



General Assembly

February Session, 2008

Raised Bill No. 5600

LCO No. 1996

01996_____ENV

Referred to Committee on Environment

Introduced by:
(ENV)

AN ACT CONCERNING CONNECTICUT GLOBAL WARMING SOLUTIONS.

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

1 Section 1. Section 22a-200 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2008*):

3 As used in sections 22a-200 to 22a-200b, inclusive, as amended by
4 this act, sections 3, 5, 6 and 9 of this act and 4a-67h:

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, that owns or
10 operates, in whole or in part, a source of greenhouse gas emissions
11 from a generator of electricity or a commercial or industrial site, which
12 source may include, but not be limited to, a transportation fleet;

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

15 (4) "Greenhouse gas" means any chemical or physical substance that
16 is emitted into the air and that the Commissioner of Environmental
17 Protection may reasonably anticipate will cause or contribute to
18 climate change, including, but not limited to, carbon dioxide, methane,
19 nitrous oxide, hydrofluorocarbons, perfluorocarbons and sulfur
20 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. Section 22a-200a of the general statutes is repealed and the
25 following is substituted in lieu thereof (*Effective October 1, 2008*):

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

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

47 comment. Not later than January 1, 2005, the steering committee shall
48 submit, in accordance with section 11-4a, such plan to the joint
49 standing committees of the General Assembly having cognizance of
50 matters relating to the environment, energy, transportation and
51 commerce. Not later than January 15, 2005, such committees shall
52 convene a joint informational public hearing for the purpose of
53 reviewing such plan. Not later than February 1, 2005, such committees
54 shall meet for the purpose of consideration of endorsement of such
55 plan. Not later than February 15, 2005, the steering committee shall
56 submit a final plan to such committees.

57 (c) Not later than January 1, 2008, the steering committee shall
58 develop an amended climate change action plan, with the opportunity
59 for public comment, for achieving the state's contribution towards
60 reaching the long-term regional goal established pursuant to
61 subsection (a) of this section. The steering committee shall submit, in
62 accordance with section 11-4a, such plan to the joint standing
63 committee of the General Assembly having cognizance of matters
64 relating to the environment.

65 (d) Not later than December 1, 2005, and annually thereafter, the
66 Commissioner of Environmental Protection, in collaboration with the
67 commissioners of other state agencies and the steering committee, shall
68 submit a report to the joint standing committee of the General
69 Assembly having cognizance of matters relating to the environment on
70 the progress made in achieving the goals established in subsection (a)
71 of this section and to evaluate the appropriateness of the climate
72 change action plans developed pursuant to subsections (b) and (c) of
73 this section in achieving such goals.]

74 (a) The state shall reduce the level of emissions of greenhouse gas:

75 (1) Not later than January 1, 2020, to a level at least ten per cent
76 below the level emitted in 1990; and

77 (2) Not later than January 1, 2050, to a level at least eighty per cent

78 below the level emitted in 2001.

79 (b) The Commissioner of Environmental Protection, in consultation
80 with the Department of Public Utility Control, shall establish emission
81 levels and limits associated with the electric sector based on
82 consumption and purchases of electricity from the regional electric
83 power grid. In establishing the Regional Greenhouse Gas Initiative and
84 the renewable portfolio standards established under section 16-245a of
85 the 2008 supplement to the general statutes.

86 (c) On or before January 1, 2012, the Secretary of the Office of Policy
87 and Management, the Commissioners of Environmental Protection,
88 Transportation and Administrative Services shall each adopt
89 regulations, in accordance with the provisions of chapter 54, to
90 implement the provisions of this section as such provisions relate to
91 each commissioner's agency. Such regulations shall be designed to: (1)
92 Minimize costs and maximize the total benefit to the state, encourage
93 innovation, stimulate investment in low greenhouse gas technologies
94 and encourage early action to reduce greenhouse gas emissions; (2)
95 ensure that compliance with the regulations furthers rather than
96 conflicts with federal and state ambient air quality standards and goals
97 to reduce toxic air contaminant emissions; (3) weigh overall societal
98 potential benefits, including reductions in other air pollutants,
99 diversification of energy sources, and other benefits to the economy,
100 environment and public health; (4) ensure that activities undertaken to
101 comply with the regulations do not disproportionately impact low-
102 income and minority communities; (5) minimize the administrative
103 burden of implementing and complying with the regulations; (6)
104 consider the significance of the contribution of each source or category
105 of sources to state-wide greenhouse gas emissions; and (7) result in
106 greenhouse gas emission reductions that are real, permanent,
107 quantifiable, verifiable and enforceable. Such regulations shall provide
108 for an evaluation of policies and programs by the Department of
109 Environmental Protection based upon a greenhouse gas emissions cost
110 of ten dollars per ton of carbon dioxide, to be adjusted for inflation, or

111 the current Regional Greenhouse Gas Initiative or federal allowance
112 price, whichever is higher. The commissioner may adjust such cost to
113 reflect the projected costs of carbon over the lifetime of a proposed
114 project.

115 (d) The Office of Policy and Management and the Governor's
116 Steering Committee on Climate Change shall monitor and enforce
117 compliance with this section and the regulations adopted pursuant to
118 this section.

119 (e) Not later than January 1, 2012, and every five years thereafter,
120 the Secretary of the Office of Policy and Management, in consultation
121 with the Commissioner of Environmental Protection and the
122 Governor's Steering Committee on Climate Change, shall report, in
123 accordance with the provisions of section 11-4a, on the progress made
124 in achieving the emissions reductions pursuant to subsection (a) of this
125 section and an assessment of the latest scientific information and
126 relevant data regarding global climate change and the status of
127 emissions reduction achieved in other states and countries to the
128 General Assembly.

129 (f) The Secretary of the Office of Policy and Management and
130 Commissioners of Transportation, Administrative Services and
131 Environmental Protection shall each adopt regulations in accordance
132 with the provisions of chapter 54, as needed, to stabilize atmospheric
133 greenhouse gas concentrations at a level adequate to forestall
134 dangerous anthropogenic interference with the climate system and
135 avoid an increase of global average temperature in excess of 3.6
136 degrees Fahrenheit or 2 degrees Celsius above the preindustrial
137 average in the foreseeable future.

138 Sec. 3. (NEW) (Effective October 1, 2008) (a) Not later than January 1,
139 2009, the Governor's Steering Committee on Climate Change shall
140 establish a Climate Change Impacts Subcommittee comprised of such
141 state agencies and experts as the Governor's Steering Committee on
142 Climate Change determines to be appropriate. Said subcommittee shall

143 (1) develop and coordinate the implementation of plans for assessing
144 the impacts of climate change on specific communities, (2) develop
145 recommendations to enable such communities to adapt to the impacts
146 of climate change, and (3) aid such communities to implement the
147 recommendations.

148 (b) On or before July 1, 2009, the subcommittee shall report to the
149 Governor's Steering Committee on Climate Change on its assessment
150 of current state and private programs and research concerning the
151 projected impact of climate change in the state on: (1) Infrastructure,
152 including, but not limited to, buildings, roads, railroads, airports,
153 dams, reservoirs, and sewage treatment and water filtration facilities;
154 (2) ecological habitats, including, but not limited to, coastal and inland
155 wetlands, forests and rivers; and (3) agriculture. The subcommittee
156 shall conduct not less than one public hearing regarding such
157 assessment and regarding the subcommittee's recommendations for
158 further assessments of impacts on the resources specified in
159 subdivisions (1) to (3), inclusive, of this subsection. The Governor's
160 Steering Committee on Climate Change shall report to the Governor
161 and the General Assembly, in accordance with the provisions of
162 section 11-4a of the general statutes, on the subcommittee's findings
163 and recommendations.

164 (c) On or before July 1, 2010, the subcommittee shall report to the
165 Governor and the General Assembly, in accordance with the
166 provisions of section 11-4a of the general statutes, concerning its
167 recommendations for changes to existing state and municipal
168 programs, laws or regulations to enable municipalities and natural
169 habitats to adapt to harmful climate change impacts.

170 Sec. 4. Section 22a-200b of the general statutes is repealed and the
171 following is substituted in lieu thereof (*Effective October 1, 2008*):

172 (a) The Commissioner of Environmental Protection shall work to
173 establish a regional greenhouse gas registry for greenhouse gas
174 emissions and a regional reporting system in conjunction with other

175 states or a regional consortium.

176 (b) Not later than April 15, 2006, and annually thereafter, the owner
177 or operator of any facility that is required to report air emissions data
178 to the Department of Environmental Protection pursuant to Title V of
179 the federal Clean Air Act and that has stationary emissions sources
180 that emit greenhouse gases shall report to the regional registry direct
181 stack emissions of greenhouse gases from such sources. The owner or
182 operator shall report all greenhouse gas emissions in a type and format
183 that the regional registry can accommodate.

184 [(c) The commissioner shall consider, on an annual basis, requiring
185 the expansion of reporting to the regional greenhouse gas registry to
186 include, but not be limited to, other facilities or sectors, greenhouse
187 gases, or direct and indirect emissions. A decision for or against an
188 expansion of reporting and an explanation of such decision shall be
189 included in the annual report required pursuant to subsection (d) of
190 section 22a-200a.]

191 (c) Not later than April 15, 2009, the owner or operator of any
192 facility that has stationary emissions sources that emit greenhouse
193 gases in excess of ten thousand tons in carbon dioxide equivalents
194 shall report to the regional greenhouse gas registry direct emissions of
195 greenhouse gases from such sources, on a form prescribed by the
196 commissioner. Such owner or operator shall report all greenhouse gas
197 emissions in a type and format that the regional greenhouse gas
198 registry can accommodate. Each year the commissioner shall consider
199 whether to expand the reporting requirements to include other entities
200 or facilities.

201 (d) Not later than July 1, 2006, the commissioner shall provide for
202 the voluntary reporting of emissions of greenhouse gas to the regional
203 greenhouse gas registry by entities and facilities that are not required
204 to submit information pursuant to subsections (b) and (c) of this
205 section but which do so on a voluntary basis. The greenhouse gas
206 emissions reported shall be of a type and format that the regional

207 greenhouse gas registry can accommodate.

208 (e) If a regional greenhouse gas registry is not developed and
209 implemented by April 15, 2007, the commissioner shall evaluate the
210 feasibility of establishing and administering a state-wide greenhouse
211 gas registry for the collection of emissions data pursuant to subsections
212 (b) and (c) of this section. If a regional greenhouse gas registry is
213 developed after the commissioner establishes a state-wide greenhouse
214 gas registry, the reporting requirements in subsections (b) and (c) of
215 this section shall revert to the regional greenhouse gas registry in
216 accordance with said subsections (b) and (c).

217 (f) Where appropriate and feasible, the state shall incorporate the
218 standards and protocols developed by the national Climate Registry,
219 established by the Northeast States for Coordinated Air Use
220 Management and the Northeast States Center for a Clean Air Future.

221 ~~[(f)]~~ (g) Not later than July 1, 2006, and triennially thereafter, the
222 commissioner shall publish a state greenhouse gas emissions inventory
223 that includes comprehensive estimates of the quantity of greenhouse
224 gas emissions in the state for the last three years in which data is
225 available.

226 ~~[(g)]~~ (h) The commissioner may adopt regulations, in accordance
227 with the provisions of chapter 54, to implement the provisions of this
228 section. Nothing in section 4a-67h, 22a-200, as amended by this act,
229 22a-200a, as amended by this act, or this section shall limit a state
230 agency from adopting any regulation within its authority in
231 accordance with the provisions of chapter 54.

232 Sec. 5. (NEW) (*Effective October 1, 2008*) (a) In order to achieve the
233 emission reduction requirements established in section 22a-200a of the
234 general statutes, as amended by this act, the state shall implement the
235 following:

236 (1) (A) Not later than January 1, 2009, the Commissioner of

237 Environmental Protection, in consultation with the Commissioner of
238 Transportation and the Secretary of the Office of Policy and
239 Management, may adopt regulations, in accordance with chapter 54 of
240 the general statutes, to establish a low-carbon fuel standard for all
241 motor vehicle and home heating fuels sold in the state.

242 (B) The Department of Environmental Protection shall not establish
243 such standard until the department assesses whether a sufficient
244 analytical framework exists for measuring full lifecycle greenhouse gas
245 emissions, including direct and indirect emissions of greenhouse gas
246 caused by changes in land use or other factors. Such assessment shall
247 include, but not be limited to, the modeling tools developed by the
248 California Air Resources Board and the United States Environmental
249 Protection Agency. For the purposes of this subdivision, "sufficient
250 analytical framework" means that the measurement tool used
251 accurately measures actual lifecycle greenhouse gas emissions.

252 (C) The fuel full lifecycle analysis shall include all stages of fuel and
253 feedstock production and distribution, from feedstock generation or
254 extraction to distribution, delivery and use of the finished fuel to the
255 ultimate consumer, and shall adjust the mass values for all greenhouse
256 gas emissions relative to such emissions' relative global warming
257 potential.

258 (D) Any such regulations adopted pursuant to this subdivision shall
259 mandate the use of a sufficient analytical framework and shall
260 establish a declining standard for greenhouse gas emissions measured
261 in CO₂ equivalent grams per unit of fuel energy sold sufficient to
262 achieve not less than a ten per cent reduction in the lifecycle carbon
263 intensity of all motor vehicle and home heating fuels sold in the state
264 by 2020. The low carbon fuel standard shall address environmental
265 issues associated with the production of new fuels, including, but not
266 limited to, sustainability, the impact on water, air and soil quality, land
267 use change and food production. The relevant agency shall consider
268 the standards established by other states when adopting any such

269 regulations.

270 (2) The Department of Transportation shall investigate the potential
271 for the expansion of high-speed and light-rail passenger service and
272 expanded freight rail service within the Northeast region. Such
273 investigation shall include, but not be limited to, the development of
274 new rail corridors, opportunity to reduce vehicle miles traveled, and
275 an analysis of the economic and environmental benefits and effect on
276 greenhouse gas emissions of such expanded passenger and freight rail
277 service. Not later than June 1, 2009, the Commissioner of
278 Transportation shall report, in accordance with the provisions of
279 section 11-4a of the general statutes, regarding the results of such
280 investigation to the General Assembly.

281 (3) The Department of Environmental Protection shall work with
282 interested states and Canadian provinces to develop and implement
283 market-based compliance mechanisms to achieve the greenhouse gas
284 levels and limits established by section 22a-200a of the general statutes,
285 as amended by this act, including, but not limited to, cap and trade
286 programs.

287 (4) All facilities owned or leased by the state shall offset any
288 greenhouse gas emissions resulting from the removal of forests,
289 associated biomass and soil carbon through investments in land use-
290 based carbon offsets within the state. The Secretary of the Office of
291 Policy and Management, in consultation with the Commissioner of
292 Environmental Protection, shall develop standards and verification
293 protocols to ensure that such offsets occur and that such offsets are
294 permanent, enforceable and verifiable.

295 (5) The Secretary of the Office of Policy and Management, in
296 consultation with the Commissioner of Environmental Protection, shall
297 develop a model municipal smart growth code that municipalities may
298 adopt. Such model code shall encourage open space preservation,
299 mixed land uses, compact building design, the availability of public
300 transit and other low-carbon emission transportation alternatives, and

301 shall emphasize strengthening and directing development towards
302 existing infrastructure. The secretary shall investigate potential
303 incentives to encourage municipalities to adopt the model code and
304 shall report, in accordance with the provisions of section 11-4a of the
305 general statutes, to the General Assembly regarding its findings no
306 later than January 1, 2009.

307 Sec. 6. (NEW) (*Effective October 1, 2008*) (a) No load-serving entity in
308 the state of Connecticut shall sign a power purchase agreement or
309 capacity contract for, and the Department of Environmental Protection
310 shall not issue a permit for, any new baseload fossil fuel power plant
311 that commences operations after June 1, 2008, that exceeds the carbon
312 dioxide emissions rate of one thousand one hundred pounds per
313 megawatt-hours for the total emissions associated with producing
314 electricity, including useful thermal output, except that the
315 Commissioner of Environmental Protection may reduce such rate to
316 account for advances in technology.

317 (b) The Department of Environmental Protection may adopt
318 regulations in accordance with the provisions of chapter 54 of the
319 general statutes to create monitoring and verification requirements to
320 ensure the capture and sequestration of carbon dioxide. Any such
321 regulations shall be consistent with any federal guidelines concerning
322 permanent sequestration of carbon dioxide. Greenhouse gas emissions
323 that are sequestered permanently, pursuant to any such regulations,
324 shall be excluded from the determination of whether the greenhouse
325 gas emission limits established under section 22a-200 of the general
326 statutes, as amended by this act, have been met.

327 Sec. 7. Section 22a-1b of the general statutes is repealed and the
328 following is substituted in lieu thereof (*Effective October 1, 2008*):

329 The General Assembly directs that, to the fullest extent possible:

330 (a) Each state department, institution or agency shall review its
331 policies and practices to insure that they are consistent with the state's

332 environmental policy as set forth in sections 22a-1 and 22a-1a.

333 (b) (1) Each sponsoring agency shall, prior to a decision to prepare
334 an environmental impact evaluation pursuant to subsection (c) of this
335 section for an action which may significantly affect the environment,
336 conduct an early public scoping process.

337 (2) To initiate an early public scoping process, the sponsoring
338 agency shall provide notice on a form that has been approved by the
339 Council on Environmental Quality, which shall include, but not be
340 limited to, the date, time and location of any proposed public scoping
341 meeting and the duration of the public comment period pursuant to
342 subdivision (3) of this subsection, to the council, the Office of Policy
343 and Management and any other state agency whose activities may
344 reasonably be expected to affect or be affected by the proposed action.

345 (3) Members of the public and any interested state agency
346 representatives may submit comments on the nature and extent of any
347 environmental impacts of the proposed action during the thirty days
348 following the publication of the notice of the early public scoping
349 process pursuant to this section.

350 (4) A public scoping meeting shall be held at the discretion of the
351 sponsoring agency or if twenty-five persons or an association having
352 not less than twenty-five persons requests such a meeting within ten
353 days of the publication of the notice in the Environmental Monitor. A
354 public scoping meeting shall be held not less than ten days following
355 the notice of the proposed action in the Environmental Monitor. The
356 public comment period shall remain open for at least five days
357 following the meeting.

358 (5) A sponsoring agency shall provide the following at a public
359 scoping meeting: (A) A description of the proposed action; (B) a
360 description of the purpose and need of the proposed action; (C) a list of
361 the criteria for a site for the proposed action; (D) a list of potential sites
362 for the proposed action; (E) the resources of any proposed site for the

363 proposed action; (F) the environmental limitations of such sites; (G)
364 potential alternatives to the proposed action; and (H) any information
365 the sponsoring agency deems necessary.

366 (6) Any agency submitting comments or participating in the public
367 scoping meeting pursuant to this section shall include, to the extent
368 practicable, but not be limited to, information about (A) the resources
369 of any proposed site for the proposed action, (B) any plans of the
370 commenting agency that may affect or be affected by the proposed
371 action, (C) any permits or approvals that may be necessary for the
372 proposed action, and (D) any appropriate measures that would
373 mitigate the impact of the proposed action, including, but not limited
374 to, recommendations as to preferred sites for the proposed action or
375 alternatives for the proposed action that have not been identified by
376 the sponsoring agency.

377 (7) The sponsoring agency shall consider any comments received
378 pursuant to this section or any information obtained during the public
379 scoping meeting in selecting the proposed actions to be addressed in
380 the environmental impact evaluation and shall evaluate in its
381 environmental impact evaluation any substantive issues raised during
382 the early public scoping process that pertain to a proposed action or
383 site or alternative actions or sites.

384 (c) Each state department, institution or agency responsible for the
385 primary recommendation or initiation of actions which may
386 significantly affect the environment shall in the case of each such
387 proposed action make a detailed written evaluation of its
388 environmental impact before deciding whether to undertake or
389 approve such action. All such environmental impact evaluations shall
390 be detailed statements setting forth the following: (1) A description of
391 the proposed action which shall include, but not be limited to, a
392 description of the purpose and need of the proposed action, and, in the
393 case of a proposed facility, a description of the infrastructure needs of
394 such facility, including, but not limited to, parking, water supply,

395 wastewater treatment and the square footage of the facility; (2) the
396 environmental consequences of the proposed action, including
397 cumulative, direct and indirect effects which might result during and
398 subsequent to the proposed action; (3) any adverse environmental
399 effects which cannot be avoided and irreversible and irretrievable
400 commitments of resources should the proposal be implemented; (4)
401 alternatives to the proposed action, including the alternative of not
402 proceeding with the proposed action and, in the case of a proposed
403 facility, a list of all the sites controlled by or reasonably available to the
404 sponsoring agency that would meet the stated purpose of such facility;
405 (5) an evaluation of the proposed action's consistency and each
406 alternative's consistency with the state plan of conservation and
407 development, an evaluation of each alternative including, to the extent
408 practicable, whether it avoids, minimizes or mitigates environmental
409 impacts, and, where appropriate, a description of detailed mitigation
410 measures proposed to minimize environmental impacts, including, but
411 not limited to, where appropriate, a site plan; (6) an analysis of the
412 short term and long term economic, social and environmental costs
413 and benefits of the proposed action; (7) the effect of the proposed
414 action on the use and conservation of energy resources; [and] (8) a
415 description of the effects of the proposed action on sacred sites or
416 archaeological sites of state or national importance; and (9) an analysis
417 of the effect of the proposed action on greenhouse gas and other air
418 pollutant emissions and the economic and safety needs of the state. In
419 the case of an action which affects existing housing, the evaluation
420 shall also contain a detailed statement analyzing (A) housing
421 consequences of the proposed action, including direct and indirect
422 effects which might result during and subsequent to the proposed
423 action by income group as defined in section 8-37aa and by race, and
424 (B) the consistency of the housing consequences with the long-range
425 state housing plan adopted under section 8-37t. As used in this section,
426 "sacred sites" and "archaeological sites" shall have the same meaning as
427 in section 10-381 and "greenhouse gas" shall have the same meaning as
428 in section 22a-200, as amended by this act.

429 (d) (1) The Council on Environmental Quality shall publish a
430 document at least once a month to be called the Environmental
431 Monitor which shall include any notices the council receives pursuant
432 to sections 22a-1b to 22a-1i, inclusive, as amended by this act, and shall
433 include notice of the opportunity to request a public scoping meeting.
434 Filings of such notices received by five o'clock p.m. on the first day of
435 each month shall be published in the Environmental Monitor that is
436 issued not later than ten days thereafter.

437 (2) The Council on Environmental Quality shall post the
438 Environmental Monitor on its Internet site and distribute a
439 subscription or a copy of the Environmental Monitor by electronic mail
440 to any state agency, municipality or person upon request. The council
441 shall also provide the Environmental Monitor to the clerk of each
442 municipality for posting in its town hall.

443 Sec. 8. Section 29-256a of the 2008 supplement to the general statutes
444 is repealed and the following is substituted in lieu thereof (*Effective*
445 *October 1, 2008*):

446 (a) On and after January 1, 2008, the State Building Inspector and
447 the Codes and Standards Committee shall revise the State Building
448 Code to require that buildings and building elements, including
449 residential, be designed to provide optimum cost-effective energy
450 efficiency over the useful life of the building. [Such revision shall meet
451 the American Society of Heating, Refrigerating and Air Conditioning
452 Engineers Standard 90.1 for new construction.]

453 [(b) Notwithstanding subsection (a) of this section, the State
454 Building Inspector and the Codes and Standards Committee shall
455 revise the State Building Code to require that any (1) building, except a
456 residential building with no more than four units, constructed after
457 January 1, 2009, that is projected to cost not less than five million
458 dollars, and (2) renovation to any building, except a residential
459 building with no more than four units, started after January 1, 2010,
460 that is projected to cost not less than two million dollars shall be built

461 or renovated using building construction standards consistent with or
462 exceeding the silver building rating of the Leadership in Energy and
463 Environmental Design's rating system for new commercial
464 construction and major renovation projects, as established by the
465 United States Green Building Council, or an equivalent standard,
466 including, but not limited to, a two-globe rating in the Green Globes
467 USA design program. The inspector and the committee shall provide
468 for an exemption for any building if the Institute for Sustainable
469 Energy finds, in a written analysis, that the cost of such compliance
470 significantly outweighs the benefits.]

471 (b) Not later than January 1, 2009, the State Building Inspector and
472 the Codes and Standards Committee shall revise the State Building
473 Code to include the most stringent model energy standards available.
474 Such revisions shall meet the most recent version of the International
475 Energy Conservation Code standards or the American Society of
476 Heating, Refrigerating and Air Conditioning Engineers Standard 90.1
477 for new construction, as appropriate. After said revision, the State
478 Building Inspector and the Codes and Standards Committee shall
479 revise the State Building Code not later than six months after the
480 publication of any revision to such standards.

481 (c) Not later than January 1, 2009, the Secretary of the Office of
482 Policy and Management, in consultation with the Commissioners of
483 Public Works, Environmental Protection and Public Safety, shall adopt
484 regulations, in accordance with the provisions of chapter 54, for any
485 new construction or major renovation of a state-owned or leased
486 building, to create building construction energy standards that exceed
487 the standard set forth in the American Society of Heating,
488 Refrigerating and Air Conditioning Engineers Standard 90.1 by not
489 less than twenty per cent. The secretary may revise such regulations as
490 necessary.

491 Sec. 9. (*Effective from passage*) (a) On or before July 1, 2008, the
492 Commissioner of Administrative Services shall establish, in accordance

493 with the provisions of chapter 67 of the general statutes, the class of
494 certified energy inspector within the Office of Policy and Management.

495 (b) On or before September 1, 2008, the Office of Policy and
496 Management shall develop a training and certification program for the
497 class established under subsection (a) of this section.

498 Sec. 10. (NEW) (*Effective January 1, 2009*) No certificate of occupancy
499 shall be issued for a new construction project or major renovation
500 project until such project has been certified by a certified energy
501 inspector as being in compliance with the energy standards established
502 in accordance with section 29-256a of the 2008 supplement to the
503 general statutes, as amended by this act.

504 Sec. 11. Section 16a-32a of the general statutes is repealed and the
505 following is substituted in lieu thereof (*Effective from passage*):

506 The Office of Policy and Management shall amend the state plan of
507 conservation and development adopted pursuant to this chapter to
508 include therein a goal for reducing carbon dioxide emissions within
509 this state [. Said office, in consultation with the Department of
510 Environmental Protection, shall submit a report to the General
511 Assembly on or before the thirtieth day following May 22, 1995, on or
512 before May 1, 1996, and annually thereafter, which details the net
513 amount of carbon dioxide emitted annually within this state.
514 Subsequent to the May 1, 2000, submittal, said report shall be
515 submitted every three years with the first such report due May 1, 2003]
516 in accordance with the state's agreement with the Climate Change
517 Action Plan adopted by the Conference of New England Governors
518 and Canadian Premiers.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2008</i>	22a-200
Sec. 2	<i>October 1, 2008</i>	22a-200a
Sec. 3	<i>October 1, 2008</i>	New section

Sec. 4	<i>October 1, 2008</i>	22a-200b
Sec. 5	<i>October 1, 2008</i>	New section
Sec. 6	<i>October 1, 2008</i>	New section
Sec. 7	<i>October 1, 2008</i>	22a-1b
Sec. 8	<i>October 1, 2008</i>	29-256a
Sec. 9	<i>from passage</i>	New section
Sec. 10	<i>January 1, 2009</i>	New section
Sec. 11	<i>from passage</i>	16a-32a

Statement of Purpose:

To create a schedule for the state to reduce greenhouse gas emissions, to create a state-wide program for such reduction, to create the Climate Change Impacts Subcommittee, to require certain facilities to report their greenhouse gas emissions, to require low-carbon fuel standards for all motor vehicle and home heating fuels sold in the state, to prohibit load-serving entities from entering into agreements that would exceed a certain carbon dioxide limit, to require state agencies to include an analysis of greenhouse gas emissions when conducting an environmental review of a new program, to require that the State Building Code be revised to reflect more stringent energy standards, to create a new class of certified energy inspectors, to require all new construction and major renovation to be certified by such inspectors and to eliminate the requirement that Office of Policy and Management submit a report regarding state carbon dioxide emissions.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]