

## **Environment Committee, Bill Tracking 2020**

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### **Issue**

Provide brief summaries and the final action of all legislation set for public hearing by the Environment Committee during the 2020 regular legislative session.

### **Summary**

The Environment Committee scheduled public hearings on 55 bills and resolutions during the 2020 regular legislative session (see [committee bill record book](#)).

As of March 11, 2020, the day the legislature temporarily closed for COVID-19 reasons, the committee had held public hearings on 30 of those bills and resolutions, of which it favorably voted 10 out of committee. (Continued concern about the virus ultimately resulted in the legislature adjourning sine die on May 6, 2020, without further action on pending legislation.)

The concepts of three Environment Committee bills, however, passed during the legislature's September Special Session: changes to the environmental justice law, transitioning the state to a release-based property remediation program, and revisions to the state's hemp program.

The below four tables provide brief descriptions and the final action taken of each Environment Committee bill or resolution set for hearing during the 2020 regular session. The tables are organized by final action, as follows:

- [Table 1](#): Enacted Legislation (passed during the 2020 September Special Session)
- [Table 2](#): Favorably Reported Bills and Resolutions (voted out of committee on February 28, 2020)
- [Table 3](#): Bills With a Public Hearing, But No Further Action
- [Table 4](#): Bills Scheduled for Public Hearing, But Not Heard (hearings were set for March 16 and 20, 2020)

Note: The following acronyms are used for state and quasi-public agencies referenced in the tables: DEEP (Department of Energy and Environmental Protection), DoAg (Department of Agriculture), DOT (Department of Transportation), and MIRA (Materials Innovation and Recycling Authority).

**Table 1: Enacted Legislation**

Bill Number	General Title	Regular Session Final Action	Principal Concepts	Related PA Number
<a href="#">SB 293</a>	Release-based Property Remediation Program	Joint public hearing with Commerce and Environment committees	<ul style="list-style-type: none"> <li>transitions the state from its transfer-based approach to property remediation (i.e., the Transfer Act) to a release-based approach</li> </ul>	<a href="#">PA 20-9, Sept. Sp. Sess.</a>
<a href="#">SB 452</a>	Revisions to the State's Hemp Program	Scheduled for public hearing	<ul style="list-style-type: none"> <li>revises the state's hemp program to comply with U.S. Department of Agriculture regulations for hemp production</li> <li>combines hemp grower and producer licenses and extends, from two to three years, the licensing period for producers and manufacturers</li> <li>expands the types of information generally exempt from disclosure under the Freedom of Information Act to include a producer's hemp location information and testing results</li> </ul>	<a href="#">PA 20-2, Sept. Sp. Sess.</a>

Table 1 (continued)

Bill Number	General Title	Regular Session Final Action	Principal Concepts	Related PA Number
<a href="#">HB 5103</a>	Evaluation of the State's Environmental Justice (EJ) Law	Reported favorably by the Environment Committee	<p>Several changes to the EJ law, including such things as:</p> <ul style="list-style-type: none"> <li>• requiring, rather than allowing, public notice of a facility's informal public hearing by certain methods (e.g., posting signs in common languages)</li> <li>• requiring a community environmental benefit agreement in municipalities already with five permitted affecting facilities</li> <li>• expanding the lists of (1) impacts reasonably related to the facility that may be mitigated through a community environmental benefit agreement and (2) mitigation activities that can be funded through an agreement</li> </ul>	<a href="#">PA 20-6, Sept. Sp. Sess.</a>

Table 2: Favorably Reported Bills and Resolutions

Bill or Resolution Number	General Title	Joint Favorable Committee Meeting Action	Principal Concepts
<a href="#">HJ1</a>	Adoption of the Long Island Sound Blue Plan	Favorably reported	<ul style="list-style-type: none"> <li>• approve the <a href="#">Long Island Sound Blue Plan</a></li> </ul>
<a href="#">SB 95</a>	Shellfish Restoration Program and the Connecticut Seafood Advisory Council	Substitute favorably reported ( <a href="#">LCO 2306</a> )	<ul style="list-style-type: none"> <li>• allows DoAg to (1) contract to use shell recovery vessels to collect and deposit shell on shellfish beds; (2) receive and deposit cultch from oyster shell recycling programs; and (3) receive private, state, or federal grants or other funding for the shellfish restoration program</li> </ul>

Table 2 (continued)

Bill or Resolution Number	General Title	Joint Favorable Committee Meeting Action	Principal Concepts
			<ul style="list-style-type: none"> <li>reconstitutes the Connecticut Seafood Council and allows it to receive governmental and nongovernmental funds for its purposes</li> </ul>
<a href="#">SB 96</a>	Tax Assessment of Certain Aquaculture Properties	Favorably reported	<ul style="list-style-type: none"> <li>authorizes the use of the state's PA 490 tax program for certain marine-based aquaculture operations</li> </ul>
<a href="#">SB 97</a>	Training Standards for Road Salt Applicators	Substitute favorably reported ( <a href="#">LCO 2310</a> , as amended by <a href="#">Amendment "B"</a> )	<ul style="list-style-type: none"> <li>requires DEEP and DOT to (1) work with UConn's Tech Transfer Center to conduct a roadside salt applicator training program and (2) report to the Environment and Transportation committees about the program</li> </ul>
<a href="#">SB 98</a>	Draw Down Schedule on Lake Besek	Substitute favorably reported ( <a href="#">LCO 2307</a> )	<ul style="list-style-type: none"> <li>extends the six-foot draw down period during odd-numbered years on Lake Besek by approximately 1.5 months</li> </ul>
<a href="#">SB 99</a>	Use and Distribution of Polystyrene Products	Substitute favorably reported (see <a href="#">voice vote on Amendment "A"</a> )	<p>Generally:</p> <ul style="list-style-type: none"> <li>prohibits restaurants and caterers from giving or distributing to consumers single-use containers made of expanded polystyrene</li> <li>requires certain Connecticut schools to develop plans to stop using expanded polystyrene trays</li> </ul>
<a href="#">HB 5102</a>	Use of Pink Blaze Clothing for Hunting	Favorably reported	<ul style="list-style-type: none"> <li>authorizes the DEEP commissioner to adopt regulations allowing for hunters to wear fluorescent pink clothing when hunting</li> </ul>
<a href="#">HB 5104</a>	Import, Sale, and Possession of African Elephants, Lions, Leopards, Black Rhinoceros, White Rhinoceros, and Giraffes	Favorably reported	<ul style="list-style-type: none"> <li>generally bans importing, possessing, selling, offering for sale, or transporting in Connecticut a specimen (dead or alive) of any of six types of African animals</li> </ul>

Table 2 (continued)

Bill or Resolution Number	General Title	Joint Favorable Committee Meeting Action	Principal Concepts
<a href="#">HB 5105</a>	Revisions to the Connecticut-Grown Program	Substitute favorably reported ( <a href="#">LCO 2314</a> )	<ul style="list-style-type: none"> <li>allows for poultry eggs to be bought through the state's Connecticut Farmers' Market Women, Infants, and Children and Senior Nutrition programs</li> <li>allows for produce and other farm products produced within a 10-mile radius of their point of sale in Connecticut to be marketed as "Connecticut-grown"</li> <li>increases fines for violating certain farm product grading and marketing laws; allows DoAg to fine violators of the state's law implementing the federal Farm Safety Modernization Act; and makes violating the state's seed laws a civil, rather than criminal, offense</li> </ul>

Table 3: Bills With a Public Hearing, But No Further Action

Bill Number	General Title	Principal Concepts
<a href="#">SB 11</a> (Governor's Bill)	Reliability, Sustainability, and Economic Vitality of the State's Solid Waste Management System	<ul style="list-style-type: none"> <li>making it a state goal to advance self-sufficiency in managing the state's municipal solid waste and setting per capita disposal goals for municipal residential solid waste (no more than 700 pounds by 2022 and 500 pounds by 2024)</li> <li>requires DEEP to start a Waste Reduction and Infrastructure Development Program, which may involve solicitations from various waste service, technology, and facility providers</li> <li>requires DEEP to consult with retailers, manufacturers, and recycling businesses to develop recommended recycled content standards for products sold in the state</li> </ul>

Table 3 (continued)

Bill Number	General Title	Principal Concepts
		<ul style="list-style-type: none"> <li>requires MIRA to provide a five-year plan on reliable and cost-effective solid waste management service</li> </ul>
<a href="#">SB 292</a>	Electronic Documents and Pesticide Regulation in the State	<ul style="list-style-type: none"> <li>requires DEEP to enter the information in each pesticide application notice it receives in a publicly available and searchable electronic spreadsheet</li> </ul>
<a href="#">SB 294</a>	Sale and Trade of Ivory and Rhinoceros Horn in Connecticut	<ul style="list-style-type: none"> <li>subject to certain exceptions, prohibits purchasing, selling, offering for sale, or possessing with intent to sell ivory or rhinoceros horn</li> </ul>
<a href="#">SB 295</a>	Selection of Caterers for Individuals Who Rent State-owned Facilities	<ul style="list-style-type: none"> <li>allows for using a caterer without a current DEEP contract at a rented state park venue or other facility, if approved by DEEP at least 12 months before the venue rental</li> </ul>
<a href="#">SB 296</a>	Minimum Recycled Glass Content for Wine and Liquor Bottles Sold or Distributed in the Northeast Region	<ul style="list-style-type: none"> <li>requires DEEP to (1) convene a collective of representatives from each New England state to establish a minimum recycled glass content for glass wine and liquor bottles and (2) report on the collective's results and any legislative recommendations</li> </ul>
<a href="#">SB 297</a>	Use of Perfluoroalkyl or Polyfluoroalkyl Substances in Class B Firefighting Foam	<ul style="list-style-type: none"> <li>generally prohibits using class B firefighting foam with intentionally added perfluoroalkyl or polyfluoroalkyl substances</li> <li>requires DEEP to develop a take-back program for municipal sources of these chemicals</li> </ul>
<a href="#">SB 298</a>	Food Waste Diversion and Anaerobic Digestion Facilities	<ul style="list-style-type: none"> <li>expands the geographic scope of the state's food waste diversion law, potentially increasing how many businesses must have their organic material separated and recycled</li> <li>requires DEEP to establish a voluntary pilot program for municipalities to have organic material separated and recycled</li> </ul>

Table 3 (continued)

Bill Number	General Title	Principal Concepts
<a href="#">SB 299</a>	Distribution of Single-Use Straws	<ul style="list-style-type: none"> <li>prohibits full-service restaurants from automatically providing single-use plastic straws to customers, but allows for providing one to someone with a disability</li> </ul>
<a href="#">SB 300</a>	Recycling and Disposal of Smoke Detectors	<ul style="list-style-type: none"> <li>requires DEEP to report on disposing of or recycling residential smoke detectors and if an extended producer responsibility program is recommended</li> </ul>
<a href="#">SB 301</a>	Use of Chlorpyrifos	<ul style="list-style-type: none"> <li>phases out the use and sale of chlorpyrifos</li> <li>requires DEEP and DoAg to provide outreach and help to farmers and agriculture producers to reduce pesticide use and apply nonpesticide alternatives</li> </ul>
<a href="#">HB 5337</a>	Processing of Rabbits for Consumption	<ul style="list-style-type: none"> <li>designates rabbit processing facilities that pass DoAg inspections as approved food sources for consumers, food retailers, restaurants, boarding houses, and hotels</li> </ul>
<a href="#">HB 5338</a>	Sale of Animal Fighting Paraphernalia	<ul style="list-style-type: none"> <li>prohibits possessing, owning, buying, selling, transferring, or manufacturing animal fighting paraphernalia with intention to engage in, wager upon, promote, facilitate, or further an animal fighting exhibition</li> </ul>
<a href="#">HB 5339</a>	Release of Helium Balloons into the Atmosphere	<ul style="list-style-type: none"> <li>prohibits knowingly releasing, organizing the release of, or intentionally causing the release of a lighter-than-air balloon into the atmosphere, rather than more than nine within a 24-hour period</li> </ul>
<a href="#">HB 5340</a>	Modernization of the Connecticut Bottle Redemption Program	<p>Makes several changes to the state's bottle redemption law, such as:</p> <ul style="list-style-type: none"> <li>expanding the scope of the law to include juice, tea, and sports and energy drinks</li> <li>increasing the deposit amount, from five cents to 10 cents</li> <li>increasing the handling fee distributors pay to dealers or redemption centers from one and one-half or two cents per container, depending on container type, to three and one-half cents per container for all container types</li> </ul>

Table 3 (continued)

Bill Number	General Title	Principal Concepts
		<ul style="list-style-type: none"> <li>allows for deposit initiators to keep 18% or 20% (depending on the fiscal year) of unclaimed deposits, thus potentially decreasing the amount of unclaimed deposits transferred to the General Fund</li> <li>establishing a 90% beverage container redemption goal</li> </ul>
<a href="#">HB 5341</a>	Sale and Breeding of Certain Cetaceans	<ul style="list-style-type: none"> <li>subject to certain exceptions, prohibits (1) holding cetaceans in captivity for display, performance, or entertainment; (2) breeding or engaging in certain activities related to breeding cetaceans; or (3) transporting or selling a cetacean located in the state unless authorized under federal law or that meet certain federal requirements</li> </ul>
<a href="#">HB 5342</a>	Multi-stream Recycling	<ul style="list-style-type: none"> <li>requires DEEP to amend its recycling regulations to prescribe how to separate certain recyclables from others so that they may be recycled separately and generate marketable recycled materials</li> </ul>
<a href="#">HB 5343</a>	Local Representation on the Connecticut Siting Council for Certain Projects	<ul style="list-style-type: none"> <li>for electric distribution company facility proceedings before the Connecticut Siting Council, requires an elector from each municipality where the facility will be located to serve as a nonvoting member</li> </ul>
<a href="#">HB 5344</a>	Off-shore Drilling for Oil and Gas in Connecticut	<ul style="list-style-type: none"> <li>prohibits, in state coastal waters, (1) seismic mapping for geologic formations that may include oil or gas or (2) drilling, including exploratory drilling, for oil or gas</li> </ul>
<a href="#">HB 5345</a>	State Review of Farmland Preservation Transactions	<ul style="list-style-type: none"> <li>eliminates approval by the State Properties Review Board for certain agricultural land transactions, including the purchase of development rights</li> </ul>



**Table 4: Bills Scheduled for Public Hearing, But Not Heard**

Bill Number	General Title	Principal Concepts
<a href="#"><u>SB 411</u></a>	Fund for the Effect of Certain Offshore Wind Energy Projects on State Fisheries	<ul style="list-style-type: none"> <li>requires DEEP to disclose the content of offshore wind facility proposals and associated state power purchase agreements</li> <li>requires DEEP to create a Fisheries Recovery Fund to give (1) grants to licensed commercial fisherman negatively affected by offshore wind facilities' effects on state fisheries and (2) funds to restore the fisheries</li> </ul>
<a href="#"><u>SB 413</u></a>	Use of Exotic or Wild Animals in Traveling Animal Acts	<ul style="list-style-type: none"> <li>subject to certain exceptions, prohibits causing a performance of or allowing exotic or wild animals to be used in a traveling animal act</li> </ul>
<a href="#"><u>SB 414</u></a>	Product Stewardship of Certain Pressurized Gas Containers	<ul style="list-style-type: none"> <li>requires DEEP to, by regulation, establish a product stewardship program for certain single-use pressurized gas containers</li> </ul>
<a href="#"><u>SB 415</u></a>	Veterinary Reporting of Dogs Used in Animal Fighting	<ul style="list-style-type: none"> <li>requires a veterinarian with reasonable cause to believe a dog was injured or killed by participating in an animal fighting exhibition to report it to the local law enforcement of the municipality where the veterinarian thinks the exhibition occurred</li> </ul>
<a href="#"><u>SB 416</u></a>	Certain Restroom Facilities at State Parks and Boat Launches	<ul style="list-style-type: none"> <li>requires DEEP to install primitive toilets with below grade containment at state parks and boat launches without restroom facilities</li> </ul>
<a href="#"><u>SB 417</u></a>	Harvesting of Horseshoe Crabs During a Full Moon	<ul style="list-style-type: none"> <li>prohibits (1) taking horseshoe crabs from the day before a full moon until after the day following the full moon and (2) using horseshoe crabs for whelk or eel fishing without using bait bags</li> </ul>
<a href="#"><u>SB 418</u></a>	Pay Kiosks at State Parks	<ul style="list-style-type: none"> <li>requires DEEP to install pay kiosks at two state parks without DEEP employees at the park entrance, from Memorial Day to Labor Day, to collect parking fees from out-of-state residents</li> </ul>

Table 4 (continued)

Bill Number	General Title	Principal Concepts
<a href="#">SB 419</a>	Vegetation Management by DOT	<ul style="list-style-type: none"> <li>requires DOT, before doing a tree removal project next to a state highway that is greater than one acre in size, to assess and report on whether it would destroy or adversely change essential habitat for endangered or threatened species</li> </ul>
<a href="#">SB 420</a>	Paint Stewardship Program	<ul style="list-style-type: none"> <li>decreases the paint stewardship assessment by 10 cents per container for containers larger than one-half pint, but no larger than one gallon, and one-gallon containers</li> </ul>
<a href="#">SB 421</a>	Use of Circle Fish Hooks	<ul style="list-style-type: none"> <li>requires DEEP to adopt regulations requiring sport fishermen to use nonoffset circle hooks when striped bass or bluefish fishing via certain methods</li> </ul>
<a href="#">SB 449</a>	Use of Certain Alternative Treatment Septic Systems	<ul style="list-style-type: none"> <li>requires DEEP to authorize alternative treatment septic systems for certain properties with failing septic systems</li> <li>allows DEEP to authorize alternative treatment septic systems for commercial properties or multi-unit dwelling developments, under certain circumstances</li> </ul>
<a href="#">SB 450</a>	Idling of Motor Vehicles	<ul style="list-style-type: none"> <li>codifies existing DEEP regulation that generally prohibits motor vehicle idling for longer than three consecutive minutes</li> </ul>
<a href="#">SB 451</a>	Farm Wineries and the Use of “Connecticut-Grown” Labeling	<ul style="list-style-type: none"> <li>delays by one year the requirements associated with manufacturer permittees on farms applying to DoAg for permission to use certain Connecticut farm winery, brewery, or cidery or “Connecticut Grown” designations (i.e., <a href="#">PA 19-24</a>, § 23)</li> </ul>
<a href="#">SB 453</a>	Safe Boating	<ul style="list-style-type: none"> <li>allows for proof of having a safe boating or personal watercraft operation certificate, or evidence of boating safety or safe personal watercraft handling education to be shown electronically on a mobile device</li> <li>provides operator license requirements for out-of-state residents operating vessels, personal watercrafts, or jetted articulated vessels on Connecticut waters</li> </ul>

Table 4 (continued)

Bill Number	General Title	Principal Concepts
		<ul style="list-style-type: none"> <li>requires vessels to travel at slow-no-wake speed when passing within 200 feet of commercial vessels with flashing lights and responding to or towing a distressed vessel</li> <li>increases, from \$500 to \$2,000, the threshold property damage amount requiring that a vessel accident be reported to DEEP</li> <li>decreases (1) from 14 to seven days, the term during which someone may rent a vessel without needing a safe boating certificate and (2) from three months to 45 days, the term of a temporary certificate of personal watercraft operation</li> </ul>
<a href="#">HB 5454</a>	Task Force to Study DOT's Vegetation Management Program	<ul style="list-style-type: none"> <li>establishes a task force to study the scope, need, and effects of DOT's vegetation management program and report on its findings</li> </ul>
<a href="#">HB 5455</a>	Revision of Certain Hunting and Fishing Related Statutes	<ul style="list-style-type: none"> <li>allows for law enforcement or a veterinarian to euthanize a deer, moose, or black bear seriously wounded by a motor vehicle accident</li> <li>prohibits carrying a firearm when hunting with a bow and arrow</li> <li>broadens the types of prohibited equipment for taking deer by including night vision enhancement devices rather than only jacklights or other artificial light</li> <li>increases, from 50 to 100 people, the maximum capacity of people who can fish under a group fishing license</li> </ul>
<a href="#">HB 5456</a>	Exemptions to the Passport to the Parks Fee for Seniors, Veterans, and Certain Vehicle Owners	<ul style="list-style-type: none"> <li>exempts from the Passport to the Parks Fee motor vehicles registered by veterans or persons aged at least 65 years</li> <li>limits the collection of the Passport to the Parks Fee to one fee per person, regardless of how many registered vehicles</li> </ul>

Table 4 (continued)

Bill Number	General Title	Principal Concepts
<a href="#">HB 5457</a>	Free Bow and Arrow Permits for Senior Citizens	<ul style="list-style-type: none"> <li>allows for persons aged at least 65 years who have been state residents for at least one year to receive a bow and arrow permit for hunting deer and small game without a fee</li> </ul>
<a href="#">HB 5495</a>	MIRA's Solid Waste Disposal Contracts	<ul style="list-style-type: none"> <li>generally requires that municipal solid waste disposal contracts of at least a one-year term must be approved in writing by DEEP to ensure that they conform with the statewide solid waste management plan</li> </ul>
<a href="#">HB 5496</a>	Small Municipal Separate Storm Sewer Systems (MS4) General Permit	<ul style="list-style-type: none"> <li>requires DEEP to develop (1) a public education and outreach program to help municipalities comply with the MS4 general permit, (2) a program for qualified professionals to certify that a municipality complies with MS4 requirements, and (3) recommendations and give training and assistance to help facilitate compliance</li> <li>requires DEEP to give municipalities more time to comply with the permit if there is significant progress toward compliance</li> <li>establishes a Municipal Stormwater Management Assistance Program to give matching grants to help municipalities comply with the MS4 general permit and authorizes \$20 million in bonding for this purpose</li> </ul>
<a href="#">HB 5497</a>	Minor Revisions to Environment-Related Statutes	<ul style="list-style-type: none"> <li>makes applicants for all classes of wastewater treatment plant operators to pass the relevant national standardized examination only, rather than having class III and IV applicants also answer supplemental questions from DEEP</li> <li>reduces the penalty for improperly taking striped bass to an infraction</li> <li>allows DEEP to annually register pesticides, rather than generally give five-year registrations, and prohibits fee refunds for products voluntarily withdrawn or cancelled before their registration ends</li> </ul>

Table 4 (continued)

Bill Number	General Title	Principal Concepts
		<ul style="list-style-type: none"> <li>• prescribes a process for notifying pesticide applicators of certificate expirations and, under certain circumstances, renewing them without reexamination</li> <li>• modifies an exemption from needing a DEEP dredging or structure permit for certain aquaculture structures</li> <li>• allows DEEP's nonharvested wildlife conservation program to receive private donations and allows, rather than requires, DEEP to annually report on the program</li> <li>• removes DEEP approval for municipal noise control ordinances, instead requiring them to be at least as stringent as any state noise control plan</li> <li>• repeals the (1) Bi-State Long Island Sound Committee and Commission and (2) Natural Area Preserves Advisory Committee</li> </ul>
<a href="#">HB 5498</a>	Pilot Program for Large-scale Beneficial Reuse of Certain Soil Projects	<ul style="list-style-type: none"> <li>• allows DEEP to authorize a pilot program for beneficial use of beneficially reclaimed materials at up to four locations in the state</li> </ul>
<a href="#">HB 5499</a>	Green Burials	<ul style="list-style-type: none"> <li>• requires DEEP to report on recommendations for awarding open space grants to organizations that use property for green burials according to certain standards</li> </ul>
<a href="#">HB 5500</a>	Use of Glyphosate	<ul style="list-style-type: none"> <li>• prohibits selling, offering for sale, using, applying, manufacturing, or distributing glyphosate or any product with it</li> </ul>

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