



General Assembly

January Session, 2009

**Amendment**

LCO No. 7745

**\*HB0663807745HDO\***

Offered by:

REP. MCCLUSKEY, 20<sup>th</sup> Dist.

REP. MORIN, 28<sup>th</sup> Dist.

REP. O'CONNOR, 35<sup>th</sup> Dist.

To: House Bill No. 6638

File No. 522

Cal. No. 355

**"AN ACT CONCERNING OBSOLETE ENERGY STATUTES."**

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

3 "Section 1. (NEW) (*Effective from passage*) (a) If, in the exercise of the  
4 Secretary of the Office of Policy and Management's powers pursuant to  
5 title 16a of the general statutes, the secretary finds that the use of a  
6 certain technology, product or process would promote energy  
7 conservation, energy efficiency or renewable energy technology, the  
8 secretary may direct a state agency to test such technology, product or  
9 process by using it in the operations of such agency on a trial basis.  
10 The purpose of such test program shall be to validate the effectiveness  
11 of such technology, product or process in reducing energy usage and  
12 costs or reducing dependence on fossil fuels or green house gas  
13 emissions. No agency shall undertake such testing of any technology,  
14 product or process unless the business manufacturing or marketing the

15 technology, product or process demonstrates that (1) the use of such  
16 technology, product or process by the state agency will not adversely  
17 affect safety, (2) a certified independent third party or accredited  
18 laboratory has found that the technology, product or process reduces  
19 energy consumption and cost, and (3) the technology, product or  
20 process is presently available for commercial sale and distribution or  
21 has potential for commercialization not later than two years following  
22 the completion of any test program by a state agency pursuant to this  
23 section.

24 (b) If the secretary finds that using such technology, product or  
25 process would be feasible in the operations of a state agency and  
26 would not have any detrimental effect on such operations, the  
27 secretary, notwithstanding the requirements of chapter 58 of the  
28 general statutes, may direct a state agency to accept delivery of such  
29 technology, product or process and to undertake such a test program.  
30 Any costs associated with the acquisition and use of such technology,  
31 product or process by the testing agency for the test period shall be  
32 borne by the manufacturer, the marketer or any investor or participant  
33 in such business. The acquisition of any technology, product or process  
34 for purposes of the test program established pursuant to this section  
35 shall not be deemed to be a purchase under the provisions of state  
36 procurement law. The manufacturer, the marketer or any investor or  
37 participant in such business shall maintain records related to such test  
38 program, as required by the secretary. All proprietary information  
39 derived from such test program shall be exempt from the provisions of  
40 subsection (a) of section 1-210 of the general statutes.

41 (c) If the secretary determines that the test program sufficiently  
42 demonstrates that the technology, product or process reduces energy  
43 usage and costs or reduces dependence on fossil fuels or green house  
44 gas emissions, the testing agency may request that the Commissioner  
45 of Administrative Services (1) procure such technology for use by any  
46 or all state agencies, and (2) make such procurement pursuant to  
47 subsection (b) of section 4a-58 of the general statutes."

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section