



General Assembly

Bill No. 1102

August Special Session,
2008

LCO No. 6935

*06935 _____ *

Referred to Committee on No Committee

Introduced by:

SEN. WILLIAMS, 29th Dist.

REP. AMANN, 118th Dist.

AN ACT CONCERNING HOME HEATING RELIEF.

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

1 Section 1. (*Effective from passage*) (a) The unappropriated surplus
2 remaining in the General Fund for the fiscal year ending June 30, 2008,
3 shall be credited to the resources of the General Fund for use as
4 General Fund revenue for the fiscal year ending June 30, 2009.

5 (b) The funds credited to the General Fund pursuant to subsection
6 (a) of this section shall be available for expenditure during the fiscal
7 year ending June 30, 2009, for the purposes specified in sections 4, 5
8 and 7 to 10, inclusive, of this act.

9 Sec. 2. Subsection (a) of section 16a-22b of the general statutes is
10 repealed and the following is substituted in lieu thereof (*Effective*
11 *September 1, 2008*):

12 (a) No retail dealer of fuel oil or propane shall assess a surcharge on
13 the price of fuel oil or propane delivered to a customer if the delivery

14 of the fuel oil or propane is in an amount in excess of one hundred
15 [twenty-five] gallons, except that a surcharge may be assessed if a
16 delivery is made outside the normal service area or the normal
17 business hours of the dealer or extraordinary labor costs are involved
18 in making a delivery.

19 Sec. 3 (NEW) (*Effective from passage*) The Secretary of the Office of
20 Policy and Management shall establish a program to provide rebates to
21 eligible state residents for repairing or upgrading their existing boilers
22 and furnaces to achieve greater heating efficiency. Eligibility for
23 rebates pursuant to this subsection shall be determined using
24 eligibility criteria established for rebates pursuant to subsection (a) of
25 section 16a-46e of the 2008 supplement to the general statutes. Persons
26 may apply to the secretary, on a form prescribed by the secretary, to
27 receive such rebate for furnace or boiler repairs or upgrades made on
28 or after August 1, 2008. The rebate shall be available only for
29 residential structures containing not more than four dwelling units. No
30 rebate shall exceed five hundred dollars, nor shall a rebate equal more
31 than fifty per cent of the cost of the repair or upgrade.

32 Sec. 4. (*Effective from passage*) The sum of \$3,000,000 is appropriated
33 from the funds credited to the General Fund for the fiscal year ending
34 June 30, 2009, pursuant to subsection (a) of section 1 of this act to the
35 Office of Policy and Management, for the fiscal year ending June 30,
36 2009, to provide additional funding for the rebate program for
37 residential furnace or boiler replacement established pursuant to
38 section 16a-46e of the 2008 supplement to the general statutes. Any
39 unexpended funds appropriated for purposes of this section shall not
40 lapse on June 30, 2009, but shall be available for expenditure during
41 the fiscal year ending June 30, 2010.

42 Sec. 5. (*Effective from passage*) The sum of \$2,000,000 is appropriated
43 from the funds credited to the General Fund for the fiscal year ending
44 June 30, 2009, pursuant to subsection (a) of section 1 of this act to the
45 Office of Policy and Management, for the fiscal year ending June 30,

46 2009, to provide rebates to eligible state residents for repairing or
47 upgrading their existing boilers or furnaces to achieve greater heating
48 efficiency pursuant to the program established in subsection (b) of
49 section 16a-46e of the 2008 supplement to the general statutes. Any
50 unexpended funds appropriated for purposes of this section shall not
51 lapse on June 30, 2009, but shall be available for expenditure during
52 the fiscal year ending June 30, 2010.

53 Sec. 6. Subsections (b) and (c) of section 16a-40b of the 2008
54 supplement to the general statutes are repealed and the following is
55 substituted in lieu thereof (*Effective from passage*):

56 (b) Any such loan or deferred loan shall be available only for a
57 residential structure containing not more than four dwelling units,
58 shall be not less than four hundred dollars and not more than twenty-
59 five thousand dollars per structure and, with respect to any application
60 received on or after November 29, 1979, shall be made only to an
61 applicant who submits evidence, satisfactory to the commissioner, that
62 the adjusted gross income of the household member or members who
63 contribute to the support of his household was not in excess of [one
64 hundred fifty] two hundred per cent of the median area income by
65 household size. In the case of a deferred loan, the contract shall require
66 that payments on interest are due immediately but that payments on
67 principal may be made at a later time. Repayment of [all] loans made
68 under this subsection shall be subject to (1) a rate of interest (A) of zero
69 per cent for loans for natural gas furnaces or boilers that meet or
70 exceed federal Energy Star standards and propane and oil furnaces
71 and boilers that are not less than eighty-four per cent efficient or as
72 may otherwise be provided in subsection (a) of section 16a-46e of the
73 2008 supplement to the general statutes, or (B) to be determined in
74 accordance with subsection (t) of section 3-20 and this subsection for
75 loans for other purposes, and (2) such terms and conditions as the
76 commissioner may establish. The State Bond Commission shall
77 establish a range of rates of interest payable on [all] loans [under]
78 pursuant to subparagraph (B) of subdivision (1) of this subsection and

79 shall apply the range to applicants in accordance with a formula which
80 reflects their income. Such range shall be not less than zero per cent for
81 any applicant in the lowest income class and not more than one per
82 cent above the rate of interest borne by the general obligation bonds of
83 the state last issued prior to the most recent date such range was
84 established for any applicant for whom the adjusted gross income of
85 the household member or members who contribute to the support of
86 his household does not exceed [one hundred fifty] two hundred per
87 cent of the median area income by household size.

88 (c) The commissioner shall establish a program under which he
89 shall make funds deposited in the Energy Conservation Loan Fund
90 available for low-cost loans or deferred loans under subsection (a) of
91 this section for residential structures containing more than four
92 dwelling units, or for contracts guaranteeing payment of loans or
93 deferred loans provided by private institutions for such structures for
94 the purposes specified under subsection (a) of this section. Any such
95 loan or deferred loan shall be an amount equaling not more than two
96 thousand dollars multiplied by the number of dwelling units in such
97 structure, provided no such loan or deferred loan shall exceed sixty
98 thousand dollars. If the applicant seeks a loan or deferred loan for a
99 structure containing more than thirty dwelling units, he shall include
100 in his application a commitment to make comparable energy
101 improvements of benefit to all dwelling units in the structure in
102 addition to the thirty units which are eligible for the loan or deferred
103 loan. Applications for contracts of guarantee shall be limited to
104 structures containing not more than thirty dwelling units and the
105 amount of the guarantee shall be not more than three thousand dollars
106 for each dwelling unit benefiting from the loan or deferred loan. There
107 shall not be an income eligibility limitation for applicants for such
108 loans, deferred loans or guarantees, but the commissioner shall give
109 preference to applications for loans, deferred loans or guarantees for
110 such structures which are occupied by persons of low or moderate
111 income. Repayment of such loans or deferred loans shall be subject to
112 [such rates] (1) a rate of interest [,] (A) of zero per cent for loans for

113 natural gas furnaces or boilers that meet or exceed federal Energy Star
114 standards and propane and oil furnaces and boilers that are not less
115 than eighty-four per cent efficient or as may otherwise be provided in
116 subsection (a) of section 16a-46e of the 2008 supplement to the general
117 statutes, or (B) to be determined in accordance with subsection (t) of
118 section 3-20 for loans for other purposes, and (2) such terms and
119 conditions as the commissioner shall establish. The state shall have a
120 lien on each property for which a loan, deferred loan or guarantee has
121 been made under this section to ensure compliance with such terms
122 and conditions.

123 Sec. 7. (*Effective from passage*) The sum of \$2,000,000 is appropriated
124 from the funds credited to the General Fund for the fiscal year ending
125 June 30, 2009, pursuant to subsection (a) of section 1 of this act to the
126 Department of Economic and Community Development, for the fiscal
127 year ending June 30, 2009, to provide additional funding for the loan
128 program for the purchase and installation in residential structures of
129 insulation, alternative energy devices, energy conservation materials
130 and replacement furnaces and boilers established pursuant to section
131 16a-40b of the 2008 supplement to the general statutes, as amended by
132 this act. The department may spend up to \$250,000 of the amount
133 appropriated pursuant to this section for administrative expenses and
134 promotion of said program.

135 Sec. 8. (*Effective from passage*) (a) After all appropriations have been
136 made pursuant to this act and bill 1101 of the current session from the
137 funds credited to the General Fund for the fiscal year ending June 30,
138 2009, pursuant to subsection (a) of section 1 of this act, the remainder
139 of such funds shall be appropriated to the Office of Policy and
140 Management, for the fiscal year ending June 30, 2009, provided no
141 more than \$35,000,000 shall be appropriated to the Office of Policy and
142 Management. Such funds appropriated to the Office of Policy and
143 Management shall be deposited in an energy contingency account,
144 which shall be established for such purpose. Funds in the account may
145 be used to provide emergency home heating assistance to state

146 residents, with consideration given to households with preexisting all
147 electric heating, and to supplement federal funding for the Connecticut
148 energy assistance program. Any funds remaining in the energy
149 contingency account on June 30, 2009, shall not lapse, but shall be
150 available for expenditure during the fiscal year ending June 30, 2010.

151 (b) (1) Whenever, during the fiscal year ending June 30, 2009, the
152 Secretary of the Office of Policy and Management determines that
153 funds in the energy contingency account are needed to provide the
154 assistance permitted under subsection (a) of this section, said secretary
155 shall submit a plan to the speaker of the House of Representatives and
156 the president pro tempore of the Senate recommending allocations of
157 such funds. The secretary may submit one or more plans during said
158 fiscal year, provided the first such plan shall be submitted after
159 November 1, 2008. Any such plan may allocate a portion of the
160 moneys to be used for administrative expenses. Not later than five
161 days after receipt of any such plan, the speaker and the president pro
162 tempore shall submit the plan to the joint standing committee of the
163 General Assembly having cognizance of matters relating to
164 appropriations and the budgets of state agencies and to the joint
165 standing committee or committees of the General Assembly having
166 cognizance of the subject matter relating to the plan, as determined by
167 the speaker and the president pro tempore. Not later than thirty days
168 after receipt of the plan, the committee having cognizance of matters
169 relating to appropriations and the budgets of state agencies, in
170 concurrence with the committee or committees of cognizance, shall
171 advise the secretary and Governor of their approval or modifications,
172 if any, of such plan. If the joint standing committees do not concur, the
173 committee chairpersons shall appoint a committee on conference
174 which shall be comprised of three members from each joint standing
175 committee. At least one member appointed from each committee shall
176 be a member of the minority party. The report of the committee on
177 conference shall be made to each committee, which shall vote to accept
178 or reject the report. The report of the committee on conference may not
179 be amended. If a joint standing committee rejects the report of the

180 committee on conference, the plan shall be deemed approved. If the
181 joint standing committees accept the report, the committee having
182 cognizance of matters relating to appropriations and the budgets of
183 state agencies shall advise the secretary and Governor of their
184 approval of the report. If the committees do not act during such thirty-
185 day period, the plan shall be deemed approved.

186 (2) If the joint standing committees modify the plan, the Governor
187 shall, not later than five days after receipt of notification of such
188 modification, accept or reject such modification. If the Governor rejects
189 such modification, the Governor shall notify the secretary of the
190 rejection and the secretary shall, not later than five days after such
191 notification, submit a revised plan to the speaker of the House of
192 Representatives and the president pro tempore of the Senate. Not later
193 than five days after receipt of the revised plan, the speaker and the
194 president pro tempore shall submit the revised plan to the joint
195 standing committee of the General Assembly having cognizance of
196 matters relating to appropriations and the budgets of state agencies
197 and to the joint standing committee or committees of the General
198 Assembly having cognizance of the subject matter relating to such
199 recommended allocations, as determined by the speaker and the
200 president pro tempore. Not later than fifteen days after receipt of the
201 revised plan, the committee having cognizance of matters relating to
202 appropriations and the budgets of state agencies, in concurrence with
203 the committee or committees of cognizance, shall advise the secretary
204 and Governor of their approval or modifications, if any, of the revised
205 plan. If the joint standing committees do not concur, the committee
206 chairpersons shall appoint a committee on conference which shall be
207 comprised of three members from each joint standing committee. At
208 least one member appointed from each committee shall be a member
209 of the minority party. The report of the committee on conference shall
210 be made to each committee, which shall vote to accept or reject the
211 report. The report of the committee on conference may not be
212 amended. If a joint standing committee rejects the report of the
213 committee on conference, the revised plan shall be deemed approved.

214 If the joint standing committees accept the report, the committee
215 having cognizance of matters relating to appropriations and the
216 budgets of state agencies shall advise the secretary and Governor of
217 their approval of the report. If the committees do not act during such
218 fifteen-day period, the revised plan shall be deemed approved.

219 (3) If the joint standing committees modify the revised plan, the
220 Governor shall, not later than five days after receipt of notification of
221 such modification, accept or reject such modified revised plan. If the
222 Governor rejects such modified revised plan, the modified revised
223 plan shall immediately be submitted to the clerks of the House of
224 Representatives and the Senate. The General Assembly may, not later
225 than thirty days after receipt of the modified revised plan, approve,
226 reject or modify such plan. The General Assembly may approve or
227 modify the modified revised plan by a majority vote of each house and
228 may reject the modified revised plan by a majority vote of either
229 house. If either house fails to act during such thirty-day period, the
230 modified revised plan shall be deemed rejected. If the modified revised
231 plan is rejected by the General Assembly, the revised plan shall be
232 deemed approved. If the modified revised plan is approved, such
233 approved plan, with modifications made by the General Assembly, if
234 any, shall be transmitted to the Governor for approval or rejection. The
235 Governor shall, not later than five days after receipt of such approved
236 modified revised plan, accept or reject such plan. If the Governor
237 rejects the modified revised plan as approved or modified by the
238 General Assembly, the General Assembly may reconsider the modified
239 revised plan in the same manner as a vetoed bill.

240 Sec. 9. (NEW) (*Effective from passage*) (a) The Office of Policy and
241 Management shall establish an energy audit subsidy program for
242 qualified oil companies and other entities that conduct energy audits
243 for people who heat their homes by a means other than electricity or
244 natural gas, including, but not limited to, residential home heating oil
245 customers. The program shall cover the balance of the cost of such
246 audits conducted from September 1, 2008, to June 30, 2009, inclusive,

247 by qualified oil companies and other entities that can show they (1)
248 provided an energy audit to a residential customer, and (2) collected a
249 seventy-five-dollar fee from the customer for such audit.

250 (b) The sum of \$7,000,000 is appropriated from the funds credited to
251 the General Fund for the fiscal year ending June 30, 2009, pursuant to
252 subsection (a) of section 1 of this act to the Office of Policy and
253 Management for the energy audit subsidy program established
254 pursuant to subsection (a) of this section.

255 (c) Any unexpended funds appropriated for purposes of this section
256 shall not lapse at the end of the fiscal year ending June 30, 2009, but
257 shall be available for expenditure during the next fiscal year.

258 Sec. 10. (NEW) (*Effective from passage*) The sum of \$2,000,000 is
259 appropriated from the funds credited to the General Fund for the fiscal
260 year ending June 30, 2009, pursuant to subsection (a) of section 1 of this
261 act to the Department of Social Services to develop a plan for (1)
262 providing funds for weatherization projects for low-income
263 households participating in the Connecticut energy assistance
264 program, (2) prioritizing assistance to households with incomes below
265 two hundred per cent of the federal poverty level, and (3) coordinating
266 provision of assistance to maximize effectiveness of the funds with the
267 weatherization assistance provided to low-income households by the
268 municipal electric utility and public service utility companies under
269 programs overseen by the Energy Conservation Management Board
270 pursuant to section 7-233y of the general statutes and sections 16-245m
271 and 16-32f of the 2008 supplement to the general statutes and the Fuel
272 Oil Conservation Board pursuant to section 16a-22l of the 2008
273 supplement to the general statutes, as amended by section 7 of public
274 act 08-2 of the June special session. No later than November 1, 2008,
275 and at least forty-five days before implementation, the department
276 shall submit such plan to the Connecticut Energy Advisory Board, the
277 Fuel Oil Conservation Board and the Energy Conservation
278 Management Board for input and advice. The Energy Conservation

279 Management Board may order modification of the plan to ensure
280 effective prioritization and coordination of weatherization assistance in
281 accordance with this section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section
Sec. 2	<i>September 1, 2008</i>	16a-22b(a)
Sec. 3	<i>from passage</i>	New section
Sec. 4	<i>from passage</i>	New section
Sec. 5	<i>from passage</i>	New section
Sec. 6	<i>from passage</i>	16a-40b(b) and (c)
Sec. 7	<i>from passage</i>	New section
Sec. 8	<i>from passage</i>	New section
Sec. 9	<i>from passage</i>	New section
Sec. 10	<i>from passage</i>	New section