



General Assembly

**Substitute Bill No. 595**

February Session, 2004

\* SB00595GAE\_\_042204\_\_ \*

**AN ACT CONCERNING CLIMATE CHANGE.**

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

1 Section 1. (NEW) (*Effective October 1, 2004*) As used in sections 1 to 4,  
2 inclusive, of this act:

3 (1) "Direct emissions" means emissions from sources that are owned  
4 or operated, in whole or in part, by an entity or facility, including, but  
5 not limited to, emissions from factory stacks, manufacturing processes  
6 and vents, and company owned or leased motor vehicles;

7 (2) "Entity" means a person, as defined in section 22a-2 of the  
8 general statutes, that owns or operates, in whole or in part, a source of  
9 greenhouse gas emissions from a generator of electricity or a  
10 commercial or industrial site, which source may include, but not be  
11 limited to, a transportation fleet;

12 (3) "Facility" means a building, structure or installation located on  
13 any one or more contiguous or adjacent properties of an entity;

14 (4) "Greenhouse gas" means any chemical or physical substance that  
15 is emitted into the air and that the Commissioner of Environmental  
16 Protection may reasonably anticipate to cause or contribute to climate  
17 change, including, but not limited to, carbon dioxide, methane, nitrous  
18 oxide, hydrofluorocarbons, perfluorocarbons and sulfur hexafluoride;

19 (5) "Indirect emissions" means emissions that are a consequence of  
20 the activities of an entity or facility subject to the reporting  
21 requirements of section 4 of this act, but which occur at sources owned  
22 or operated by another entity, including, but not limited to, the  
23 production of electricity, hot water or steam for the operation of an  
24 entity or facility.

25 Sec. 2. (NEW) (*Effective October 1, 2004*) There is established a  
26 Governor's Steering Committee on Climate Change consisting of seven  
27 members, including the chairperson of the board of directors of  
28 Connecticut Innovations, Incorporated, the chairperson of the Public  
29 Utilities Control Authority, the Commissioner of Environmental  
30 Protection, the Commissioner of Administrative Services, the  
31 Commissioner of Transportation, the Commissioner of Education and  
32 the Secretary of the Office of Policy and Management, or their  
33 respective designees. The steering committee shall assist with the  
34 implementation of the state-wide goals to reduce emissions of  
35 greenhouse gases by performing the duties set forth in section 3 of this  
36 act.

37 Sec. 3. (NEW) (*Effective October 1, 2004*) (a) It shall be the goal of the  
38 state to reduce emissions of greenhouse gas to those levels emitted in  
39 1990, which reduction to occur not later than January 1, 2010, and to  
40 levels ten per cent below the 1990 levels not later than January 1, 2020.  
41 The Commissioner of Environmental Protection shall consult with the  
42 Conference of New England Governors and Eastern Canadian  
43 Premiers to establish a date for the long-term goal of reducing the  
44 emissions of greenhouse gas by seventy-five to eighty-five per cent  
45 below 2001 levels. If the Conference of New England Governors and  
46 Eastern Canadian Premiers has not established a date for such long-  
47 term goal by January 1, 2005, the date for reaching such goal shall be  
48 2050.

49 (b) Not later than January 1, 2005, the Governor's Steering  
50 Committee on Climate Change, established pursuant to section 2 of  
51 this act, shall develop a climate change action plan, with the

52 opportunity for public comment, which plan shall contain the policies  
53 and programs necessary to achieve the state's goals for the reduction of  
54 greenhouse gas emissions by 2010 and 2020. Not later than January 1,  
55 2008, the steering committee shall develop an amended climate change  
56 action plan, with the opportunity for public comment, for achieving  
57 the long-term goal established pursuant to subsection (a) of this  
58 section.

59 (c) Not later than September 30, 2004, and annually thereafter, the  
60 Commissioner of Environmental Protection, in collaboration with the  
61 commissioners of other state agencies and the steering committee, shall  
62 submit a report to the joint standing committee of the General  
63 Assembly having cognizance of matters relating to the environment on  
64 the progress made in achieving the goals established in subsection (a)  
65 of this section and to evaluate the appropriateness of the climate  
66 change action plans developed pursuant to subsection (b) of this  
67 section in achieving such goals. The commissioner shall provide an  
68 opportunity for public comment on such report prior to submission.

69 Sec. 4. (NEW) (*Effective October 1, 2004*) (a) The Commissioner of  
70 Environmental Protection shall establish and administer a greenhouse  
71 gas registry to collect data on greenhouse gas emissions by entities or  
72 facilities and the annual state greenhouse gas emissions inventory  
73 developed pursuant to subsection (f) of this section. The commissioner  
74 may develop the registry and reporting system in conjunction with  
75 other states or a regional consortium and shall make the data from  
76 such registry available on the department's Internet web site or, in the  
77 alternative, on the Internet web site of the regional consortium selected  
78 by the commissioner.

79 (b) Not later than July 1, 2006, and annually thereafter, any facility  
80 that has stationary sources of greenhouse gas shall report to the  
81 commissioner all direct emissions of greenhouse gas if such facility has  
82 to report air emissions data to the Department of Environmental  
83 Protection or the federal Environmental Protection Agency pursuant to  
84 the federal Clean Air Act, the Toxic Release Inventory pursuant to the

85 federal Pollution Prevention Act of 1990, or similar legislation.

86 (c) Not later than July 1, 2008, and annually thereafter, any entity or  
87 facility with a combined direct and indirect emission of ten thousand  
88 metric tons of carbon dioxide equivalent per year shall report to the  
89 commissioner all indirect and direct emissions of greenhouse gas.

90 (d) Not later than July 1, 2006, the commissioner shall collect  
91 information on emissions of greenhouse gas and reductions of such  
92 gases by entities and facilities that are not required to submit  
93 information pursuant to subsections (b) and (c) of this section but  
94 which do so on a voluntary basis.

95 (e) The commissioner shall adopt regulations, in accordance with  
96 the provisions of chapter 54 of the general statutes, to establish  
97 guidelines for such emissions pursuant to this subsection, including,  
98 but not limited to, a methodology for determining the carbon dioxide  
99 equivalent of a particular greenhouse gas, as multiplied by its global  
100 warming potential, for reporting requirements pursuant to subsection  
101 (c) of this section, qualifying project reductions or offsets for voluntary  
102 reporting pursuant to subsection (d) of this section, and threshold  
103 quantities of emissions an entity or facility is required to report  
104 pursuant to this section, which regulations shall be consistent with  
105 reporting requirements pursuant to federal or regional greenhouse gas  
106 reporting initiatives.

107 (f) Not later than July 1, 2006, and biennially thereafter, the  
108 commissioner shall publish a state greenhouse gas emissions inventory  
109 that includes comprehensive estimates of the quantity of greenhouse  
110 gas emissions in the state for the previous year. The inventory shall  
111 include, but not be limited to, for each greenhouse gas, an estimate of  
112 the quantity of emissions divided by categories of sources, as  
113 determined by the commissioner, an analysis of the trends in the  
114 quantity, composition and sources of emissions, an explanation of the  
115 methodology used in developing the inventory and an analysis of data  
116 submitted to the registry.

117 Sec. 5. Section 4a-67h of the general statutes, as amended by section  
118 9 of public act 03-19, is repealed and the following is substituted in lieu  
119 thereof (*Effective October 1, 2004*):

120 (a) As used in this section, "environmentally preferable" means,  
121 with regard to products, services or practices, that such products,  
122 services or practices have a lesser or reduced negative effect on human  
123 health and the environment when compared to competing products,  
124 services or practices that serve the same function. "Environmentally  
125 preferable products" includes both recycled and recyclable products.

126 (b) Within available appropriations, the Department of  
127 Administrative Services shall establish procedures that promote, to the  
128 greatest extent feasible, the procurement and use of recycled products  
129 and environmentally preferable products, [and] services, and practices  
130 by state agencies. The department shall: (1) Designate environmentally  
131 preferable products, taking into consideration the raw materials  
132 acquisition, production, manufacturing, packaging, distribution, reuse,  
133 operation, maintenance or disposal aspects of such products, and  
134 establish minimum standards and specifications for their procurement  
135 and use; (2) when feasible, include the use of environmentally  
136 preferable products and services as a criteria in a multiple criteria bid  
137 or an evaluation factor in requests for proposals; and (3) consider the  
138 use of environmentally preferable business practices when reviewing  
139 the overall performance of a bidder or proposer's business operation.  
140 Such procedures shall not be considered regulations, as defined in  
141 section 4-166.

142 (c) [Within available appropriations] Not later than January 1, 2005,  
143 and annually thereafter, the department shall: (1) Develop and  
144 maintain information about environmentally preferable products,  
145 [and] services and practices procured through the department,  
146 including, but not limited to, products, services and practices that  
147 minimize global warming impact and recycled products [;] and (2)  
148 provide assistance with the implementation of the procedures  
149 developed pursuant to subsection (b) of this section and provide

150 information to agencies about the use of environmentally preferable  
151 products and services. [; and (3)]

152 (d) All agencies that procure products and services shall maintain  
153 information about their use of environmentally preferable products  
154 and services and shall submit such information annually to the  
155 department. The department shall monitor the use of environmentally  
156 preferable products, [and] services and practices and recycled  
157 products by state agencies. Such information compiled pursuant to  
158 subsection (c) of this section and this subsection shall designate those  
159 products, services or practices that cost the same or less than other  
160 similar products, services or practices.

This act shall take effect as follows:	
Section 1	October 1, 2004
Sec. 2	October 1, 2004
Sec. 3	October 1, 2004
Sec. 4	October 1, 2004
Sec. 5	October 1, 2004

**ENV**      *Joint Favorable Subst.*

**TRA**      *Joint Favorable*

**GAE**      *Joint Favorable*