



House of Representatives

General Assembly

File No. 549

January Session, 2021

Substitute House Bill No. 6645

House of Representatives, April 21, 2021

The Committee on Planning and Development reported through REP. MCCARTHY VAHEY, C. of the 133rd Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING THE STATE PLAN OF CONSERVATION AND DEVELOPMENT.

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

1 Section 1. Section 16a-25 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective from passage*):

3 As used in this chapter:

4 (1) "Process" means the procedure for adopting, amending, revising
5 and implementing a state plan of conservation and development;

6 (2) "Existing plan" means the plan promulgated by Executive Order
7 No. 28, September 27, 1974;

8 (3) "Secretary" means the Secretary of the Office of Policy and
9 Management;

10 (4) "Committee" means the continuing legislative committee on state

11 planning and development established pursuant to section 4-60d;

12 (5) "Adoption year" means the calendar year [which is no later than
13 five years subsequent to the year in which the plan was last adopted in
14 accordance with the process established in this chapter] in which the
15 General Assembly adopts the plan as the plan of conservation and
16 development for the state;

17 (6) "Revision year" means the calendar year immediately preceding
18 the expected adoption year;

19 (7) "Prerevision year" means the calendar year immediately
20 preceding the revision year;

21 (8) "State agency" means any state department, institution, board,
22 commission or official; and

23 (9) "Plan", when referring to the state plan for conservation and
24 development, means the text of such plan and any accompanying
25 locational guide map.

26 Sec. 2. Section 16a-27 of the general statutes is repealed and the
27 following is substituted in lieu thereof (*Effective from passage*):

28 (a) The secretary, after consultation with all appropriate state,
29 regional and local agencies and other appropriate persons, shall, prior
30 to March 1, 2012, complete a revision of the existing plan and enlarge it
31 to include, but not be limited to, policies relating to transportation,
32 energy and air. Any revision made after July 1, 1995, shall take into
33 consideration the conservation and development of greenways that
34 have been designated by municipalities and shall recommend that state
35 agencies coordinate their efforts to support the development of a state-
36 wide greenways system. The Commissioner of Energy and
37 Environmental Protection shall identify state-owned land for inclusion
38 in the plan as potential components of a state greenways system.

39 (b) Any revision made after August 20, 2003, shall take into account
40 (1) economic and community development needs and patterns of

41 commerce, and (2) linkages of affordable housing objectives and land
42 use objectives with transportation systems.

43 (c) Any revision made after March 1, 2006, shall (1) take into
44 consideration risks associated with natural hazards, including, but not
45 limited to, flooding, high winds and wildfires; (2) identify the potential
46 impacts of natural hazards on infrastructure and property; and (3) make
47 recommendations for the siting of future infrastructure and property
48 development to minimize the use of areas prone to natural hazards,
49 including, but not limited to, flooding, high winds and wildfires.

50 (d) Any revision made after July 1, 2005, shall describe the progress
51 towards achievement of the goals and objectives established in the
52 previously adopted state plan of conservation and development and
53 shall identify (1) areas where it is prudent and feasible (A) to have
54 compact, transit accessible, pedestrian-oriented mixed-use
55 development patterns and land reuse, and (B) to promote such
56 development patterns and land reuse, (2) priority funding areas
57 designated under section 16a-35c, and (3) corridor management areas
58 on either side of a limited access highway or a rail line. In designating
59 corridor management areas, the secretary shall make recommendations
60 that (A) promote land use and transportation options to reduce the
61 growth of traffic congestion; (B) connect infrastructure and other
62 development decisions; (C) promote development that minimizes the
63 cost of new infrastructure facilities and maximizes the use of existing
64 infrastructure facilities; and (D) increase intermunicipal and regional
65 cooperation.

66 (e) Any revision made after October 1, 2008, shall (1) for each policy
67 recommended (A) assign a priority; (B) estimate funding for
68 implementation and identify potential funding sources; (C) identify
69 each entity responsible for implementation; and (D) establish a schedule
70 for implementation; and (2) for each growth management principle,
71 determine three benchmarks to measure progress in implementation of
72 the principles, one of which shall be a financial benchmark.

73 (f) Any revision made after October 1, 2009, shall take into

74 consideration the protection and preservation of Connecticut Heritage
75 Areas.

76 (g) Any revision made after December 1, 2011, shall take into
77 consideration (1) the state water supply and resource policies
78 established in sections 22a-380 and 25-33c, and (2) the list prepared by
79 the Commissioner of Public Health pursuant to section 25-33q.

80 (h) Any revision made after October 1, 2019, shall (1) take into
81 consideration risks associated with increased coastal flooding and
82 erosion, depending on site topography, as anticipated in the most recent
83 sea level change scenario updated pursuant to subsection (b) of section
84 25-68o, (2) identify the impacts of such increased flooding and erosion
85 on infrastructure and natural resources, (3) make recommendations for
86 the siting of future infrastructure and property development to
87 minimize the use of areas prone to such flooding and erosion, and (4)
88 take into consideration the state's greenhouse gas reduction goals
89 established pursuant to section 22a-200a.

90 (i) Any revision made after October 1, 2016, shall take into
91 consideration the need for technology infrastructure in the
92 municipality.

93 (j) Thereafter on or before March first in each revision year the
94 secretary shall complete a revision of the plan of conservation and
95 development, provided no revision year may be later than four years
96 subsequent to the year in which the plan was last adopted in accordance
97 with the process established in this chapter.

98 Sec. 3. Section 16a-28 of the general statutes is repealed and the
99 following is substituted in lieu thereof (*Effective from passage*):

100 (a) The secretary shall present a draft of the revised plan of
101 conservation and development for preliminary review to the continuing
102 legislative committee on state planning and development prior to
103 September first in [2011] 2022 and prior to September first in each
104 prerevision year thereafter.

105 (b) After December first in [2011] 2022 and after December first in
106 each prerevision year thereafter the secretary shall proceed with such
107 further revisions of the draft of the revised plan of conservation and
108 development as he deems appropriate. The secretary shall, by whatever
109 means he deems advisable, publish said plan and disseminate it to the
110 public on or before March first in revision years. The secretary shall post
111 the plan on the Internet web site of the state.

112 (c) Not later than five months after publication of said revised plan
113 the secretary shall hold public hearings, in cooperation with regional
114 councils of governments, to solicit comments on said plan.

115 Sec. 4. Section 16a-29 of the general statutes is repealed and the
116 following is substituted in lieu thereof (*Effective from passage*):

117 The secretary shall consider the comments received at the public
118 hearings and shall make any necessary or desirable revisions to said
119 plan and within three months of completion of the public hearings
120 submit the plan to the continuing legislative committee on state
121 planning and development for its approval, revision or disapproval, in
122 whole or in part. Notwithstanding the provisions of this section, the
123 secretary shall submit the state Conservation and Development Policies
124 Plan, [2013-2018] 2024-2029, to said committee on or before December 1,
125 [2012] 2023.

126 Sec. 5. Section 16a-30 of the general statutes is repealed and the
127 following is substituted in lieu thereof (*Effective from passage*):

128 (a) (1) The continuing legislative committee on state planning and
129 development shall not later than forty-five days after the convening of
130 the next regularly scheduled session of the General Assembly conduct a
131 public hearing on the plan. Not later than forty-five days after
132 completion of such public hearing, the committee shall submit the plan
133 with its recommendation for approval or disapproval to the General
134 Assembly. The plan shall become effective when adopted by the General
135 Assembly as the plan of conservation and development for the state.

136 (2) Notwithstanding the provisions of this chapter, the plan entitled
 137 "Conservation and Development Policies: The Plan for Connecticut,
 138 2018-2023", when adopted by the General Assembly as the plan of
 139 conservation and development for the state, shall become effective from
 140 such adoption and shall remain in effect until the next such plan is so
 141 adopted.

142 (b) In the event that the General Assembly disapproves the plan in
 143 whole or in part the plan shall be deemed to be rejected and shall be
 144 returned to the committee for appropriate action.

145 (c) Any project included in the first or second phase of UConn 2000,
 146 as defined in subdivision (25) of section 10a-109c, shall constitute part
 147 of the state plan of conservation and development approved by the
 148 General Assembly.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	16a-25
Sec. 2	<i>from passage</i>	16a-27
Sec. 3	<i>from passage</i>	16a-28
Sec. 4	<i>from passage</i>	16a-29
Sec. 5	<i>from passage</i>	16a-30

PD *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note**State Impact:** None**Municipal Impact:** None**Explanation**

There is no fiscal impact resulting from the bill, which revises the schedule for which the Office of Policy and Management must revise and submit the State Plan of Conservation and Development prior to adoption by the General Assembly.

The Out Years**State Impact:** None**Municipal Impact:** None

OLR Bill Analysis**sHB 6645*****AN ACT CONCERNING THE STATE PLAN OF CONSERVATION AND DEVELOPMENT.*****SUMMARY**

Under current law, the Office of Policy and Management (OPM) secretary must revise the State Plan of Conservation and Development (POCD) every five years and submit a final proposed plan to the Continuing Legislative Committee on State Planning and Development (Continuing Committee), which, after a public hearing, may recommend the General Assembly approve or disapprove it (CGS § 16a-30). (The POCD helps state agencies make decisions consistent with the state's development and conservation goals.)

The bill instead requires the OPM secretary to revise the plan in the year immediately before the year in which the General Assembly is expected to adopt it, but no more than four years after it was last adopted. The bill establishes a schedule for the next POCD revision, specifying that the:

1. draft revised plan is due to the Continuing Committee for preliminary review before September 1, 2022;
2. OPM secretary may begin further revisions after December 1, 2022; and
3. first revised plan must be made publicly available by March 1, 2023.

After making the first revision available, as under existing law, the secretary must hold public hearings on the plan and solicit comments. Under the bill, the OPM secretary must submit the final proposed 2024-2029 POCD to the Continuing Committee by December 1, 2023.

Lastly, the bill specifies that the 2018-2023 POCD, once adopted by the legislature, is effective from adoption and until the next plan is adopted. (The 2018-2023 POCD has not yet been adopted.)

EFFECTIVE DATE: Upon passage

COMMITTEE ACTION

Planning and Development Committee

Joint Favorable Substitute

Yea 26 Nay 0 (03/31/2021)