



General Assembly

January Session, 2013

**Amendment**

LCO No. 8086

**\*HB0644108086HDO\***

Offered by:

REP. GENTILE, 104<sup>th</sup> Dist.

REP. DILLON, 92<sup>nd</sup> Dist.

REP. WALKER, 93<sup>rd</sup> Dist.

REP. HOLDER-WINFIELD, 94<sup>th</sup>  
Dist.

REP. CANDELARIA, 95<sup>th</sup> Dist.

REP. LEMAR, 96<sup>th</sup> Dist.

REP. MEGNA, 97<sup>th</sup> Dist.

SEN. LOONEY, 11<sup>th</sup> Dist.

SEN. HARP, 10<sup>th</sup> Dist.

To: Subst. House Bill No. **6441**

File No. 88

Cal. No. 86

**"AN ACT CONCERNING THE DAM SAFETY PROGRAM."**

1 After the last section, add the following and renumber sections and  
2 internal references accordingly:

3 "Sec. 501. Section 22a-45b of the general statutes is repealed and the  
4 following is substituted in lieu thereof (*Effective from passage*):

5 (a) The Commissioner of Energy and Environmental Protection may  
6 make regulations and orders concerning the elimination of mosquitoes  
7 and mosquito-breeding places, and said commissioner or his agent  
8 may enter upon any land, tidal wetland, inland wetland or  
9 watercourse to ascertain if mosquitoes breed thereon or to survey,  
10 drain, fill or otherwise treat, or make any excavation or structure  
11 necessary to eliminate mosquito breeding on such land. When funds

12 have been provided by appropriation by the state for the elimination  
13 of mosquitoes or mosquito-breeding places, said commissioner may  
14 conduct or cause the conducting of such work provided no filling,  
15 draining, excavation, installation or erection of any structure, or any  
16 other permanent alteration of private property shall be conducted  
17 without the consent of the landowner on whose property such work is  
18 to be conducted. The commissioner may take and hold, by purchase,  
19 condemnation or otherwise, any real property or interest in real  
20 property as he determines is necessary to abate a threat of disease to  
21 humans or animals from insect vectors. Whenever the commissioner is  
22 unable to agree with the owner of any such property as to the  
23 compensation to be paid for the taking thereof, the commissioner may  
24 bring condemnation proceedings in accordance with the procedure  
25 provided by part I of chapter 835 for condemnation by municipal  
26 corporations generally. In such case, the court may permit immediate  
27 possession of such property by the commissioner in accordance with  
28 the procedure provided by said part I of chapter 835.

29 (b) The Commissioner of Energy and Environmental Protection, in  
30 coordination with the Commissioner of Public Health and local health  
31 departments, shall survey land, tidal wetlands, inland wetlands or  
32 watercourses in any municipality with a population over one hundred  
33 thousand where there has been a documented death of a human from  
34 West Nile virus, to ascertain if mosquitoes breed thereon and may  
35 conduct any work, as provided for in subsection (a) of this section,  
36 necessary to eliminate mosquito breeding on such land.

37 (c) No private property, in any municipality with a population over  
38 one hundred thousand where there has been a documented death of a  
39 human from West Nile virus, may contain standing water that the  
40 Commissioner of Energy and Environmental Protection determines, in  
41 consultation with the Commissioner of Public Health and local health  
42 departments, creates a risk of mosquito-borne illness. The  
43 Commissioner of Energy and Environmental Protection shall enforce  
44 the provisions of this subsection.

45     (d) The Commissioner of Energy and Environmental Protection, in  
 46     coordination with the Commissioner of Public Health and local health  
 47     departments, shall encourage public outreach programs instructing  
 48     residents and private property owners of the risks of standing water  
 49     and the signs and symptoms of West Nile virus."

|                                                                               |                     |         |
|-------------------------------------------------------------------------------|---------------------|---------|
| This act shall take effect as follows and shall amend the following sections: |                     |         |
| Sec. 501                                                                      | <i>from passage</i> | 22a-45b |