AN ACT ESTABLISHING LOCAL REPRESENTATION ON THE
CONNECTICUT SITING COUNCIL FOR CERTAIN PROJECTS.

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

   Section 1. Section 16-50j of the general statutes is repealed and the
   following is substituted in lieu thereof (Effective October 1, 2019):

   (a) There is established a "Connecticut Siting Council", hereinafter
       referred to as the "council", which shall be within the Department of
       Energy and Environmental Protection for administrative purposes
       only.

   (b) Except for proceedings under chapter 445, this subsection and
       subsection (c) of this section, the council shall consist of: (1) The
       Commissioner of Energy and Environmental Protection, or his
       designee; (2) the chairperson of the Public Utilities Regulatory
       Authority, or the chairperson's designee; (3) one designee of the
       speaker of the House and one designee of the president pro tempore of
       the Senate; and (4) five members of the public, to be appointed by the
       Governor, at least two of whom shall be experienced in the field of
       ecology, and not more than one of whom shall have affiliation, past or
       present, with any utility or governmental utility regulatory agency, or
       with any person owning, operating, controlling, or presently
       contracting with respect to a facility, a hazardous waste facility, as
       defined in section 22a-115, or an ash residue disposal area.

   (c) For proceedings under chapter 445, subsection (b) of this section
       and this subsection, the council shall consist of (1) the Commissioners
of Public Health and Emergency Services and Public Protection or their
designated representatives; (2) the designees of the speaker of the
House of Representatives and the president pro tempore of the Senate
as provided in subsection (b) of this section; (3) the five members of the
public as provided in subsection (b) of this section; and (4) four ad hoc
members, three of whom shall be electors from the municipality in
which the proposed facility is to be located and one of whom shall be
an elector from a neighboring municipality likely to be most affected
by the proposed facility. The municipality most affected by the
proposed facility shall be determined by the permanent members of
the council. If any one of the five members of the public or of the
designees of the speaker of the House of Representatives or the
president pro tempore of the Senate resides (A) in the municipality in
which a hazardous waste facility is proposed to be located for a
proceeding concerning a hazardous waste facility or in which a low-
level radioactive waste facility is proposed to be located for a
proceeding concerning a low-level radioactive waste facility, or (B) in
the neighboring municipality likely to be most affected by the
proposed facility, the appointing authority shall appoint a substitute
member for the proceedings on such proposal. If any appointee is
unable to perform his duties on the council due to illness, or has a
substantial financial or employment interest which is in conflict with
the proper discharge of his duties under this chapter, the appointing
authority shall appoint a substitute member for proceedings on such
proposal. An appointee shall report any substantial financial or
employment interest which might conflict with the proper discharge of
his duties under this chapter to the appointing authority who shall
determine if such conflict exists. If any state agency is the applicant, an
appointee shall not be deemed to have a substantial employment
conflict of interest because of employment with the state unless such
appointee is directly employed by the state agency making the
application. Ad hoc members shall be appointed by the chief elected
official of the municipality they represent and shall continue their
membership until the council issues a letter of completion of the
development and management plan to the applicant.
(d) For proceedings involving any electric distribution company, in addition to the membership provided for in subsection (b) of this section, the council shall consist of one elector from the municipality in which such facility is proposed to be located, as appointed by the chief elected official of such municipality. In the event that such facility will be located in two or more municipalities, one such elector shall be appointed by the regional council of governments for each affected municipality. Each such member shall serve as a nonvoting member for purposes of such proceeding and shall abide by all applicable rules of confidentiality concerning such proceeding.

[(d)] (e) The chairman of the council shall be appointed by the Governor from among the five public members appointed by him, with the advice and consent of the House or Senate, and shall serve as chairman at the pleasure of the Governor.

[(e)] (f) The public members of the council, including the chairman, the members appointed by the speaker of the House and president pro tempore of the Senate and the four ad hoc members specified in subsection (c) of this section, shall be compensated for their attendance at public hearings, executive sessions, or other council business as may require their attendance at the rate of two hundred dollars, provided in no case shall the daily compensation exceed two hundred dollars.

[(f)] (g) The council shall, in addition to its other duties prescribed in this chapter, adopt, amend, or rescind suitable regulations to carry out the provisions of this chapter and the policies and practices of the council in connection therewith, and appoint and prescribe the duties of such staff as may be necessary to carry out the provisions of this chapter. The chairman of the council, with the consent of five or more other members of the council, may appoint an executive director, who shall be the chief administrative officer of the Connecticut Siting Council. The executive director shall be exempt from classified service.

[(g)] (h) Prior to commencing any hearing pursuant to section 16-50m, the council shall consult with and solicit written comments from (1) the Department of Energy and Environmental Protection, the
Department of Public Health, the Council on Environmental Quality, the Department of Agriculture, the Public Utilities Regulatory Authority, the Office of Policy and Management, the Department of Economic and Community Development and the Department of Transportation, and (2) in a hearing pursuant to section 16-50m, for a facility described in subdivision (3) of subsection (a) of section 16-50i, the Department of Emergency Services and Public Protection, the Department of Consumer Protection, the Department of Administrative Services and the Labor Department. Copies of such comments shall be made available to all parties prior to the commencement of the hearing. Subsequent to the commencement of the hearing, said departments and council may file additional written comments with the council within such period of time as the council designates. All such written comments shall be made part of the record provided by section 16-50o. Said departments and council shall not enter any contract or agreement with any party to the proceedings or hearings described in this section or section 16-50p that requires said departments or council to withhold or retract comments, refrain from participating in or withdraw from said proceedings or hearings.

This act shall take effect as follows and shall amend the following sections:

| Section 1 | October 1, 2019 | 16-50j |