



General Assembly

February Session, 2014

Raised Bill No. 5408

LCO No. 1779



Referred to Committee on ENERGY AND TECHNOLOGY

Introduced by:
(ET)

AN ACT CONCERNING TREE TRIMMING.

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

1 Section 1. Subdivision (4) of subsection (c) of section 16-234 of the
2 2014 supplement to the general statutes is repealed and the following
3 is substituted in lieu thereof (*Effective from passage*):

4 (4) If the abutting property owner files an objection pursuant to
5 subdivision (2) of this subsection, the tree warden of the municipality
6 or the Commissioner of Transportation, as appropriate, shall issue a
7 written decision as to the disposition of the tree or shrub not later than
8 ten business days after the filing date of such objection. This decision
9 shall not be issued before a consultation with the abutting property
10 owner if such a consultation has been requested. The abutting property
11 owner or the utility may appeal the tree warden's decision to the
12 Public Utilities Regulatory Authority within ten business days after the
13 tree warden's decision. The authority shall hold a hearing within sixty
14 business days of receipt of the abutting property owner's or utility's
15 written appeal of the tree warden's decision and shall provide notice of
16 such hearing to the abutting property owner, the tree warden and the

17 utility. The authority may authorize the pruning or removal of any tree
18 or shrub whose pruning or removal has been at issue in the hearing if
19 it finds that public convenience and necessity require such action. The
20 burden of proving that public convenience and necessity require such
21 action shall be on the utility.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	16-234(c)(4)

Statement of Purpose:

To place the burden of proving that public convenience and necessity require the pruning or removal of a tree or shrub on utility companies.

[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.]