



General Assembly

Amendment

February Session, 2004

LCO No. 4924

SB0059504924HR0

Offered by:

REP. HAMZY, 78th Dist.

REP. HARKINS, 120th Dist.

To: Subst. Senate Bill No. 595

File No. 390

Cal. No. 524

"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, methane, nitrous oxide,
20 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, the Eastern Canadian
32 Premiers, and one representative each of the Manufacturer's Alliance
33 of Connecticut, the Connecticut Business and Industry Association, the
34 United Brotherhood of Carpenters and Joiners of America, the AFL-
35 CIO and the chairpersons and ranking members of the joint standing
36 committees of the General Assembly having cognizance of matters
37 relating to energy and the environment to establish a date for the long-
38 term regional goal of reducing the emissions of greenhouse gas by
39 seventy-five to eighty-five per cent below 2001 levels. If the Conference
40 of New England Governors and Eastern Canadian Premiers has not
41 established a date for such long-term regional goal by January 1, 2007,
42 the date for reaching such goal shall be 2050.

43 (b) Not later than January 1, 2005, the Governor's Steering
44 Committee on Climate Change, established in November 2002, shall
45 develop a multisector, comprehensive climate change action plan, with

46 the opportunity for public comment, which plan shall contain the
47 policies and programs necessary to achieve the state's goals for the
48 reduction of greenhouse gas emissions by 2010 and 2020. Not later
49 than January 1, 2008, the steering committee shall develop an amended
50 climate change action plan, with the opportunity for public comment,
51 for achieving the state's contribution towards reaching the long-term
52 regional goal established pursuant to subsection (a) of this section.
53 Both plans shall be submitted, in accordance with section 11-4a of the
54 general statutes, to the joint standing committee of the General
55 Assembly having cognizance of matters relating to the environment.

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

65 Sec. 3. (NEW) (*Effective October 1, 2004*) (a) The Commissioner of
66 Environmental Protection shall work to establish a regional
67 greenhouse gas registry for greenhouse gas emissions and a regional
68 reporting system in conjunction with other states or a regional
69 consortium.

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

78 (c) The commissioner shall consider, on an annual basis, requiring
79 the expansion of reporting to the regional greenhouse gas registry to
80 include, but not be limited to, other facilities or sectors, greenhouse
81 gases, or direct and indirect emissions. A decision for or against an
82 expansion of reporting and an explanation of such decision shall be
83 included in the annual report required pursuant to subsection (c) of
84 section 2 of this act.

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

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

101 (f) Not later than July 1, 2006, and triennially thereafter, the
102 commissioner shall publish a state greenhouse gas emissions inventory
103 that includes comprehensive estimates of the quantity of greenhouse
104 gas emissions in the state for the last three years in which data is
105 available.

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

109 Sec. 4. Section 4a-67h of the general statutes, as amended by section

110 9 of public act 03-19, is repealed and the following is substituted in lieu
111 thereof (*Effective October 1, 2004*):

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

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

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

143 services; and (3) monitor the use of environmentally preferable
144 products, [and] services and practices and recycled products by state
145 agencies. Such information compiled pursuant to subsection (c) of this
146 section and this subsection shall designate those products, services or
147 practices that cost the same or less than other similar products, services
148 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>