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## OLR Bill Analysis

**sSB 290 (File 163, as amended by Senate "A")\***

### ***AN ACT CONCERNING MINOR REVISIONS TO ENVIRONMENT RELATED STATUTES.***

#### **SUMMARY**

This bill expands the types of construction or repair projects that the Department of Energy and Environmental Protection (DEEP) may administer without prior approval from the Department of Administrative Services (DAS), regardless of cost. For other projects, it increases the maximum cost of a project that DEEP may administer (1) without DAS's prior approval (from \$500,000 to \$1 million) and (2) with DAS's prior approval (from \$1 million to \$3 million). It also requires that the thresholds be adjusted annually for inflation beginning by July 1, 2025 (§ 2).

The bill also specifies that the packaging material component law's definition of "intentionally introduced" does not include using PFAS (i.e., perfluoroalkyl and polyfluoroalkyl substances) as a processing agent or intermediate during manufacturing under certain circumstances. Under existing law, a parallel exemption applies to regulated metals (§ 1).

Lastly, the bill removes the Department of Consumer Protection's Liquor Control Division as a recipient of the semi-annual sales reports that nip wholesalers must provide on how many nips are sold in each town (§ 3).

\*Senate Amendment "A" (1) expands the types of projects that DEEP may administer itself without prior DAS approval, rather than expanding the types of projects subject to the cost thresholds for approval as in the underlying bill, and (2) delays the start of the annual inflation adjustments by one year (until July 1, 2025).

EFFECTIVE DATE: Upon passage

## **DEEP PROJECT THRESHOLDS**

Under current law, DAS has general supervisory authority over construction work involving most state property, but DEEP may, without DAS's prior approval, construct, repair, or contract for a dam or flood and erosion control system under its control and management. DEEP may also (1) alter, repair, or add to any other of its real assets (or contract to do it) if the cost is \$500,000 or less or (2) do these things if the cost is up to \$1 million and DAS approves.

The bill expands the types of construction or repair work DEEP may administer without DAS' prior approval, regardless of cost. Under the bill, DEEP may administer projects involving service roads; trails; greenways; dams; bridges; flood prevention, climate resilience, and erosion control systems; and other civil or natural resource infrastructure.

The bill also increases (1) from \$500,000 to \$1 million, the maximum project cost for which DEEP may alter, repair, or add to its other assets without DAS approval and (2) from \$1 million to \$3 million, the maximum project cost for which DEEP may alter, repair, or add to those assets with DAS's prior approval. As under existing law, projects above this threshold are subject to DAS's authority.

Beginning July 1, 2025, the bill requires DAS to annually adjust the thresholds by the percentage change in the Producer Price Index by Commodity: Construction (Partial)(WPU80), not seasonally adjusted, or its successor index, as calculated by the U.S. Department of Labor, over the preceding calendar year. DAS must round the adjustment to the nearest multiple of \$100 and post the adjusted thresholds on its website.

## **COMMITTEE ACTION**

Environment Committee

Joint Favorable Substitute

Yea 34 Nay 0 (03/15/2024)