



General Assembly

February Session, 2004

Amendment

LCO No. 3483

SB0059503483SD0

Offered by:

SEN. WILLIAMS, 29th Dist.

To: Subst. Senate Bill No. 595

File No. 390

Cal. No. 280

"AN ACT CONCERNING CLIMATE CHANGE."

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

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

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

9 (2) "Entity" means a person, as defined in section 22a-2 of the
10 general statutes, that owns or operates, in whole or in part, a source of
11 greenhouse gas emissions from a generator of electricity or a

12 commercial or industrial site, which source may include, but not be
13 limited to, a transportation fleet;

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

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

21 (5) "Indirect emissions" means emissions associated with the
22 consumption of purchased electricity, steam and heating or cooling by
23 an entity or facility.

24 Sec. 2. (NEW) (*Effective October 1, 2004*) (a) It shall be the goal of the
25 state to reduce emissions of greenhouse gas in order to make an
26 appropriate contribution to achieving the regional goals of reducing
27 emissions of greenhouse gas to those levels emitted in 1990, which
28 reduction to occur not later than January 1, 2010, and to levels ten per
29 cent below the 1990 levels not later than January 1, 2020. The
30 Commissioner of Environmental Protection shall consult with the
31 Conference of New England Governors and Eastern Canadian
32 Premiers to establish a date for the long-term regional goal of reducing
33 the emissions of greenhouse gas by seventy-five to eighty-five per cent
34 below 2001 levels. If the Conference of New England Governors and
35 Eastern Canadian Premiers has not established a date for such long-
36 term regional goal by January 1, 2007, the date for reaching such goal
37 shall be 2050.

38 (b) Not later than January 1, 2005, the Governor's Steering
39 Committee on Climate Change, established in November 2002, shall
40 develop a multisector, comprehensive climate change action plan, with
41 the opportunity for public comment, which plan shall contain the
42 policies and programs necessary to achieve the state's goals for the
43 reduction of greenhouse gas emissions by 2010 and 2020. Not later

44 than January 1, 2008, the steering committee shall develop an amended
45 climate change action plan, with the opportunity for public comment,
46 for achieving the state's contribution towards reaching the long-term
47 regional goal established pursuant to subsection (a) of this section.
48 Both plans shall be submitted, in accordance with section 11-4a of the
49 general statutes, to the joint standing committee of the General
50 Assembly having cognizance of matters relating to the environment.

51 (c) Not later than December 1, 2005, and annually thereafter, the
52 Commissioner of Environmental Protection, in collaboration with the
53 commissioners of other state agencies and the steering committee, shall
54 submit a report to the joint standing committee of the General
55 Assembly having cognizance of matters relating to the environment on
56 the progress made in achieving the goals established in subsection (a)
57 of this section and to evaluate the appropriateness of the climate
58 change action plans developed pursuant to subsection (b) of this
59 section in achieving such goals.

60 Sec. 3. (NEW) (*Effective October 1, 2004*) (a) The Commissioner of
61 Environmental Protection shall work to establish a regional
62 greenhouse gas registry for greenhouse gas emissions and a regional
63 reporting system in conjunction with other states or a regional
64 consortium.

65 (b) Not later than April 15, 2006, and annually thereafter, the owner
66 or operator of any facility that is required to report air emissions data
67 to the Department of Environmental Protection pursuant to Title V of
68 the federal Clean Air Act and that has stationary emissions sources
69 that emit greenhouse gasses shall report to the regional registry direct
70 stack emissions of greenhouse gases from such sources. The owner or
71 operator shall report all greenhouse gas emissions in a type and format
72 that the regional registry can accommodate.

73 (c) The commissioner shall consider, on an annual basis, requiring
74 the expansion of reporting to the regional greenhouse gas registry to
75 include, but not be limited to, other facilities or sectors, greenhouse

76 gases, or direct and indirect emissions. A decision for or against an
77 expansion of reporting and an explanation of such decision shall be
78 included in the annual report required pursuant to subsection (c) of
79 section 2 of this act.

80 (d) Not later than July 1, 2006, the commissioner shall provide for
81 the voluntary reporting of emissions of greenhouse gas to the regional
82 greenhouse gas registry by entities and facilities that are not required
83 to submit information pursuant to subsections (b) and (c) of this
84 section but which do so on a voluntary basis. The greenhouse gas
85 emissions reported shall be of a type and format that the regional
86 greenhouse gas registry can accommodate.

87 (e) If a regional greenhouse gas registry is not developed and
88 implemented by April 15, 2007, the commissioner shall evaluate the
89 feasibility of establishing and administering a state-wide greenhouse
90 gas registry for the collection of emissions data pursuant to subsections
91 (b) and (c) of this section. If a regional greenhouse gas registry is
92 developed after the commissioner establishes a state-wide greenhouse
93 gas registry, then the reporting requirements in subsections (b) and (c)
94 of this section shall revert back to the regional greenhouse gas registry
95 in accordance with said subsections (b) and (c).

96 (f) Not later than July 1, 2006, and triennially thereafter, the
97 commissioner shall publish a state greenhouse gas emissions inventory
98 that includes comprehensive estimates of the quantity of greenhouse
99 gas emissions in the state for the last three years in which data is
100 available.

101 (g) The commissioner may adopt regulations, in accordance with
102 the provisions of chapter 54 of the general statutes, to implement the
103 provisions of this section.

104 Sec. 4. Section 4a-67h of the general statutes, as amended by section
105 9 of public act 03-19, is repealed and the following is substituted in lieu
106 thereof (*Effective October 1, 2004*):

107 (a) As used in this section, "environmentally preferable" means,
108 with regard to products, services or practices, that such products,
109 services or practices have a lesser or reduced negative effect on human
110 health and the environment when compared to competing products,
111 services or practices that serve the same function. "Environmentally
112 preferable products" includes both recycled and recyclable products.

113 (b) Within available appropriations, the Department of
114 Administrative Services shall establish procedures that promote, to the
115 greatest extent feasible, the procurement and use of recycled products
116 and environmentally preferable products, [and] services, and practices
117 by state agencies. The department shall: (1) Designate environmentally
118 preferable products, taking into consideration the raw materials
119 acquisition, production, manufacturing, packaging, distribution, reuse,
120 operation, maintenance or disposal aspects of such products, and
121 establish minimum standards and specifications for their procurement
122 and use; (2) when feasible, include the use of environmentally
123 preferable products and services as a criteria in a multiple criteria bid
124 or an evaluation factor in requests for proposals; and (3) consider the
125 use of environmentally preferable business practices when reviewing
126 the overall performance of a bidder or proposer's business operation.
127 Such procedures shall not be considered regulations, as defined in
128 section 4-166.

129 (c) [Within available appropriations] Not later than January 1, 2005,
130 and annually thereafter, the department shall: (1) Develop and
131 maintain information about environmentally preferable products,
132 [and] services and practices procured through the department,
133 including, but not limited to, products, services and practices that
134 minimize global warming impact and recycled products; (2) provide
135 assistance with the implementation of the procedures developed
136 pursuant to subsection (b) of this section and provide information to
137 agencies about the use of environmentally preferable products and
138 services; and (3) monitor the use of environmentally preferable
139 products, [and] services and practices and recycled products by state
140 agencies. Such information compiled pursuant to subsection (c) of this

141 section and this subsection shall designate those products, services or
142 practices that cost the same or less than other similar products, services
143 or practices."

This act shall take effect as follows:	
Section 1	<i>October 1, 2004</i>
Sec. 2	<i>October 1, 2004</i>
Sec. 3	<i>October 1, 2004</i>
Sec. 4	<i>October 1, 2004</i>