or which is reasonably likely to have, the effect of
11 unreasonably polluting, impairing or destroying the public trust in the
12 air, water or other natural resources of the state. The verified pleading
13 shall contain specific factual allegations setting forth the nature of the
14 alleged pollution, impairment or destruction.

15 (2) If the proposed use of real property that is the subject of an
16 administrative, licensing or other proceeding is known at the time of
17 filing a verified pleading pursuant to subdivision (1) of this subsection,
18 any partnership, corporation, association, organization or other legal
19 entity that provides funding for the intervention in an amount of five
20 thousand dollars or more shall disclose its identity to the agency or
21 court if such entity is a business competitor of the person, partnership,
22 corporation, association, organization or legal entity that will use such
23 real property. For purposes of this subdivision, "business competitor"
24 does not include any nonprofit organization whose purpose includes
25 protection of the environment, any legal entity that would experience
26 only incidental financial impacts such as a reduction in property
27 values, any individual, any political subdivision of the state or any
28 instrumentality or agency of the state or any political subdivision
29 thereof.

30 (b) In any administrative, licensing or other proceeding, the agency
31 shall consider the alleged unreasonable pollution, impairment or
32 destruction of the public trust in the air, water or other natural
33 resources of the state and no conduct shall be authorized or approved
34 which does, or is reasonably likely to, have such effect as long as,
35 considering all relevant surrounding circumstances and factors, there
36 is a feasible and prudent alternative consistent with the reasonable
37 requirements of the public health, safety and welfare.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2013</i>	22a-19

Statement of Purpose:

To require certain legal entities that fund environmental interventions to disclose their identity when funding an intervention in an administrative, licensing or other proceeding involving a business competitor.

[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.]