



General Assembly

January Session, 2011

Governor's Bill No. 6386

LCO No. 3591

03591_____

Referred to Committee on Environment

Introduced by:

REP. DONOVAN, 84th Dist.

REP. SHARKEY, 88th Dist.

SEN. WILLIAMS, 29th Dist.

SEN. LOONEY, 11th Dist.

AN ACT ESTABLISHING THE DEPARTMENT OF ENERGY AND ENVIRONMENTAL PROTECTION.

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

1 Section 1. (NEW) (*Effective July 1, 2011*) (a) There is established a
2 Department of Energy and Environmental Protection. The department
3 head shall be the Commissioner of Energy and Environmental
4 Protection who shall be appointed by the Governor in accordance with
5 the provisions of sections 4-5 to 4-8, inclusive, of the general statutes,
6 with the powers and duties therein prescribed.

7 (b) The Department of Energy and Environmental Protection shall
8 constitute a successor department to the Department of Environmental
9 Protection and the Department of Public Utility Control in accordance
10 with the provisions of sections 4-38d, 4-38e and 4-39 of the general
11 statutes.

12 (c) Wherever the words "Commissioner of Environmental

13 Protection" are used or referenced to in the following sections of the
14 general statutes, the words "Commissioner of Energy and
15 Environmental Protection" shall be substituted in lieu thereof: 3-7, 3-
16 100, 4-5, 4-168, 4a-57, 4a-67d, 4b-15, 4b-15a, 4b-21, 5-238a, 7-121d, 7-131,
17 7-131a, 7-131d, 7-131e, 7-131f, 7-131g, 7-131i, 7-131l, 7-131t, 7-131u, 7-
18 136h, 7-137c, 7-147, 7-151a, 7-151b, 7-245, 7-246, 7-246f, 7-247, 7-249a, 7-
19 323o, 7-374, 7-487, 8-336f, 10-231b, 10-231c, 10-231d, 10-231g, 10-382,
20 10-388, 10-389, 10-391, 12-81, 12-81r, 12-107d, 12-217mm, 12-263m, 12-
21 407, 12-412, 13a-80i, 13a-94, 13a-142a, 13a-142b, 13a-142e, 13a-175j, 13b-
22 11a, 13b-31c, 13b-31e, 13b-38x, 13b-51, 13b-56, 13b-57, 13b-329, 14-21e,
23 14-21i, 14-21s, 14-65a, 14-67l, 14-80a, 14-100b, 14-164c, 14-164h, 14-164i,
24 14-164k, 14-164o, 15-11a, 15-121, 15-125, 15-127, 15-130, 15-133a, 15-
25 133c, 15-140a, 15-140c, 15-140d, 15-140e, 15-140f, 15-140j, 15-140o, 15-
26 140u, 15-140v, 15-141, 15-142, 15-143, 15-144, 15-145, 15-149a, 15-149b,
27 15-150a, 15-151, 15-154, 15-154a, 15-155, 15-155d, 15-156, 15-174, 16-2,
28 16-11a, 16-19e, 16-19g, 16-50c, 16-50d, 16-50j, 16-245, 16-245n, 16-261a,
29 16a-3, 16a-21a, 16a-27, 16a-35h, 16a-38k, 16a-103, 16a-106, 19a-35a, 19a-
30 47, 19a-102a, 19a-330, 19a-341, 21-84b, 22-6c, 22-11h, 22-26cc, 22-81a, 22-
31 91c, 22-350a, 22-358, 22a-1g, 22a-2a, 22a-5b, 22a-5c, 22a-6, 22a-6a, 22a-
32 6b, 22a-6e, 22a-6f, 22a-6g, 22a-6h, 22a-6i, 22a-6j, 22a-6k, 22a-6l, 22a-6m,
33 22a-6n, 22a-6p, 22a-6s, 22a-6u, 22a-6v, 22a-6w, 22a-6y, 22a-6z, 22a-6aa,
34 22a-6bb, 22a-6cc, 22a-7a, 22a-7b, 22a-8a, 22a-10, 22a-13, 22a-16a, 22a-21,
35 22a-21b, 22a-21c, 22a-21d, 22a-21h, 22a-21j, 22a-22, 22a-25, 22a-26, 22a-
36 27, 22a-27f, 22a-27l, 22a-27p, 22a-27r, 22a-27s, 22a-27t, 22a-27u, 22a-27v,
37 22a-27w, 22a-29, 22a-35a, 22a-38, 22a-42a, 22a-44, 22a-45a, 22a-45b, 22a-
38 45c, 22a-45d, 22a-47, 22a-54, 22a-54a, 22a-56a, 22a-66a, 22a-66c, 22a-66j,
39 22a-66k, 22a-66l, 22a-66y, 22a-66z, 22a-68, 22a-93, 22a-106a, 22a-109,
40 22a-113m, 22a-113n, 22a-113t, 22a-114, 22a-115, 22a-118, 22a-122, 22a-
41 133a, 22a-133b, 22a-133k, 22a-133l, 22a-133m, 22a-133n, 22a-133u, 22a-
42 133v, 22a-133w, 22a-133y, 22a-133z, 22a-133aa, 22a-133bb, 22a-133ee,
43 22a-134, 22a-134e, 22a-134f, 22a-134g, 22a-134h, 22a-134i, 22a-134k, 22a-
44 134l, 22a-134m, 22a-134n, 22a-134p, 22a-134q, 22a-134s, 22a-135, 22a-
45 136, 22a-137, 22a-148, 22a-149, 22a-150, 22a-151, 22a-153, 22a-154, 22a-
46 155, 22a-156, 22a-158, 22a-160, 22a-162, 22a-170, 22a-171, 22a-173, 22a-

47 174c, 22a-174d, 22a-174e, 22a-174f, 22a-174g, 22a-174h, 22a-174i, 22a-
48 174j, 22a-174k, 22a-174l, 22a-174m, 22a-180, 22a-182a, 22a-183, 22a-186,
49 22a-188, 22a-188a, 22a-191, 22a-191a, 22a-192, 22a-193, 22a-194a, 22a-
50 194c, 22a-194f, 22a-198, 22a-199, 22a-200, 22a-200a, 22a-200b, 22a-200c,
51 22a-201a, 22a-201b, 22a-207, 22a-208a, 22a-208b, 22a-208d, 22a-208e,
52 22a-208f, 22a-208g, 22a-208h, 22a-208j, 22a-208o, 22a-208p, 22a-208q,
53 22a-208v, 22a-208w, 22a-208x, 22a-208y, 22a-208aa, 22a-208bb, 22a-
54 209a, 22a-209b, 22a-209d, 22a-209f, 22a-209g, 22a-209h, 22a-209i, 22a-
55 213a, 22a-214, 22a-219b, 22a-219c, 22a-219e, 22a-220, 22a-220a, 22a-
56 220d, 22a-222, 22a-223, 22a-225, 22a-227, 22a-228, 22a-230, 22a-231, 22a-
57 233a, 22a-235, 22a-235a, 22a-237, 22a-238, 22a-239, 22a-240, 22a-240a,
58 22a-241, 22a-241a, 22a-241b, 22a-241g, 22a-241h, 22a-241j, 22a-245, 22a-
59 245a, 22a-245b, 22a-245d, 22a-248, 22a-250, 22a-250a, 22a-250b, 22a-
60 250c, 22a-252, 22a-255b, 22a-255c, 22a-255d, 22a-255f, 22a-255h, 22a-
61 256b, 22a-256c, 22a-256i, 22a-256m, 22a-256o, 22a-256q, 22a-256r, 22a-
62 256v, 22a-256y, 22a-256aa, 22a-260, 22a-264, 22a-283, 22a-285a, 22a-
63 285d, 22a-285e, 22a-285g, 22a-285h, 22a-285j, 22a-295, 22a-300, 22a-308,
64 22a-309, 22a-314, 22a-315, 22a-316, 22a-317, 22a-318, 22a-319, 22a-320,
65 22a-321, 22a-322, 22a-324, 22a-326, 22a-328, 22a-336, 22a-337, 22a-339a,
66 22a-339b, 22a-339c, 22a-339d, 22a-339f, 22a-339g, 22a-339h, 22a-342a,
67 22a-349, 22a-349a, 22a-351, 22a-352, 22a-354b, 22a-354c, 22a-354d, 22a-
68 354e, 22a-354f, 22a-354h, 22a-354i, 22a-354j, 22a-354k, 22a-354l, 22a-
69 354m, 22a-354p, 22a-354q, 22a-354t, 22a-354u, 22a-354v, 22a-354w, 22a-
70 354x, 22a-354z, 22a-354aa, 22a-354bb, 22a-354cc, 22a-355, 22a-357, 22a-
71 359, 22a-361, 22a-361a, 22a-363b, 22a-364, 22a-367, 22a-368a, 22a-378a,
72 22a-381, 22a-401, 22a-402, 22a-406, 22a-409, 22a-416, 22a-423, 22a-426,
73 22a-430b, 22a-430c, 22a-434a, 22a-439, 22a-439a, 22a-444, 22a-445, 22a-
74 449, 22a-449d, 22a-449e, 22a-449f, 22a-449g, 22a-449h, 22a-449i, 22a-
75 449j, 22a-449k, 22a-449l, 22a-449n, 22a-449p, 22a-449q, 22a-450a, 22a-
76 452a, 22a-452e, 22a-453a, 22a-454c, 22a-457a, 22a-457b, 22a-458, 22a-
77 459, 22a-461, 22a-462, 22a-463, 22a-471, 22a-472, 22a-474, 22a-475, 22a-
78 482, 22a-485, 22a-497, 22a-500, 22a-501, 22a-517, 22a-521, 22a-522, 22a-
79 523, 22a-524, 22a-525, 22a-526, 22a-527, 22a-601, 22a-602, 22a-604, 22a-
80 605, 22a-613, 22a-616, 22a-626, 22a-627, 22a-629, 22a-630, 22a-634, 22a-

81 637, 22a-638, 22a-902, 23-4, 23-5, 23-5b, 23-6, 23-7, 23-8, 23-8b, 23-9a, 23-
82 9b, 23-10, 23-10b, 23-10c, 23-10e, 23-10i, 23-11, 23-12, 23-13, 23-14, 23-
83 15a, 23-15b, 23-16, 23-16a, 23-17, 23-18, 23-20, 23-21, 23-22, 23-23, 23-24,
84 23-24a, 23-25, 23-26b, 23-26c, 23-26d, 23-26f, 23-26g, 23-30, 23-31, 23-32,
85 23-32a, 23-33, 23-37a, 23-37b, 23-41, 23-61a, 23-61b, 23-61f, 23-65, 23-65f,
86 23-65g, 23-65h, 23-65i, 23-65j, 23-65l, 23-65m, 23-65n, 23-65o, 23-65p, 23-
87 65q, 23-73, 23-75, 23-77, 23-101, 23-102, 24-2, 25-32b, 25-32d, 25-32i, 25-
88 33e, 25-33g, 25-33h, 25-33k, 25-33m, 25-33o, 25-34, 25-68b, 25-68i, 25-
89 68k, 25-68l, 25-68m, 25-68n, 25-71, 25-72, 25-74, 25-76, 25-80, 25-83a, 25-
90 94, 25-95, 25-97, 25-102a, 25-102d, 25-102e, 25-102f, 25-102m, 25-102t,
91 25-102ii, 25-102qq, 25-102xx, 25-109e, 25-109q, 25-131, 25-139, 25-155,
92 25-157, 25-178, 25-199, 25-199a, 25-201, 25-231, 26-1, 26-3, 26-3a, 26-3b,
93 26-3c, 26-5, 26-6, 26-6a, 26-7, 26-15, 26-17a, 26-18, 26-25a, 26-25b, 26-27,
94 26-27b, 26-27c, 26-27d, 26-28b, 26-29c, 26-30, 26-31, 26-31a, 26-40a, 26-
95 40c, 26-46, 26-55, 26-65, 26-65a, 26-67b, 26-67c, 26-67e, 26-74, 26-80a, 26-
96 86a, 26-86c, 26-86e, 26-91, 26-103, 26-107f, 26-107h, 26-107i, 26-115, 26-
97 119, 26-141a, 26-141b, 26-141c, 26-142a, 26-142b, 26-157c, 26-157d, 26-
98 157e, 26-157f, 26-157h, 26-157i, 26-159a, 26-186a, 26-192j, 26-297, 26-313,
99 26-314, 26-315, 26-316, 28-1b, 28-31, 29-32b, 32-1e, 32-1o, 32-9cc, 32-9dd,
100 32-9kk, 32-9ll, 32-11a, 32-23x, 32-242, 32-242a, 32-664, 38a-684, 47-46a,
101 47-59b, 47-65, 47-65a, 47-66, 47-66d, 47-66g, 51-164n, 52-192, 52-473a,
102 53-190, 53a-44a, 53a-54b and 53a-217e.

103 (d) Wherever the words "Department of Environmental Protection"
104 are used or referred to in the following sections of the general statutes,
105 the words "Department of Energy and Environmental Protection" shall
106 be substituted in lieu thereof: 1-84, 1-206, 1-217, 2-20a, 4-38c, 4-66c, 4-
107 66aa, 4-89, 4a-53, 4b-15, 5-142, 7-131e, 7-151a, 7-151b, 7-252, 8-387, 10-
108 282, 10-291, 10-413, 10a-119e, 12-63e, 12-263m, 13a-142b, 13a-142c, 13a-
109 142d, 13b-38a, 14-386, 15-129, 15-130a, 15-140e, 15-140f, 15-140j, 15-154,
110 15-155, 16-19h, 16-19o, 16-50j, 16-50k, 16-50p, 16-243q, 16-244d, 16-244j,
111 16-245l, 16-245m, 16-245y, 16-262m, 16-262n, 19a-197b, 19a-320, 20-420,
112 21-84b, 22-11f, 22-11g, 22-11h, 22-26cc, 22-81, 22-91e, 22-455, 22a-1d,
113 22a-2, 22a-2a, 22a-2c, 22a-5b, 22a-6, 22a-6f, 22a-6g, 22a-6l, 22a-6p, 22a-
114 6r, 22a-6u, 22a-6x, 22a-6cc, 22a-10, 22a-11, 22a-20a, 22a-21, 22a-21a, 22a-

115 21b, 22a-21c, 22a-21i, 22a-21j, 22a-21k, 22a-22, 22a-25, 22a-26, 22a-26a,
116 22a-27j, 22a-27l, 22a-27s, 22a-29, 22a-33, 22a-40, 22a-47a, 22a-58, 22a-61,
117 22a-66z, 22a-68, 22a-115, 22a-118, 22a-119, 22a-122, 22a-123, 22a-126,
118 22a-132, 22a-133v, 22a-133w, 22a-134i, 22a-135, 22a-170, 22a-174, 22a-
119 174l, 22a-186, 22a-188a, 22a-196, 22a-198, 22a-200b, 22a-200c, 22a-200d,
120 22a-207, 22a-208a, 22a-209f, 22a-223, 22a-233a, 22a-239a, 22a-244, 22a-
121 245a, 22a-247, 22a-248, 22a-250, 22a-255h, 22a-256m, 22a-256y, 22a-259,
122 22a-260, 22a-264, 22a-275, 22a-314, 22a-315, 22a-336, 22a-352, 22a-355,
123 22a-361, 22a-363b, 22a-416, 22a-426, 22a-446, 22a-449f, 22a-449l, 22a-
124 449n, 22a-454a, 22a-475, 22a-477, 22a-509, 22a-521, 22a-601, 22a-629,
125 22a-630, 22a-635, 23-5c, 23-8, 23-8b, 23-10b, 23-10d, 23-15, 23-15b, 23-19,
126 23-20, 23-24a, 23-32a, 23-61a, 23-65f, 23-65h, 23-65i, 23-65k, 23-67, 23-68,
127 23-72, 23-73, 23-101, 23-102, 23-103, 25-32d, 25-33o, 25-33p, 25-37d, 25-
128 37e, 25-37i, 25-43c, 25-102e, 25-102f, 25-128, 25-131, 25-157, 25-157a, 25-
129 157b, 25-157n, 25-175, 25-201, 25-203, 25-206, 25-231, 26-6a, 26-15, 26-
130 15a, 26-15b, 26-17a, 26-27b, 26-31, 26-40a, 26-55, 26-55a, 26-59, 26-66a,
131 26-66b, 26-72, 26-86f, 26-105, 26-142a, 26-157d, 26-192k, 26-300, 26-304,
132 26-314, 28-31, 29-28, 29-36f, 30-55a, 32-1e, 32-9t, 32-9cc, 32-9dd, 32-9kk,
133 32-9ll, 32-11a, 32-23d, 32-23x, 32-242, 32-242a, 32-726, 46b-220, 47-46a,
134 47-64, 52-557b, 53-204, 53-205, 53-206d, 53a-44a, 53a-217e, 54-56g and
135 54-143.

136 (e) Wherever the words "Department of Public Utility Control" are
137 used or referred to in the following sections of the general statutes, the
138 words "Department of Energy and Environmental Protection" shall be
139 substituted in lieu thereof: 1-84, 1-84b, 2-20a, 2-71p, 4-38c, 4a-57, 4a-74,
140 4d-2, 4d-80, 7-223, 7-233t, 7-233ii, 8-387, 12-81q, 12-94d, 12-264, 12-265,
141 12-408b, 12-412, 12-491, 13a-82, 13a-126, 13a-126a, 13b-10a, 13b-37, 13b-
142 43, 13b-44, 13b-387a, 15-96, 16-1, 16-1b, 16-2, 16-2a, 16-4, 16-6, 16-6a, 16-
143 6b, 16-7, 16-8, 16-8a, 16-8b, 16-8c, 16-8d, 16-9, 16-9a, 16-10, 16-10a, 16-
144 11, 16-12, 16-13, 16-14, 16-15, 16-16, 16-17, 16-18, 16-18a, 16-19, 16-19a,
145 16-19b, 16-19d, 16-19e, 16-19f, 16-19h, 16-19k, 16-19n, 16-19o, 16-19u,
146 16-19w, 16-19x, 16-19z, 16-19aa, 16-19bb, 16-19cc, 16-19dd, 16-19ee, 16-
147 19ff, 16-19gg, 16-19jj, 16-19kk, 16-19mm, 16-19nn, 16-19oo, 16-19pp, 16-
148 19qq, 16-19ss, 16-19tt, 16-19uu, 16-19vv, 16-20, 16-21, 16-23, 16-24, 16-

149 25, 16-25a, 16-26, 16-27, 16-28, 16-29, 16-32, 16-32a, 16-32b, 16-32c, 16-
150 32e, 16-32f, 16-32g, 16-33, 16-35, 16-41, 16-42, 16-43, 16-43a, 16-43d, 16-
151 44, 16-44a, 16-45, 16-46, 16-47, 16-47a, 16-48, 16-49, 16-49e, 16-50c, 16-
152 50d, 16-50f, 16-50k, 16-50aa, 16-216, 16-227, 16-231, 16-233, 16-234, 16-
153 235, 16-238, 16-243, 16-243a, 16-243b, 16-243c, 16-243f, 16-243i, 16-243j,
154 16-243k, 16-243m, 16-243n, 16-243p, 16-243q, 16-243r, 16-243s, 16-243t,
155 16-243u, 16-243v, 16-243w, 16-244a, 16-244b, 16-244c, 16-244d, 16-244e,
156 16-244f, 16-244g, 16-244h, 16-244i, 16-244k, 16-244l, 16-245, 16-245a, 16-
157 245b, 16-245c, 16-245d, 16-245e, 16-245g, 16-245l, 16-245m, 16-245n, 16-
158 245o, 16-245p, 16-245q, 16-245s, 16-245t, 16-245u, 16-245v, 16-245w, 16-
159 245x, 16-245y, 16-245z, 16-245aa, 16-246, 16-246e, 16-246g, 16-247c, 16-
160 247j, 16-247l, 16-247m, 16-247o, 16-247p, 16-247q, 16-247t, 16-249, 16-
161 250, 16-250a, 16-250b, 16-256b, 16-256c, 16-256g, 16-256h, 16-256k, 16-
162 258a, 16-258b, 16-258c, 16-259, 16-261, 16-261a, 16-262a, 16-262c, 16-
163 262d, 16-262i, 16-262j, 16-262k, 16-262l, 16-262m, 16-262n, 16-262o, 16-
164 262q, 16-262r, 16-262s, 16-262v, 16-262w, 16-262x, 16-265, 16-269, 16-
165 271, 16-272, 16-273, 16-274, 16-275, 16-276, 16-278, 16-280a, 16-280b, 16-
166 280d, 16-280e, 16-280f, 16-280h, 16-281a, 16-331, 16-331c, 16-331e, 16-
167 331f, 16-331g, 16-331h, 16-331i, 16-331j, 16-331k, 16-331n, 16-331o, 16-
168 331p, 16-331q, 16-331r, 16-331t, 16-331u, 16-331v, 16-331y, 16-331z, 16-
169 331aa, 16-331cc, 16-331dd, 16-331ff, 16-331gg, 16-332, 16-333, 16-333a,
170 16-333b, 16-333e, 16-333f, 16-333g, 16-333h, 16-333i, 16-333l, 16-333n,
171 16-333o, 16-333p, 16-347, 16-348, 16-356, 16-357, 16-358, 16-359, 16a-3,
172 16a-3a, 16a-3b, 16a-3c, 16a-7b, 16a-7c, 16a-13b, 16a-37c, 16a-38n, 16a-
173 38o, 16a-40b, 16a-40k, 16a-41, 16a-46, 16a-46b, 16a-46c, 16a-47a, 16a-
174 47b, 16a-47c, 16a-47d, 16a-47e, 16a-49, 16a-103, 20-298, 20-309, 20-340,
175 20-340a, 20-341k, 20-341z, 20-357, 20-541, 22a-174j, 22a-174l, 22a-200c,
176 22a-256dd, 22a-266, 22a-358, 22a-475, 22a-478, 22a-479, 23-8b, 23-65, 25-
177 32d, 25-33a, 25-33e, 25-33g, 25-33h, 25-33k, 25-33l, 25-33p, 25-37d, 25-
178 37e, 26-141b, 28-1b, 28-24, 28-26, 28-27, 28-31, 29-282, 29-415, 32-80a, 32-
179 222, 33-219, 33-221, 33-241, 33-951, 42-287, 43-44, 49-4c and 52-259a.

180 (f) Wherever the words "Secretary of the Office of Policy and
181 Management" are used or referred to in the following sections of title
182 16a of the general statutes, the words "Commissioner of Energy and

183 Environmental Protection" shall be substituted in lieu thereof: 16a-3,
184 16a-4d, 16a-6, 16a-14, 16a-22, 16a-22c, 16a-22h, 16a-22i, 16a-22j, 16a-23t,
185 16a-35c, 16a-35d, 16a-35h, 16a-37c, 16a-37f, 16a-37u, 16a-38, 16a-38a,
186 16a-38b, 16a-38i, 16a-38j, 16a-38k, 16a-38m, 16a-38o, 16a-39b, 16a-40b,
187 16a-41a, 16a-44b, 16a-46a, 16a-46c, 16a-46e, 16a-46f, 16a-102 and 16a-
188 106.

189 (g) Wherever the words "Office of Policy and Management" are
190 used or referred to in the following sections of title 16a of the general
191 statutes, the words "Department of Energy and Environmental
192 Protection" shall be substituted in lieu thereof: 16a-2, 16a-3, 16a-4d,
193 16a-6, 16a-7b, 16a-14, 16a-14e, 16a-20, 16a-22, 16a-22c, 16a-22h, 16a-22i,
194 16a-22j, 16a-23t, 16a-35c, 16a-35d, 16a-35g, 16a-35h, 16a-37c, 16a-37f,
195 16a-37u, 16a-37v, 16a-37w, 16a-38, 16a-38a, 16a-38b, 16a-38i, 16a-38j,
196 16a-38k, 16a-38l, 16a-38m, 16a-38n, 16a-38o, 16a-38p, 16a-39b, 16a-40b,
197 16a-40f, 16a-41a, 16a-44b, 16a-46a, 16a-46c, 16a-46e, 16a-46f, 16a-46g,
198 16a-102 and 16a-106.

199 (h) Wherever the word "secretary" is used or referred to in the
200 following sections of title 16a of the general statutes, the word
201 "commissioner" shall be substituted in lieu thereof: 16a-2, 16a-3, 16a-
202 4d, 16a-6, 16a-9, 16a-11, 16a-12, 16a-13, 16a-13a, 16a-13b, 16a-14, 16a-
203 14a, 16a-14b, 16a-22, 16a-22c, 16a-22d, 16a-22e, 16a-22f, 16a-22h, 16a-
204 22i, 16a-22j, 16a-23t, 16a-35c, 16a-35d, 16a-35h, 16a-37c, 16a-37f, 16a-
205 37u, 16a-38, 16a-38a, 16a-38b, 16a-38i, 16a-38j, 16a-38k, 16a-38m, 16a-
206 38o, 16a-38p, 16a-39b, 16a-40b, 16a-41a, 16a-44b, 16a-45a, 16a-46a, 16a-
207 46b, 16a-46c, 16a-46e, 16a-46f, 16a-102, 16a-106 and 16a-111.

208 (i) If the term "Department of Environmental Protection" or
209 "Department of Public Utility Control" is used or referred to in any
210 public or special act of 2011, or in any section of the general statutes
211 which is amended in 2011, it shall be deemed to refer to the
212 Department of Energy and Environmental Protection.

213 (j) If the term "Commissioner of Environmental Protection" is used
214 or referred to in any public or special act of 2011, or in any section of

215 the general statutes which is amended in 2011, it shall be deemed to
216 refer to the Commissioner of Energy and Environmental Protection.

217 Sec. 2. Section 4-5 of the general statutes is repealed and the
218 following is substituted in lieu thereof (*Effective July 1, 2011*):

219 As used in sections 4-6, 4-7 and 4-8, the term "department head"
220 means Secretary of the Office of Policy and Management,
221 Commissioner of Administrative Services, Commissioner of Revenue
222 Services, Banking Commissioner, Commissioner of Children and
223 Families, Commissioner of Consumer Protection, Commissioner of
224 Correction, Commissioner of Economic and Community Development,
225 State Board of Education, Commissioner of Emergency Management
226 and Homeland Security, Commissioner of Energy and Environmental
227 Protection, Commissioner of Agriculture, Commissioner of Public
228 Health, Insurance Commissioner, Labor Commissioner, Liquor
229 Control Commission, Commissioner of Mental Health and Addiction
230 Services, Commissioner of Public Safety, Commissioner of Social
231 Services, Commissioner of Developmental Services, Commissioner of
232 Motor Vehicles, Commissioner of Transportation, Commissioner of
233 Public Works, Commissioner of Veterans' Affairs, Chief Information
234 Officer, [the chairperson of the Public Utilities Control Authority,] the
235 executive director of the Board of Education and Services for the Blind,
236 the executive director of the Connecticut Commission on Culture and
237 Tourism, and the executive director of the Office of Military Affairs. As
238 used in sections 4-6 and 4-7, "department head" also means the
239 Commissioner of Education.

240 Sec. 3. Section 4-38c of the general statutes is repealed and the
241 following is substituted in lieu thereof (*Effective July 1, 2011*):

242 There shall be within the executive branch of state government the
243 following departments: Office of Policy and Management, Department
244 of Administrative Services, Department of Revenue Services,
245 Department of Banking, Department of Agriculture, Department of
246 Children and Families, Department of Consumer Protection,

247 Department of Correction, Department of Economic and Community
248 Development, State Board of Education, Department of Emergency
249 Management and Homeland Security, Department of Energy and
250 Environmental Protection, Department of Public Health, Board of
251 Governors of Higher Education, Insurance Department, Labor
252 Department, Department of Mental Health and Addiction Services,
253 Department of Developmental Services, Department of Public Safety,
254 Department of Social Services, Department of Transportation,
255 Department of Motor Vehicles, Department of Veterans' Affairs [.] and
256 Department of Public Works. [and Department of Public Utility
257 Control.]

258 Sec. 4. Section 4-67e of the general statutes is repealed and the
259 following is substituted in lieu thereof (*Effective July 1, 2011*):

260 The Secretary of the Office of Policy and Management shall
261 coordinate the activity of the Commissioners of Public Health and
262 Energy and Environmental Protection [and the chairperson of the
263 Public Utilities Control Authority] in the following: (1) The review of
264 the authority of each agency for consistency with the policies
265 established by section 22a-380, (2) the preparation of a memorandum
266 of understanding, not more than six months after October 1, 1991,
267 intended to avoid inconsistency, overlap and redundancy in
268 requirements and authority of each agency in water conservation
269 issues, emergency contingency plans and regulatory authority under
270 chapters 283, 446i, 446j and 474, (3) the review of exercise of regulatory
271 authority over water companies, as defined in section 25-32a, to
272 determine whether inconsistency, overlap or redundancy exist in the
273 statutory requirements or regulatory authority of such agencies under
274 chapters 283, 446i, 446j, and 474, (4) the assessment of the necessity of a
275 memorandum of understanding to avoid such inconsistency, overlap
276 or redundancy, and, if determined to be necessary, the preparation of
277 such a memorandum by July 1, 1995, and (5) the development of
278 recommendations for legislation and amendments to regulations to
279 implement the provisions of a memorandum of understanding

280 prepared pursuant to this section, or for consistency with the policies
281 established by section 22a-380. There shall be a period of public review
282 and comment on a memorandum of understanding prior to final
283 agreement. On or before January 1, 1995, the [secretary] commissioner
284 shall submit to the joint standing committees of the General Assembly
285 having cognizance of matters relating to public health, energy and
286 public utilities and the environment, written findings, and any
287 recommendations, concerning the review and assessment conducted
288 pursuant to subdivisions (3) and (4) of this section.

289 Sec. 5. Subsections (a) and (b) of section 4b-47 of the general statutes
290 are repealed and the following is substituted in lieu thereof (*Effective*
291 *July 1, 2011*):

292 (a) Prior to the sale or transfer of state land or any interest in state
293 land by a state agency, department or institution, such agency,
294 department or institution shall provide notice of such sale or transfer
295 to the Council on Environmental Quality, the Secretary of the Office of
296 Policy and Management and the Commissioner of Energy and
297 Environmental Protection on a form approved by the [Council on
298 Environmental Quality] Commissioner of Energy and Environmental
299 Protection. Such notice shall be published in the Environmental
300 Monitor and shall provide for a written public comment period of
301 thirty days following publication of such notice, during which the
302 public and state agencies may submit comments to the Secretary of the
303 Office of Policy and Management. Such comments may include, but
304 shall not be limited to, significant natural and recreational resources on
305 such land and recommend means to preserve such natural or
306 recreational resources. The Secretary of the Office of Policy and
307 Management, in consultation with the Commissioner of Energy and
308 Environmental Protection, shall (1) respond to any written comments
309 received during such thirty-day comment period, and (2) publish such
310 written comments along with the Office of Policy and Management's
311 response to such written comments in the Environmental Monitor for a
312 period of not less than fifteen days prior to the sale or transfer of the

313 land.

314 (b) The Commissioner of Energy and Environmental Protection
315 shall develop a policy for reviewing notices received from a state
316 agency, department or institution, as described in subsection (a) of this
317 section, and making a draft recommendation to the Secretary of the
318 Office of Policy and Management as to whether all or a portion of the
319 land or land interest referenced in such notice should be preserved by
320 (1) transferring the land or land interest or granting a conservation
321 easement therein to the Department of Energy and Environmental
322 Protection, (2) imposing restrictions or conditions upon the transfer of
323 the land or land interest, or (3) transferring all or a portion of the land
324 or land interest, or granting a conservation easement interest therein,
325 to an appropriate third party. Any such recommendations shall be
326 accompanied by a report explaining the basis of the recommendations
327 and shall include, where appropriate, a natural resource inventory.
328 Such recommendations and report shall be published in the
329 Environmental Monitor and shall provide for a written public
330 comment period of thirty days following publication of such notice.
331 The Commissioner of Energy and Environmental Protection shall (A)
332 respond to any written comments received during such thirty-day
333 comment period, (B) make a final recommendation to the Secretary of
334 the Office of Policy and Management, and (C) publish such written
335 comments along with the Department of Energy and Environmental
336 Protection's response to such written comments including the
337 department's final recommendation to the [secretary] commissioner in
338 the Environmental Monitor. Following receipt of the final
339 recommendation of the Commissioner of Energy and Environmental
340 Protection, the Secretary of the Office of Policy and Management shall
341 make the final determination as to the ultimate disposition of the land
342 or interest. Such determination shall be published in the
343 Environmental Monitor for a period of not less than fifteen days prior
344 to the sale or transfer of such land or interest.

345 Sec. 6. Subsection (a) of section 4d-90 of the general statutes are

346 repealed and the following is substituted in lieu thereof (*Effective July*
347 *1, 2011*):

348 (a) There is established a Geospatial Information Systems Council
349 consisting of the following members, or their designees: (1) The
350 Secretary of the Office of Policy and Management; (2) the
351 Commissioners of Energy and Environmental Protection, Economic
352 and Community Development, Transportation, Public Safety, Public
353 Health, Public Works, Agriculture, Emergency Management and
354 Homeland Security and Social Services; (3) the Chief Information
355 Officer of the Department of Information Technology; (4) the
356 Chancellor of the Connecticut State University System; (5) the
357 president of The University of Connecticut; (6) [the Executive Director
358 of the Connecticut Siting Council; (7)] one member who is a user of
359 geospatial information systems appointed by the president pro
360 tempore of the Senate representing a municipality with a population of
361 more than sixty thousand; [(8)] (7) one member who is a user of
362 geospatial information systems appointed by the minority leader of the
363 Senate representing a regional planning agency; [(9)] (8) one member
364 who is a user of geospatial information systems appointed by the
365 Governor representing a municipality with a population of less than
366 sixty thousand but more than thirty thousand; [(10)] (9) one member
367 who is a user of geospatial information systems appointed by the
368 speaker of the House of Representatives representing a municipality
369 with a population of less than thirty thousand; [(11)] (10) one member
370 appointed by the minority leader of the House of Representatives who
371 is a user of geospatial information systems; [(12) the chairperson of the
372 Public Utilities Control Authority; (13)] (11) the Adjutant General of
373 the Military Department; and [(14)] (12) any other persons the council
374 deems necessary appointed by the council. The Governor shall select
375 the chairperson from among the members. The chairperson shall
376 administer the affairs of the council. Vacancies shall be filled by
377 appointment by the authority making the appointment. Members shall
378 receive no compensation for their services on said council, but shall be
379 reimbursed for necessary expenses incurred in the performance of

380 their duties. Said council shall hold one meeting each calendar quarter
381 and such additional meetings as may be prescribed by council rules. In
382 addition, special meetings may be called by the chairperson or by any
383 three members upon delivery of forty-eight hours written notice to
384 each member.

385 Sec. 7. Subsection (a) of section 4d-100 of the general statutes is
386 repealed and the following is substituted in lieu thereof (*Effective July*
387 *1, 2011*):

388 (a) There shall be a Broadband Internet Coordinating Council,
389 which shall include representatives from both the private and public
390 sectors. The council shall consist of ten members, two of whom shall be
391 appointed by the Governor, two of whom shall be appointed by the
392 president pro tempore of the Senate, two of whom shall be appointed
393 by the speaker of the House of Representatives, one of whom shall be
394 appointed by the majority leader of the Senate, one of whom shall be
395 appointed by the majority leader of the House of Representatives, one
396 of whom shall be appointed by the minority leader of the Senate and
397 one of whom shall be appointed by the minority leader of the House of
398 Representatives. One of each of the two members appointed by the
399 Governor, the president pro tempore of the Senate and the speaker of
400 the House of Representatives shall have specific expertise in the area of
401 telecommunications. Members of the council shall serve without
402 compensation, except for necessary expenses incurred in the
403 performance of their duties. Members shall serve on the council for
404 terms of two years each and no member shall serve for more than two
405 consecutive terms. The [chairperson of the Public Utilities Control
406 Authority, or the chairperson's designee, and the] Commissioner of
407 Energy and Environmental Protection, or the commissioner's designee,
408 Secretary of the Office of Policy and Management, or the secretary's
409 designee, shall be an ex-officio [members] member of the council
410 without vote and shall attend its meetings. Any member who fails to
411 attend three consecutive meetings or fifty per cent of all meetings
412 during any calendar year shall be deemed to have resigned. The

413 president pro tempore of the Senate and the speaker of the House of
414 Representatives shall jointly choose a chairperson and a vice-
415 chairperson to act in the chairperson's absence.

416 Sec. 8. Section 16-1 of the general statutes is repealed and the
417 following is substituted in lieu thereof (*Effective July 1, 2011*):

418 (a) Terms used in this title and in chapters 244, 244a, 244b, 245, 245a
419 and 245b shall be construed as follows, unless another meaning is
420 expressed or is clearly apparent from the language or context:

421 (1) "Authority" means the Public Utilities Control Authority and
422 "department" means the Department of [Public Utility Control] Energy
423 and Environmental Protection;

424 (2) "Commissioner" means a member of said authority;

425 (3) "Commissioner of Transportation" means the Commissioner of
426 Transportation appointed under section 13b-3;

427 (4) "Public service company" includes electric, electric distribution,
428 gas, telephone, telegraph, pipeline, sewage, water and community
429 antenna television companies and holders of a certificate of cable
430 franchise authority, owning, leasing, maintaining, operating,
431 managing or controlling plants or parts of plants or equipment, and all
432 express companies having special privileges on railroads within this
433 state, but shall not include telegraph company functions concerning
434 intrastate money order service, towns, cities, boroughs, any municipal
435 corporation or department thereof, whether separately incorporated or
436 not, a private power producer, as defined in section 16-243b, or an
437 exempt wholesale generator, as defined in 15 USC 79z-5a;

438 (5) "Plant" includes all real estate, buildings, tracks, pipes, mains,
439 poles, wires and other fixed or stationary construction and equipment,
440 wherever located, used in the conduct of the business of the company;

441 (6) "Railroad company" includes every person owning, leasing,

442 maintaining, operating, managing or controlling any railroad, or any
443 cars or other equipment employed thereon or in connection therewith,
444 for public or general use within this state;

445 (7) "Street railway company" includes every person owning, leasing,
446 maintaining, operating, managing or controlling any street railway, or
447 any cars or other equipment employed thereon or in connection
448 therewith, for public or general use within this state;

449 (8) "Electric company" includes, until an electric company has been
450 unbundled in accordance with the provisions of section 16-244e, every
451 person owning, leasing, maintaining, operating, managing or
452 controlling poles, wires, conduits or other fixtures, along public
453 highways or streets, for the transmission or distribution of electric
454 current for sale for light, heat or power within this state, or, engaged in
455 generating electricity to be so transmitted or distributed for such
456 purpose, but shall not include (A) a private power producer, as
457 defined in section 16-243b, (B) an exempt wholesale generator, as
458 defined in 15 USC 79z-5a, (C) a municipal electric utility established
459 under chapter 101, (D) a municipal electric energy cooperative
460 established under chapter 101a, (E) an electric cooperative established
461 under chapter 597, or (F) any other electric utility owned, leased,
462 maintained, operated, managed or controlled by any unit of local
463 government under any general statute or any public or special act;

464 (9) "Gas company" includes every person owning, leasing,
465 maintaining, operating, managing or controlling mains, pipes or other
466 fixtures, in public highways or streets, for the transmission or
467 distribution of gas for sale for heat or power within this state, or
468 engaged in the manufacture of gas to be so transmitted or distributed
469 for such purpose, but shall not include a person manufacturing gas
470 through the use of a biomass gasification plant provided such person
471 does not own, lease, maintain, operate, manage or control mains, pipes
472 or other fixtures in public highways or streets, a municipal gas utility
473 established under chapter 101 or any other gas utility owned, leased,

474 maintained, operated, managed or controlled by any unit of local
475 government under any general statute or any public or special act;

476 (10) "Water company" includes every person owning, leasing,
477 maintaining, operating, managing or controlling any pond, lake,
478 reservoir, stream, well or distributing plant or system employed for
479 the purpose of supplying water to fifty or more consumers. A water
480 company does not include homeowners, condominium associations
481 providing water only to their members, homeowners associations
482 providing water to customers at least eighty per cent of whom are
483 members of such associations, a municipal waterworks system
484 established under chapter 102, a district, metropolitan district,
485 municipal district or special services district established under chapter
486 105, chapter 105a or any other general statute or any public or special
487 act which is authorized to supply water, or any other waterworks
488 system owned, leased, maintained, operated, managed or controlled
489 by any unit of local government under any general statute or any
490 public or special act;

491 (11) "Consumer" means any private dwelling, boardinghouse,
492 apartment, store, office building, institution, mechanical or
493 manufacturing establishment or other place of business or industry to
494 which water is supplied by a water company;

495 (12) "Sewage company" includes every person owning, leasing,
496 maintaining, operating, managing or controlling, for general use in any
497 town, city or borough, or portion thereof, in this state, sewage disposal
498 facilities which discharge treated effluent into any waterway of this
499 state;

500 (13) "Pipeline company" includes every person owning, leasing,
501 maintaining, operating, managing or controlling mains, pipes or other
502 fixtures through, over, across or under any public land, water,
503 parkways, highways, parks or public grounds for the transportation,
504 transmission or distribution of petroleum products for hire within this
505 state;

506 (14) "Community antenna television company" includes every
507 person owning, leasing, maintaining, operating, managing or
508 controlling a community antenna television system, in, under or over
509 any public street or highway, for the purpose of providing community
510 antenna television service for hire and shall include any municipality
511 which owns or operates one or more plants for the manufacture or
512 distribution of electricity pursuant to section 7-213 or any special act
513 and seeks to obtain or obtains a certificate of public convenience and
514 necessity to construct or operate a community antenna television
515 system pursuant to section 16-331 or a certificate of cable franchise
516 authority pursuant to section 16-331q. "Community antenna television
517 company" does not include a certified competitive video service
518 provider;

519 (15) "Community antenna television service" means (A) the one-way
520 transmission to subscribers of video programming or information that
521 a community antenna television company makes available to all
522 subscribers generally, and subscriber interaction, if any, which is
523 required for the selection of such video programming or information,
524 and (B) noncable communications service. "Community antenna
525 television service" does not include video service provided by a
526 certified competitive video service provider;

527 (16) "Community antenna television system" means a facility,
528 consisting of a set of closed transmission paths and associated signal
529 generation, reception and control equipment that is designed to
530 provide community antenna television service which includes video
531 programming and which is provided in, under or over any public
532 street or highway, for hire, to multiple subscribers within a franchise,
533 but such term does not include (A) a facility that serves only to
534 retransmit the television signals of one or more television broadcast
535 stations; (B) a facility that serves only subscribers in one or more
536 multiple unit dwellings under common ownership, control or
537 management, unless such facility is located in, under or over a public
538 street or highway; (C) a facility of a common carrier which is subject, in

539 whole or in part, to the provisions of Subchapter II of Chapter 5 of the
540 Communications Act of 1934, 47 USC 201 et seq., as amended, except
541 that such facility shall be considered a community antenna television
542 system and the carrier shall be considered a public service company to
543 the extent such facility is used in the transmission of video
544 programming directly to subscribers; or (D) a facility of an electric
545 company which is used solely for operating its electric company
546 systems. "Community antenna television system" does not include a
547 facility used by a certified competitive video service provider to
548 provide video service;

549 (17) "Video programming" means programming provided by, or
550 generally considered comparable to programming provided by, a
551 television broadcast station;

552 (18) "Noncable communications service" means any
553 telecommunications service, as defined in section 16-247a, and which is
554 not included in the definition of "cable service" in the Communications
555 Act of 1934, 47 USC 522, as amended. Nothing in this definition shall
556 be construed to affect service which is both authorized and preempted
557 pursuant to federal law;

558 (19) "Public service motor vehicle" includes all motor vehicles used
559 for the transportation of passengers for hire;

560 (20) "Motor bus" includes any public service motor vehicle operated
561 in whole or in part upon any street or highway, by indiscriminately
562 receiving or discharging passengers, or operated on a regular route or
563 over any portion thereof, or operated between fixed termini, and any
564 public service motor vehicle operated over highways within this state
565 between points outside this state or between points within this state
566 and points outside this state;

567 (21) "Cogeneration technology" means the use for the generation of
568 electricity of exhaust steam, waste steam, heat or resultant energy from
569 an industrial, commercial or manufacturing plant or process, or the use

570 of exhaust steam, waste steam or heat from a thermal power plant for
571 an industrial, commercial or manufacturing plant or process, but shall
572 not include steam or heat developed solely for electrical power
573 generation;

574 (22) "Renewable fuel resources" means energy sources described in
575 subdivisions (26) and (27) of this subsection;

576 (23) "Telephone company" means a telecommunications company
577 that provides one or more noncompetitive or emerging competitive
578 services, as defined in section 16-247a;

579 (24) "Domestic telephone company" includes any telephone
580 company which has been chartered by or organized or constituted
581 within or under the laws of this state;

582 (25) "Telecommunications company" means a person that provides
583 telecommunications service, as defined in section 16-247a, within the
584 state, but shall not mean a person that provides only (A) private
585 telecommunications service, as defined in section 16-247a, (B) the
586 one-way transmission of video programming or other programming
587 services to subscribers, (C) subscriber interaction, if any, which is
588 required for the selection of such video programming or other
589 programming services, (D) the two-way transmission of educational or
590 instructional programming to a public or private elementary or
591 secondary school, or a public or independent institution of higher
592 education, as required by the department pursuant to a community
593 antenna television company franchise agreement, or provided
594 pursuant to a contract with such a school or institution which contract
595 has been filed with the department, or (E) a combination of the services
596 set forth in subparagraphs (B) to (D), inclusive, of this subdivision;

597 (26) "Class I renewable energy source" means (A) energy derived
598 from solar power, wind power, a fuel cell, methane gas from landfills,
599 ocean thermal power, wave or tidal power, low emission advanced
600 renewable energy conversion technologies, a run-of-the-river

601 hydropower facility provided such facility has a generating capacity of
602 not more than five megawatts, does not cause an appreciable change in
603 the river flow, and began operation after July 1, 2003, or a sustainable
604 biomass facility with an average emission rate of equal to or less than
605 .075 pounds of nitrogen oxides per million BTU of heat input for the
606 previous calendar quarter, except that energy derived from a
607 sustainable biomass facility with a capacity of less than five hundred
608 kilowatts that began construction before July 1, 2003, may be
609 considered a Class I renewable energy source, or (B) any electrical
610 generation, including distributed generation, generated from a Class I
611 renewable energy source;

612 (27) "Class II renewable energy source" means energy derived from
613 a trash-to-energy facility, a biomass facility that began operation before
614 July 1, 1998, provided the average emission rate for such facility is
615 equal to or less than .2 pounds of nitrogen oxides per million BTU of
616 heat input for the previous calendar quarter, or a run-of-the-river
617 hydropower facility provided such facility has a generating capacity of
618 not more than five megawatts, does not cause an appreciable change in
619 the riverflow, and began operation prior to July 1, 2003;

620 (28) "Electric distribution services" means the owning, leasing,
621 maintaining, operating, managing or controlling of poles, wires,
622 conduits or other fixtures along public highways or streets for the
623 distribution of electricity, or electric distribution-related services;

624 (29) "Electric distribution company" or "distribution company"
625 means any person providing electric transmission or distribution
626 services within the state, including an electric company, subject to
627 subparagraph (F) of this subdivision, but does not include: (A) A
628 private power producer, as defined in section 16-243b; (B) a municipal
629 electric utility established under chapter 101, other than a participating
630 municipal electric utility; (C) a municipal electric energy cooperative
631 established under chapter 101a; (D) an electric cooperative established
632 under chapter 597; (E) any other electric utility owned, leased,

633 maintained, operated, managed or controlled by any unit of local
634 government under any general statute or special act; (F) after an
635 electric company has been unbundled in accordance with the
636 provisions of section 16-244e, a generation entity or affiliate of the
637 former electric company; or (G) an electric supplier;

638 (30) "Electric supplier" means any person, including an electric
639 aggregator or participating municipal electric utility that is licensed by
640 the Department of [Public Utility Control] Energy and Environmental
641 Protection in accordance with section 16-245, that provides electric
642 generation services to end use customers in the state using the
643 transmission or distribution facilities of an electric distribution
644 company, regardless of whether or not such person takes title to such
645 generation services, but does not include: (A) A municipal electric
646 utility established under chapter 101, other than a participating
647 municipal electric utility; (B) a municipal electric energy cooperative
648 established under chapter 101a; (C) an electric cooperative established
649 under chapter 597; (D) any other electric utility owned, leased,
650 maintained, operated, managed or controlled by any unit of local
651 government under any general statute or special act; or (E) an electric
652 distribution company in its provision of electric generation services in
653 accordance with subsection (a) or, prior to January 1, 2004, subsection
654 (c) of section 16-244c;

655 (31) "Electric aggregator" means (A) a person, municipality or
656 regional water authority that gathers together electric customers for
657 the purpose of negotiating the purchase of electric generation services
658 from an electric supplier, or (B) the Connecticut Resources Recovery
659 Authority, if it gathers together electric customers for the purpose of
660 negotiating the purchase of electric generation services from an electric
661 supplier, provided such person, municipality or authority is not
662 engaged in the purchase or resale of electric generation services, and
663 provided further such customers contract for electric generation
664 services directly with an electric supplier, and may include an electric
665 cooperative established pursuant to chapter 597;

666 (32) "Electric generation services" means electric energy, electric
667 capacity or generation-related services;

668 (33) "Electric transmission services" means electric transmission or
669 transmission-related services;

670 (34) "Generation entity or affiliate" means a corporate affiliate or, as
671 provided in subdivision (3) of subsection (a) of section 16-244e, a
672 separate division of an electric company after unbundling has occurred
673 pursuant to section 16-244e, that provides electric generation services;

674 (35) "Participating municipal electric utility" means a municipal
675 electric utility established under chapter 101 or any other electric
676 utility owned, leased, maintained, operated, managed or controlled by
677 any unit of local government under any general statute or any public
678 or special act, that is authorized by the department in accordance with
679 section 16-245c to provide electric generation services to end use
680 customers outside its service area, as defined in section 16-245c;

681 (36) "Person" means an individual, business, firm, corporation,
682 association, joint stock association, trust, partnership or limited
683 liability company;

684 (37) "Regional independent system operator" means the "ISO - New
685 England, Inc.", or its successor organization as approved by the
686 Federal Energy Regulatory Commission;

687 (38) "Certified telecommunications provider" means a person
688 certified by the department to provide intrastate telecommunications
689 services, as defined in section 16-247a, pursuant to sections 16-247f to
690 16-247h, inclusive;

691 (39) "Gas registrant" means a person registered to sell natural gas
692 pursuant to section 16-258a;

693 (40) "Customer-side distributed resources" means (A) the generation
694 of electricity from a unit with a rating of not more than sixty-five

695 megawatts on the premises of a retail end user within the transmission
696 and distribution system including, but not limited to, fuel cells,
697 photovoltaic systems or small wind turbines, or (B) a reduction in the
698 demand for electricity on the premises of a retail end user in the
699 distribution system through methods of conservation and load
700 management, including, but not limited to, peak reduction systems
701 and demand response systems;

702 (41) "Federally mandated congestion charges" means any cost
703 approved by the Federal Energy Regulatory Commission as part of
704 New England Standard Market Design including, but not limited to,
705 locational marginal pricing, locational installed capacity payments, any
706 cost approved by the Department of [Public Utility Control] Energy
707 and Environmental Protection to reduce federally mandated
708 congestion charges in accordance with section 7-233y, this section,
709 sections 16-19ss, 16-32f, 16-50i, 16-50k, 16-50x, 16-243i to 16-243q,
710 inclusive, 16-244c, 16-244e, 16-245m, 16-245n and 16-245z, and section
711 21 of public act 05-1 of the June special session* and reliability must
712 run contracts;

713 (42) "Combined heat and power system" means a system that
714 produces, from a single source, both electric power and thermal energy
715 used in any process that results in an aggregate reduction in electricity
716 use;

717 (43) "Grid-side distributed resources" means the generation of
718 electricity from a unit with a rating of not more than sixty-five
719 megawatts that is connected to the transmission or distribution system,
720 which units may include, but are not limited to, units used primarily to
721 generate electricity to meet peak demand;

722 (44) "Class III source" means the electricity output from combined
723 heat and power systems with an operating efficiency level of no less
724 than fifty per cent that are part of customer-side distributed resources
725 developed at commercial and industrial facilities in this state on or
726 after January 1, 2006, a waste heat recovery system installed on or after

727 April 1, 2007, that produces electrical or thermal energy by capturing
728 preexisting waste heat or pressure from industrial or commercial
729 processes, or the electricity savings created in this state from
730 conservation and load management programs begun on or after
731 January 1, 2006;

732 (45) "Sustainable biomass" means biomass that is cultivated and
733 harvested in a sustainable manner. "Sustainable biomass" does not
734 mean construction and demolition waste, as defined in section 22a-
735 208x, finished biomass products from sawmills, paper mills or stud
736 mills, organic refuse fuel derived separately from municipal solid
737 waste, or biomass from old growth timber stands, except where (A)
738 such biomass is used in a biomass gasification plant that received
739 funding prior to May 1, 2006, from the Renewable Energy Investment
740 Fund established pursuant to section 16-245n, or (B) the energy
741 derived from such biomass is subject to a long-term power purchase
742 contract pursuant to subdivision (2) of subsection (j) of section 16-244c
743 entered into prior to May 1, 2006, (C) such biomass is used in a
744 renewable energy facility that is certified as a Class I renewable energy
745 source by the department until such time as the department certifies
746 that any biomass gasification plant, as defined in subparagraph (A) of
747 this subdivision, is operational and accepting such biomass, in an
748 amount not to exceed one hundred forty thousand tons annually, is
749 used in a renewable energy facility that was certified as a Class I
750 renewable energy source by the department prior to December 31,
751 2007, and uses biomass, including construction and demolition waste
752 as defined in section 22a-208x, from a Connecticut-sited transfer
753 station and volume-reduction facility that generated biomass during
754 calendar year 2007 that was used during calendar year 2007 to
755 generate Class I renewable energy certificates, or (D) in the event there
756 is no facility as described in subparagraph (A) or (C) of this
757 subdivision accepting such biomass, in an amount not to exceed one
758 hundred forty thousand tons annually, is used in one or more other
759 renewable energy facilities certified either as a Class I or Class II
760 renewable energy source by the department, provided such facilities

761 use biomass, including construction and demolition waste as defined
762 in said section 22a-208x, from a Connecticut-sited transfer station and
763 volume-reduction facility that generated biomass during calendar year
764 2007 that was used during calendar year 2007 to generate Class I
765 renewable energy certificates. Notwithstanding the provisions of
766 subparagraphs (C) and (D) of this subdivision, the amount of biomass
767 specified in said subparagraphs shall not apply to a biomass
768 gasification plant, as defined in subparagraph (A) of this subdivision;

769 (46) "Video service" means video programming services provided
770 through wireline facilities, a portion of which are located in the public
771 right-of-way, without regard to delivery technology, including Internet
772 protocol technology. "Video service" does not include any video
773 programming provided by a commercial mobile service provider, as
774 defined in 47 USC 332(d), any video programming provided as part of
775 community antenna television service in a franchise area as of October
776 1, 2007, any video programming provided as part of and via a service
777 that enables users to access content, information, electronic mail or
778 other services over the public Internet;

779 (47) "Certified competitive video service provider" means an entity
780 providing video service pursuant to a certificate of video franchise
781 authority issued by the department in accordance with section 16-331e.
782 "Certified competitive video service provider" does not mean an entity
783 issued a certificate of public convenience and necessity in accordance
784 with section 16-331 or the affiliates, successors and assigns of such
785 entity or an entity issued a certificate of cable franchise authority in
786 accordance with section 16-331p or the affiliates, successors and
787 assignees of such entity;

788 (48) "Certificate of video franchise authority" means an
789 authorization issued by the Department of [Public Utility Control]
790 Energy and Environmental Protection conferring the right to an entity
791 or person to own, lease, maintain, operate, manage or control facilities
792 in, under or over any public highway to offer video service to any

793 subscribers in the state;

794 (49) "Certificate of cable franchise authority" means an authorization
795 issued by the Department of [Public Utility Control] Energy and
796 Environmental Protection pursuant to section 16-331q conferring the
797 right to a community antenna television company to own, lease,
798 maintain, operate, manage or control a community antenna television
799 system in, under or over any public highway to (A) offer community
800 antenna television service in a community antenna television
801 company's designated franchise area, or (B) use the public rights-of-
802 way to offer video service in a designated franchise area. The
803 certificate of cable franchise authority shall be issued as an alternative
804 to a certificate of public convenience and necessity pursuant to section
805 16-331 and shall only be available to a community antenna television
806 company under the terms specified in sections 16-331q to 16-331aa,
807 inclusive;

808 (50) "Thermal energy transportation company" means any person
809 authorized under any provision of the general statutes or special act to
810 furnish heat or air conditioning or both, by means of steam, heated or
811 chilled water or other medium, to lay and maintain mains, pipes or
812 other conduits, and to erect such other fixtures necessary or convenient
813 in and on the streets, highways and public grounds of any
814 municipality to carry steam, heated or chilled water or other medium
815 from such plant to the location to be served and to return the same;
816 [and]

817 (51) "The Connecticut Television Network" means the General
818 Assembly's state-wide twenty-four-hour state public affairs
819 programming service, separate and distinct from community access
820 channels; and

821 (52) "Commissioner of Energy and Environmental Protection"
822 means the Commissioner of Energy and Environmental Protection
823 appointed pursuant to title 4.

824 (b) Notwithstanding any provision of the general statutes, the terms
825 "utility", "public utility" and "public service company" shall be deemed
826 to include a community antenna television company and a holder of a
827 certificate of cable franchise authority, except (1) as otherwise provided
828 in sections 16-8, 16-27, 16-28 and 16-43, (2) that no provision of the
829 general statutes, including but not limited to, the provisions of sections
830 16-6b and 16-19, shall subject a community antenna television
831 company to regulation as a common carrier or utility by reason of
832 providing community antenna television service, other than noncable
833 communications service, as provided in Subchapter V-A of Chapter 5
834 of the Communications Act of 1934, 47 USC 521 et seq., as amended,
835 and (3) that no provision of the general statutes, including but not
836 limited to, sections 16-6b and 16-19, shall apply to community antenna
837 television companies to the extent any such provision is preempted
838 pursuant to any other provision of the Communications Act of 1934, 47
839 USC 151 et seq., as amended, any other federal act or any regulation
840 adopted thereunder.

841 Sec. 9. Section 16-2 of the general statutes is repealed and the
842 following is substituted in lieu thereof (*Effective July 1, 2011*):

843 (a) There shall continue to be a Public Utilities Control Authority
844 within the Department of Energy and Environmental Protection,
845 which shall consist of five electors of this state, appointed by the
846 Governor with the advice and consent of both houses of the General
847 Assembly. Not more than three members of said authority in office at
848 any one time shall be members of any one political party. On or before
849 July 1, 1983, and quadrennially thereafter, the Governor shall appoint
850 three members to the authority and on or before July 1, 1985, and
851 quadrennially thereafter, the Governor shall appoint two members. All
852 such members shall serve for a term of four years. The procedure
853 prescribed by section 4-7 shall apply to such appointments, except that
854 the Governor shall submit each nomination on or before May first, and
855 both houses shall confirm or reject it before adjournment sine die. The
856 commissioners shall be sworn to the faithful performance of their

857 duties.

858 (b) The authority shall elect a chairperson and vice-chairperson each
859 June for one-year terms starting on July first of the same year. The vice-
860 chairperson shall perform the duties of the chairperson in his absence.

861 (c) Any matter coming before the authority may be assigned by the
862 chairperson to a panel of three commissioners, not more than two of
863 whom shall be members of the same political party. Except as
864 otherwise provided by statute or regulation, the panel shall determine
865 whether a public hearing shall be held on the matter, and may
866 designate one or two of its members to conduct such hearing or
867 appoint an examiner to ascertain the facts and report thereon to the
868 panel. The decision of the panel, if unanimous, shall be the decision of
869 the authority. If the decision of the panel is not unanimous, the matter
870 shall be referred to the entire authority for decision.

871 (d) The commissioners of the authority shall serve full time and
872 shall make full public disclosure of their assets, liabilities and income
873 at the time of their appointment, and thereafter each member of the
874 authority shall make such disclosure on or before July thirtieth of each
875 year of such member's term, and shall file such disclosure with the
876 office of the Secretary of the State. Each commissioner shall receive
877 annually a salary equal to that established for management pay plan
878 salary group seventy-five by the Commissioner of Administrative
879 Services, except that the chairperson shall receive annually a salary
880 equal to that established for management pay plan salary group
881 seventy-seven.

882 (e) To insure the highest standard of public utility regulation, on
883 and after October 1, 2007, any newly appointed commissioner of the
884 authority shall have education or training and three or more years of
885 experience in one or more of the following fields: Economics,
886 engineering, law, accounting, finance, utility regulation, public or
887 government administration, consumer advocacy, business
888 management, and environmental management. On and after July 1,

889 1997, at least three of these fields shall be represented on the authority
890 by individual commissioners at all times. Any time a commissioner is
891 newly appointed, at least one of the commissioners shall have
892 experience in utility customer advocacy.

893 [(f) The chairperson of the authority, with the consent of two or
894 more other members of the authority, shall appoint an executive
895 director, who shall be the chief administrative officer of the
896 Department of Public Utility Control. The executive director shall be
897 supervised by the chairperson of the authority, serve for a term of four
898 years and annually receive a salary equal to that established for
899 management pay plan salary group seventy-two by the Commissioner
900 of Administrative Services. The executive director (1) shall conduct
901 comprehensive planning with respect to the functions of the
902 department; (2) shall coordinate the activities of the department; (3)
903 shall cause the administrative organization of the department to be
904 examined with a view to promoting economy and efficiency; (4) shall,
905 in concurrence with the chairperson of the authority, organize the
906 department into such divisions, bureaus or other units as he deems
907 necessary for the efficient conduct of the business of the department
908 and may from time to time abolish, transfer or consolidate within the
909 department, any division, bureau or other units as may be necessary
910 for the efficient conduct of the business of the department, provided
911 such organization shall include any division, bureau or other unit
912 which is specifically required by the general statutes; (5) shall, for any
913 proceeding on a proposed rate amendment in which staff of the
914 department are to be made a party pursuant to section 16-19j,
915 determine which staff shall appear and participate in the proceedings
916 and which shall serve the members of the authority; (6) may enter into
917 such contractual agreements, in accordance with established
918 procedures, as may be necessary for the discharge of his duties; and (7)
919 may, subject to the provisions of section 4-32, and unless otherwise
920 provided by law, receive any money, revenue or services from the
921 federal government, corporations, associations or individuals,
922 including payments from the sale of printed matter or any other

923 material or services. The executive director shall require the staff of the
924 department to have expertise in public utility engineering and
925 accounting, finance, economics, computers and rate design. Subject to
926 the provisions of chapter 67 and within available funds in any fiscal
927 year, the executive director may appoint a [secretary] commissioner,
928 and may employ such accountants, clerical assistants, engineers,
929 inspectors, experts, consultants and agents as the department may
930 require.]

931 [(g)] (f) No member of the authority or employee of the department
932 shall, while serving as such, have any interest, financial or otherwise,
933 direct or indirect, or engage in any business, employment, transaction
934 or professional activity, or incur any obligation of any nature, which is
935 in substantial conflict with the proper discharge of his duties or
936 employment in the public interest and of his responsibilities as
937 prescribed in the laws of this state, as defined in section 1-85; provided,
938 no such substantial conflict shall be deemed to exist solely by virtue of
939 the fact that a member of the authority or employee of the department,
940 or any business in which such a person has an interest, receives utility
941 service from one or more Connecticut utilities under the normal rates
942 and conditions of service.

943 [(h)] (g) No member of the authority or employee of the department
944 shall accept other employment which will either impair his
945 independence of judgment as to his official duties or employment or
946 require him, or induce him, to disclose confidential information
947 acquired by him in the course of and by reason of his official duties.

948 [(i)] (h) No member of the authority or employee of the department
949 shall wilfully and knowingly disclose, for pecuniary gain, to any other
950 person, confidential information acquired by him in the course of and
951 by reason of his official duties or employment or use any such
952 information for the purpose of pecuniary gain.

953 [(j)] (i) No member of the authority or employee of the department
954 shall agree to accept, or be in partnership or association with any

955 person, or a member of a professional corporation or in membership
956 with any union or professional association which partnership,
957 association, professional corporation, union or professional association
958 agrees to accept any employment, fee or other thing of value, or
959 portion thereof, in consideration of his appearing, agreeing to appear,
960 or taking any other action on behalf of another person before the
961 authority, the Connecticut Siting Council, the Office of Policy and
962 Management or the Commissioner of Environmental Protection.

963 [(k)] (j) No commissioner of the authority shall, for a period of one
964 year following the termination of his or her service as a commissioner,
965 accept employment: (1) By a public service company or by any person,
966 firm or corporation engaged in lobbying activities with regard to
967 governmental regulation of public service companies; (2) by a certified
968 telecommunications provider or by any person, firm or corporation
969 engaged in lobbying activities with regard to governmental regulation
970 of persons, firms or corporations so certified; or (3) by an electric
971 supplier or by any person, firm or corporation engaged in lobbying
972 activities with regard to governmental regulation of electric suppliers.
973 No such commissioner who is also an attorney shall in any capacity,
974 appear or participate in any matter, or accept any compensation
975 regarding a matter, before the authority, for a period of one year
976 following the termination of his or her service as a commissioner.

977 Sec. 10. Section 16-2c of the general statutes is repealed and the
978 following is substituted in lieu thereof (*Effective July 1, 2011*):

979 There is established a Division of Adjudication within the
980 Department of [Public Utility Control] Energy and Environmental
981 Protection. The staff of the division shall include but not be limited to,
982 hearing examiners appointed pursuant to subsection (c) of section 16-2.
983 The responsibilities of the division shall include, but not be limited to,
984 hearing matters assigned under said subsection and advising the
985 [chairperson of the Public Utilities Control Authority] Commissioner
986 of Energy and Environmental Protection concerning legal issues.

987 Sec. 11. Subsections (a) and (b) of section 16-8 of the general statutes
988 are repealed and the following is substituted in lieu thereof (*Effective*
989 *July 1, 2011*):

990 (a) The Department of [Public Utility Control] Energy and
991 Environmental Protection may, in its discretion, delegate its powers, in
992 specific cases, to one or more of its commissioners or to a hearing
993 examiner to ascertain the facts and report thereon to the department.
994 The department, or any commissioner thereof, in the performance of
995 its duties or in connection with any hearing, or at the request of any
996 person, corporation, company, town, borough or association, may
997 summon and examine, under oath, such witnesses, and may direct the
998 production of, and examine or cause to be produced and examined,
999 such books, records, vouchers, memoranda, documents, letters,
1000 contracts or other papers in relation to the affairs of any public service
1001 company as it may find advisable, and shall have the same powers in
1002 reference thereto as are vested in magistrates taking depositions. If any
1003 witness objects to testifying or to producing any book or paper on the
1004 ground that such testimony, book or paper may tend to incriminate
1005 him, and the department directs such witness to testify or to produce
1006 such book or paper, and he complies, or if he is compelled so to do by
1007 order of court, he shall not be prosecuted for any matter concerning
1008 which he has so testified. The fees of witnesses summoned by the
1009 department to appear before it under the provisions of this section,
1010 and the fees for summoning witnesses shall be the same as in the
1011 Superior Court. All such fees, together with any other expenses
1012 authorized by statute, the method of payment of which is not
1013 otherwise provided, shall, when taxed by the department, be paid by
1014 the state, through the business office of the department, in the same
1015 manner as court expenses. The department may designate in specific
1016 cases a hearing examiner who may be a member of its technical staff or
1017 a member of the Connecticut Bar engaged for that purpose under a
1018 contract approved by the Secretary of the Office of Policy and
1019 Management to hold a hearing and make report thereon to the
1020 department. A hearing examiner so designated shall have the same

1021 powers as the department, or any commissioner thereof, to conduct a
1022 hearing, except that only a commissioner of the department shall have
1023 the power to grant immunity from prosecution to any witness who
1024 objects to testifying or to producing any book or paper on the ground
1025 that such testimony, book or paper may tend to incriminate him.

1026 (b) (1) [In the performance of its duties the Department of Public
1027 Utility Control may establish management audit teams as a regular
1028 and continuing component of its staff. The management audit teams
1029 shall be composed of personnel with a professional background in
1030 accounting, engineering or any other training as the department may
1031 deem necessary to assure a competent and thorough review and
1032 audit.] The department may, within available appropriations, employ
1033 professional personnel to perform management audits. The
1034 department shall promptly establish such procedures as it deems
1035 necessary or desirable to provide for management audits to be
1036 performed on a regular or irregular schedule on all or any portion of
1037 the operating procedures and any other internal workings of any
1038 public service company, including the relationship between any public
1039 service company and a related holding company or subsidiary,
1040 consistent with the provisions of section 16-8c, provided no such audit
1041 shall be performed on a community antenna television company,
1042 except with regard to any noncable communications services which
1043 the company may provide, or when (A) such an audit is necessary for
1044 the department to perform its regulatory functions under the
1045 Communications Act of 1934, 47 USC 151, et seq., as amended from
1046 time to time, other federal law or state law, (B) the cost of such an audit
1047 is warranted by a reasonably foreseeable financial, safety or service
1048 benefit to subscribers of the company which is the subject of such an
1049 audit, and (C) such an audit is restricted to examination of the
1050 operating procedures that affect operations within the state.

1051 (2) In any case where the department determines that an audit is
1052 necessary or desirable, it may (A) order the audit to be performed by
1053 one of its management audit teams, (B) require the affected company

1054 to perform the audit utilizing the company's own internal
1055 management audit staff as supervised by designated members of the
1056 department's staff or (C) require that the audit be performed under the
1057 supervision of designated members of the department's staff by an
1058 independent management consulting firm selected by the department,
1059 in consultation with the affected company. If the affected company has
1060 more than seventy-five thousand customers, such independent
1061 management consulting firm shall be of nationally-recognized stature.
1062 All reasonable and proper expenses of the audits, including, but not
1063 limited to, the costs associated with the audit firm's testimony at a
1064 public hearing or other proceeding, shall be borne by the affected
1065 companies and shall be paid by such companies at such times and in
1066 such manner as the department directs.

1067 (3) For purposes of this section, a complete audit shall consist of (A)
1068 a diagnostic review of all functions of the audited company, which
1069 shall include, but not be limited to, documentation of the operations of
1070 the company, assessment of the company's system of internal controls,
1071 and identification of any areas of the company which may require
1072 subsequent audits, and (B) the performance of subsequent focused
1073 audits identified in the diagnostic review and determined necessary by
1074 the department. All audits performed pursuant to this section shall be
1075 performed in accordance with generally accepted management audit
1076 standards. The department shall adopt regulations in accordance with
1077 the provisions of chapter 54 setting forth such generally accepted
1078 management audit standards. Each audit of a community antenna
1079 television company shall be consistent with the provisions of the
1080 Communications Act of 1934, 47 USC 151, et seq., as amended from
1081 time to time, and of any other applicable federal law. The department
1082 shall certify whether a portion of an audit conforms to the provisions
1083 of this section and constitutes a portion of a complete audit.

1084 (4) A complete audit of each portion of each gas, electric or electric
1085 distribution company having more than seventy-five thousand
1086 customers shall begin no less frequently than every six years, so that a

1087 complete audit of such a company's operations shall be performed
1088 every six years. Such an audit of each such company having more than
1089 seventy-five thousand customers shall be updated as required by the
1090 department.

1091 (5) The results of an audit performed pursuant to this section shall
1092 be filed with the department and shall be open to public inspection.
1093 Upon completion and review of the audit, if the person or firm
1094 performing or supervising the audit determines that any of the
1095 operating procedures or any other internal workings of the affected
1096 public service company are inefficient, improvident, unreasonable,
1097 negligent or in abuse of discretion, the department may, after notice
1098 and opportunity for a hearing, order the affected public service
1099 company to adopt such new or altered practices and procedures as the
1100 department shall find necessary to promote efficient and adequate
1101 service to meet the public convenience and necessity. The department
1102 shall annually submit a report of audits performed pursuant to this
1103 section to the joint standing committee of the General Assembly
1104 having cognizance of matters relating to public utilities which report
1105 shall include the status of audits begun but not yet completed and a
1106 summary of the results of audits completed.

1107 (6) All reasonable and proper costs and expenses, as determined by
1108 the department, of complying with any order of the department
1109 pursuant to this subsection shall be recognized by the department for
1110 all purposes as proper business expenses of the affected company.

1111 (7) After notice and hearing, the department may modify the scope
1112 and schedule of a management audit of a telephone company which is
1113 subject to an alternative form of regulation so that such audit is
1114 consistent with that alternative form of regulation.

1115 Sec. 12. Section 16-50j of the general statutes is repealed and the
1116 following is substituted in lieu thereof (*Effective July 1, 2011*):

1117 (a) There is established a "Connecticut Siting Council", hereinafter

1118 referred to as the "council", which shall be within the Department of
1119 [Public Utility Control] Energy and Environmental Protection.

1120 (b) Except for proceedings under chapter 445, this subsection and
1121 subsection (c) of this section, the council shall consist of: (1) The
1122 Commissioner of Energy and Environmental Protection, or his
1123 designee; (2) [the chairman, or his designee, of the Public Utilities
1124 Control Authority; (3)] one designee of the speaker of the House and
1125 one designee of the president pro tempore of the Senate; and [(4)] (3)
1126 five members of the public, to be appointed by the Governor, at least
1127 two of whom shall be experienced in the field of ecology, and not more
1128 than one of whom shall have affiliation, past or present, with any
1129 utility or governmental utility regulatory agency, or with any person
1130 owning, operating, controlling, or presently contracting with respect to
1131 a facility, a hazardous waste facility, as defined in section 22a-115, or
1132 an ash residue disposal area.

1133 (c) For proceedings under chapter 445, subsection (b) of this section
1134 and this subsection, the council shall consist of (1) the Commissioners
1135 of Public Health and Public Safety or their designated representatives;
1136 (2) the designees of the speaker of the House of Representatives and
1137 the president pro tempore of the Senate as provided in subsection (b)
1138 of this section; (3) the five members of the public as provided in
1139 subsection (b) of this section; and (4) four ad hoc members, three of
1140 whom shall be electors from the municipality in which the proposed
1141 facility is to be located and one of whom shall be an elector from a
1142 neighboring municipality likely to be most affected by the proposed
1143 facility. The municipality most affected by the proposed facility shall
1144 be determined by the permanent members of the council. If any one of
1145 the five members of the public or of the designees of the speaker of the
1146 House of Representatives or the president pro tempore of the Senate
1147 resides (A) in the municipality in which a hazardous waste facility is
1148 proposed to be located for a proceeding concerning a hazardous waste
1149 facility or in which a low-level radioactive waste facility is proposed to
1150 be located for a proceeding concerning a low-level radioactive waste

1151 facility, or (B) in the neighboring municipality likely to be most
1152 affected by the proposed facility, the appointing authority shall
1153 appoint a substitute member for the proceedings on such proposal. If
1154 any appointee is unable to perform his duties on the council due to
1155 illness, or has a substantial financial or employment interest which is
1156 in conflict with the proper discharge of his duties under this chapter,
1157 the appointing authority shall appoint a substitute member for
1158 proceedings on such proposal. An appointee shall report any
1159 substantial financial or employment interest which might conflict with
1160 the proper discharge of his duties under this chapter to the appointing
1161 authority who shall determine if such conflict exists. If any state
1162 agency is the applicant, an appointee shall not be deemed to have a
1163 substantial employment conflict of interest because of employment
1164 with the state unless such appointee is directly employed by the state
1165 agency making the application. Ad hoc members shall be appointed by
1166 the chief elected official of the municipality they represent and shall
1167 continue their membership until the council issues a letter of
1168 completion of the development and management plan to the applicant.

1169 (d) For proceedings under sections 22a-285d to 22a-285h, inclusive,
1170 the council shall consist of (1) the Commissioners of Public Health and
1171 Public Safety or their designated representatives; (2) the designees of
1172 the speaker of the House of Representatives and the president pro
1173 tempore of the Senate as provided in subsection (b) of this section, and
1174 (3) five members of the public as provided in subsection (b) of this
1175 section. If any one of the five members of the public or of the designees
1176 of the speaker of the House of Representatives or the president pro
1177 tempore of the Senate resides in the municipality in which an ash
1178 residue disposal area is proposed to be located the appointing
1179 authority shall appoint a substitute member for the proceedings on
1180 such proposal. If any appointee is unable to perform his duties on the
1181 council due to illness, or has a substantial financial or employment
1182 interest which is in conflict with the proper discharge of his duties
1183 under sections 22a-285d to 22a-285h, inclusive, the appointing
1184 authority shall appoint a substitute member for proceedings on such

1185 proposal. An appointee shall report any substantial financial or
1186 employment interest which might conflict with the proper discharge of
1187 his duties under said sections to the appointing authority who shall
1188 determine if such conflict exists. If any state agency is the applicant, an
1189 appointee shall not be deemed to have a substantial employment
1190 conflict of interest because of employment with the state unless such
1191 appointee is directly employed by the state agency making the
1192 application.

1193 (e) The chairman of the council shall be appointed by the Governor
1194 from among the five public members appointed by him, with the
1195 advice and consent of the House or Senate, and shall serve as chairman
1196 at the pleasure of the Governor.

1197 (f) The public members of the council, including the chairman, the
1198 members appointed by the speaker of the House and president pro
1199 tempore of the Senate and the four ad hoc members specified in
1200 subsection (c) of this section, shall be compensated for their attendance
1201 at public hearings, executive sessions, or other council business as may
1202 require their attendance at the rate of two hundred dollars, provided in
1203 no case shall the daily compensation exceed two hundred dollars.

1204 (g) The council shall, in addition to its other duties prescribed in this
1205 chapter, adopt, amend, or rescind suitable regulations to carry out the
1206 provisions of this chapter and the policies and practices of the council
1207 in connection therewith, and appoint and prescribe the duties of such
1208 staff as may be necessary to carry out the provisions of this chapter.
1209 The chairman of the council, with the consent of five or more other
1210 members of the council, may appoint an executive director, who shall
1211 be the chief administrative officer of the Connecticut Siting Council.
1212 The executive director shall be exempt from classified service.

1213 (h) Prior to commencing any hearing pursuant to section 16-50m,
1214 the council shall consult with and solicit written comments from the
1215 Department of Energy and Environmental Protection, the Department
1216 of Public Health, the Council on Environmental Quality, the

1217 Department of Agriculture, [the Department of Public Utility Control,]
1218 the Office of Policy and Management, the Department of Economic
1219 and Community Development and the Department of Transportation.
1220 In addition, the Department of Energy and Environmental Protection
1221 shall have the continuing responsibility to investigate and report to the
1222 council on all applications which prior to October 1, 1973, were within
1223 the jurisdiction of said Department of Environmental Protection with
1224 respect to the granting of a permit. Copies of such comments shall be
1225 made available to all parties prior to the commencement of the
1226 hearing. Subsequent to the commencement of the hearing, said
1227 departments and council may file additional written comments with
1228 the council within such period of time as the council designates. All
1229 such written comments shall be made part of the record provided by
1230 section 16-50o. Said departments and council shall not enter any
1231 contract or agreement with any party to the proceedings or hearings
1232 described in this section or section 16-50p, that requires said
1233 departments or council to withhold or retract comments, refrain from
1234 participating in or withdraw from said proceedings or hearings.

1235 Sec. 13. Section 16-261a of the general statutes is repealed and the
1236 following is substituted in lieu thereof (*Effective July 1, 2011*):

1237 (a) There is established an interagency task force to study electric
1238 and magnetic fields. The task force shall determine the appropriate
1239 role of the state in addressing the potential problems associated with
1240 electric and magnetic fields and may make recommendations to the
1241 General Assembly regarding any legislation which it deems
1242 appropriate. The task force shall consist of (1) the Commissioner of
1243 Public Health or his designee; (2) the Commissioner of Energy and
1244 Environmental Protection or his designee; (3) the Commissioner of
1245 Economic and Community Development or his designee; (4) the
1246 Secretary of the Office of Policy and Management or his designee; and
1247 (5) [the chairperson of the Public Utilities Control Authority or his
1248 designee; and (6)] the chairman of the Connecticut Siting Council or
1249 his designee.

1250 (b) The Commissioner of Energy and Environmental Protection, in
1251 consultation with the Department of Public Health, [and the
1252 Department of Public Utility Control,] shall assess all electric public
1253 service companies, as defined in section 16-1, for a total of one
1254 hundred fifty thousand dollars for the fiscal year ending June 30, 1992.
1255 The commissioner, in consultation with the task force, shall develop an
1256 equitable method of assessing the companies for their reasonable pro
1257 rata share of the assessment. The moneys assessed by the
1258 commissioner shall be deposited with the Treasurer and shall only be
1259 expended by the interagency electric and magnetic fields task force for
1260 the purpose of (1) contracting for the services of electric and magnetic
1261 fields experts to assist the task force in determining the need for and
1262 the development of recommendations to the public concerning
1263 prudent methods of avoiding exposure to electric and magnetic fields,
1264 and (2) reviewing and compiling the existing scientific literature
1265 concerning electric and magnetic fields to identify any significant
1266 adverse effects caused by exposure to electric and magnetic fields and
1267 to determine whether there are gaps in the existing scientific literature
1268 that could be filled by original scientific research completed in
1269 Connecticut. The task force shall submit reports of its findings and
1270 recommendations to the joint standing committees on energy and
1271 technology, public health and the environment on or before February
1272 1, 1998.

1273 Sec. 14. Section 16a-3 of the general statutes is repealed and the
1274 following is substituted in lieu thereof (*Effective July 1, 2011*):

1275 (a) There is established a Connecticut Energy Advisory Board
1276 consisting of fifteen members, including the Commissioner of Energy
1277 and Environmental Protection, [the chairperson of the Public Utilities
1278 Control Authority,] the Commissioner of Transportation [, the
1279 Consumer Counsel,] and the Commissioner of Agriculture, [and the
1280 Secretary of the Office of Policy and Management,] or their respective
1281 designees. The Governor shall appoint a representative of an
1282 environmental organization knowledgeable in energy efficiency

1283 programs, a representative of a consumer advocacy organization and a
1284 representative of a state-wide business association. The president pro
1285 tempore of the Senate shall appoint a representative of a chamber of
1286 commerce, a representative of a state-wide manufacturing association
1287 and a member of the public considered to be an expert in electricity,
1288 generation, procurement or conservation programs. The speaker of the
1289 House of Representatives shall appoint a representative of low-income
1290 ratepayers, a representative of state residents, in general, with
1291 expertise in energy issues and a member of the public considered to be
1292 an expert in electricity, generation, procurement or conservation
1293 programs. All appointed members shall serve in accordance with
1294 section 4-1a. No appointee may be employed by, or a consultant of, a
1295 public service company, as defined in section 16-1, or an electric
1296 supplier, as defined in section 16-1, or an affiliate or subsidiary of such
1297 company or supplier.

1298 (b) The board shall (1) represent the state in regional energy system
1299 planning processes conducted by the regional independent system
1300 operator, as defined in section 16-1; (2) encourage representatives from
1301 the municipalities that are affected by a proposed project of regional
1302 significance to participate in regional energy system planning
1303 processes conducted by the regional independent system operator; (3)
1304 participate in a forecast proceeding conducted pursuant to subsection
1305 (a) of section 16-50r; (4) participate in a life-cycle proceeding conducted
1306 pursuant to subsection (b) of section 16-50r; and (5) review the
1307 procurement plan submitted by the electric distribution companies
1308 pursuant to section 16a-3a.

1309 (c) The board shall elect a chairman and a vice-chairman from
1310 among its members and shall adopt such rules of procedure as are
1311 necessary to carry out its functions.

1312 (d) The board shall convene its first meeting not later than
1313 September 1, 2003. A quorum of the board shall consist of two-thirds
1314 of the members currently serving on the board.

1315 (e) The board shall employ such staff as is required for the proper
1316 discharge of its duties. The board may also retain any third-party
1317 consultants it deems necessary to accomplish the goals set forth in
1318 subsection (b) of this section. The board shall annually submit to the
1319 Department of [Public Utility Control] Energy and Environmental
1320 Protection a proposal regarding the level of funding required for the
1321 discharge of its duties, which proposal shall be approved by the
1322 department either as submitted or as modified by the department.

1323 (f) The Connecticut Energy Advisory Board shall be within the
1324 [Office of Policy and Management] Department of Energy and
1325 Environmental Protection for administrative purposes only.

1326 Sec. 15. Subsections (e) and (f) of section 16a-3a of the general
1327 statutes are repealed and the following is substituted in lieu thereof
1328 (*Effective July 1, 2011*):

1329 (e) The board, in consultation with the regional independent system
1330 operator, shall review and [approve or review, modify and approve]
1331 recommend approval or review and recommend modification and
1332 approval to the Commissioner of Energy and Environmental
1333 Protection of the proposed procurement plan as submitted not later
1334 than one hundred twenty days after receipt. For calendar years 2009
1335 and thereafter, the board shall conduct such review not later than sixty
1336 days after receipt. For the purpose of reviewing the plan, the
1337 Commissioners of Transportation and Agriculture, [and the
1338 chairperson of the Public Utilities Control Authority,] or their
1339 respective designees, shall not participate as members of the board.
1340 The electric distribution companies shall provide any additional
1341 information requested by the board that is relevant to the
1342 consideration of the procurement plan. In the course of conducting
1343 such review, the board shall conduct a public hearing, may retain the
1344 services of a third-party entity with experience in the area of energy
1345 procurement and may consult with the regional independent system
1346 operator. The board shall submit the reviewed procurement plan,

1347 together with a statement of any unresolved issues, to the Department
1348 of [Public Utility Control] Energy and Environmental Protection. The
1349 department shall consider the procurement plan in an uncontested
1350 proceeding and shall conduct a hearing and provide an opportunity
1351 for interested parties to submit comments regarding the procurement
1352 plan. Not later than one hundred twenty days after submission of the
1353 procurement plan, the department shall approve, or modify and
1354 approve, the procurement plan.

1355 (f) On or before September 30, [2009] 2011, and every two years
1356 thereafter, the Department of [Public Utility Control] Energy and
1357 Environmental Protection shall report to the joint standing committees
1358 of the General Assembly having cognizance of matters relating to
1359 energy and the environment regarding goals established and progress
1360 toward implementation of the procurement plan established pursuant
1361 to this section, as well as any recommendations for the process.

1362 Sec. 16. Section 16a-3c of the general statutes is repealed and the
1363 following is substituted in lieu thereof (*Effective July 1, 2011*):

1364 (a) On and after July 1, [2009] 2011, if the Department of [Public
1365 Utility Control] Energy and Environmental Protection does not receive
1366 and approve proposals pursuant to the requests for proposals
1367 processes, pursuant to section 16a-3b, sufficient to reach the goal set by
1368 the plan approved pursuant to section 16a-3a, the department may
1369 order an electric distribution company to submit for the department's
1370 review in a contested case proceeding, in accordance with chapter 54, a
1371 proposal to build and operate an electric generation facility in the state.
1372 An electric distribution company shall be eligible to recover its
1373 prudently incurred costs consistent with the principles set forth in
1374 section 16-19e for any generation project approved pursuant to this
1375 section.

1376 (b) On or before January 1, 2008, the department shall initiate a
1377 contested case proceeding to determine the costs and benefits of the
1378 state serving as the builder of last resort for the shortfall of megawatts

1379 from said request for proposal process.

1380 Sec. 17. Section 16a-4 of the general statutes is repealed and the
1381 following is substituted in lieu thereof (*Effective July 1, 2011*):

1382 The Secretary of the Office of Policy and Management shall employ,
1383 subject to the provisions of chapter 67, such staff as is required for the
1384 proper discharge of duties of the office as set forth in this chapter and
1385 sections 4-5, 4-124l, [4-124p,] 8-3b, 8-32a, 8-33a, 8-35a, 8-189, subsection
1386 (b) of section 8-206, sections 16a-20, 16a-102, 22a-352 and 22a-353. The
1387 secretary may adopt, pursuant to chapter 54, such regulations as are
1388 necessary to carry out the purposes of this chapter.

1389 Sec. 18. Subsection (b) of section 16a-7b of the general statutes is
1390 repealed and the following is substituted in lieu thereof (*Effective July*
1391 *1, 2011*):

1392 (b) No municipality other than a municipality operating a plant
1393 pursuant to chapter 101 or any special act and acting for purposes
1394 thereto may take an action to condemn, in whole or in part, or restrict
1395 the operation of any existing and currently operating energy facility, if
1396 such facility is first determined by the Department of [Public Utility
1397 Control] Energy and Environmental Protection, following a contested
1398 case proceeding, held in accordance with the provisions of chapter 54,
1399 to comprise a critical, unique and unmovable component of the state's
1400 energy infrastructure, unless the municipality first receives written
1401 approval from the department, [the Office of Policy and Management,]
1402 the Connecticut Energy Advisory Board and the Connecticut Siting
1403 Council that such taking would not have a detrimental impact on the
1404 state's or region's ability to provide a particular energy resource to its
1405 citizens.

1406 Sec. 19. Subsection (a) of section 16a-7c of the general statutes is
1407 repealed and the following is substituted in lieu thereof (*Effective July*
1408 *1, 2011*):

1409 (a) Not later than fifteen days after receiving information pursuant
1410 to subsection (e) of section 16-50l, the Connecticut Energy Advisory
1411 Board shall publish such information in one or more newspapers or
1412 periodicals, as selected by the [board] Department of Energy and
1413 Environmental Protection.

1414 Sec. 20. Section 16a-22c of the general statutes is repealed and the
1415 following is substituted in lieu thereof (*Effective July 1, 2011*):

1416 For the purposes of sections 16a-15 and 16a-22c to 16a-22g,
1417 inclusive:

1418 (1) "Company" means any corporation, partnership, proprietorship
1419 or any other business, firm or commercial entity;

1420 (2) "Petroleum products" means middle distillate, residual fuel oil,
1421 liquefied petroleum gas, motor gasoline, aviation gasoline or aviation
1422 turbine fuel, as defined in regulations which the [secretary]
1423 commissioner shall adopt in accordance with the provisions of chapter
1424 54. Notwithstanding any provision of this subdivision to the contrary,
1425 "petroleum products" shall not include gasoline other than aviation
1426 gasoline, which is sold at retail in accordance with the provisions of
1427 chapter 250;

1428 (3) ["Secretary" means the Secretary of the Office of Policy and
1429 Management, or his designee.] "Commissioner" means the
1430 Commissioner of Energy and Environmental Protection, or the
1431 commissioner's designee.

1432 Sec. 21. Subsection (f) of section 16a-23t of the general statutes is
1433 repealed and the following is substituted in lieu thereof (*Effective July*
1434 *1, 2011*):

1435 (f) The [chairperson of the Public Utilities Control Authority, or the
1436 chairperson's designee, the] Commissioner of Social Services, or the
1437 commissioner's designee, the chairperson of the Connecticut Energy
1438 Advisory Board, and the Secretary of the Office of Policy and

1439 Management, or the secretary's designee, shall constitute a Home
1440 Heating Oil Planning Council to address issues involving the supply,
1441 delivery and costs of home heating oil and state policies regarding the
1442 future of the state's home heating oil supply. The Secretary of the
1443 Office of Policy and Management shall convene the first meeting of the
1444 council.

1445 Sec. 22. Section 16a-37w of the general statutes is repealed and the
1446 following is substituted in lieu thereof (*Effective July 1, 2011*):

1447 The [Secretary of the Office of Policy and Management]
1448 Commissioner of Energy and Environmental Protection shall, within
1449 available appropriations and in consultation with each state
1450 department, each constituent unit of the state system of higher
1451 education, as defined in section 10-1, the Judicial Branch and the Joint
1452 Committee on Legislative Management, establish a program designed
1453 to encourage the use of biodiesel blended heating fuel mixed from not
1454 more than ninety per cent ultra low sulfur number 2 heating oil and
1455 not less than ten per cent of biodiesel in state buildings and facilities
1456 under the custody and control of such department, unit, branch or
1457 committee. On or before January 1, [2008] 2012, the [secretary]
1458 commissioner shall prepare a plan for implementation of such
1459 program which shall include, but not be limited to, (1) identification of
1460 state buildings and facilities suitable for biodiesel blended heating fuel,
1461 (2) evaluation of energy efficiency and reliability of biodiesel blended
1462 heating fuel in such buildings and facilities, and (3) the availability and
1463 feasibility of exclusively using such fuels or fuel products, including
1464 agricultural products or waste yellow grease, produced in Connecticut.

1465 Sec. 23. Subsection (b) of section 16a-38k of the general statutes is
1466 repealed and the following is substituted in lieu thereof (*Effective July*
1467 *1, 2011*):

1468 (b) Not later than January 1, 2007, the [Secretary of the Office of
1469 Policy and Management] Commissioner of Energy and Environmental
1470 Protection, in consultation with the Commissioner of Public Works [,

1471 the Commissioner of Environmental Protection] and the
1472 Commissioner of Public Safety, shall adopt regulations, in accordance
1473 with the provisions of chapter 54, to adopt state building construction
1474 standards that are consistent with or exceed the silver building rating
1475 of the Leadership in Energy and Environmental Design's rating system
1476 for new commercial construction and major renovation projects, as
1477 established by the United States Green Building Council, including
1478 energy standards that exceed those set forth in the 2004 edition of the
1479 American Society of Heating, Ventilating and Air Conditioning
1480 Engineers (ASHRAE) Standard 90.1 by no less than twenty per cent, or
1481 an equivalent standard, including, but not limited to, a two-globe
1482 rating in the Green Globes USA design program, and thereafter update
1483 such regulations as the [secretary] commissioner deems necessary.

1484 Sec. 24. Section 16a-39 of the general statutes is repealed and the
1485 following is substituted in lieu thereof (*Effective July 1, 2011*):

1486 (a) As used in this section:

1487 (1) "Public building" means any building or portion thereof, other
1488 than an "exempted building", which is open to the public during
1489 normal business hours, including (A) any building which provides
1490 facilities or shelter for public assembly, (B) any inn, hotel, motel, sports
1491 arena, supermarket, transportation terminal, retail store, restaurant, or
1492 other commercial establishment which provides services or retails
1493 merchandise, and (C) any building owned or leased by the state of
1494 Connecticut or any political subdivision thereof, or by another state or
1495 political subdivision thereof and located in Connecticut, including
1496 libraries, museums, schools, hospitals, auditoriums, sports arenas and
1497 university buildings;

1498 (2) "Exempted building" means (A) any building whose peak design
1499 rate of energy usage for all purposes is less than one watt per square
1500 foot of floor area for all purposes, (B) any building with neither a
1501 heating nor cooling system, and (C) any building owned or leased in
1502 whole or in part by the United States;

1503 (3) "Commissioner" means the Commissioner of Public Works or his
1504 designee; and

1505 [(4) "Secretary" means the Secretary of the Office of Policy and
1506 Management or his designee; and]

1507 [(5)] (4) "Eligible building" means a building owned by a
1508 municipality, located within the state and not used for public
1509 education purposes.

1510 (b) The commissioner, after consultation with the [secretary]
1511 Commissioner of Energy and Environmental Protection and with such
1512 advisory board as [said secretary] the Commissioner of Energy and
1513 Environmental Protection may appoint, shall adopt, in accordance
1514 with chapter 54, regulations establishing lighting standards for all
1515 public buildings. The members of any such advisory board shall
1516 receive neither compensation nor expenses for the performance of their
1517 duties.

1518 (c) The lighting standards adopted pursuant to subsection (b) of this
1519 section shall provide for the maximum feasible energy efficiency of
1520 lighting equipment commensurate with other factors relevant to
1521 lighting levels and equipment, including, but not limited to, the
1522 purposes of the lighting, reasonable economic considerations in terms
1523 both of initial capital costs and of operating costs including nonenergy
1524 operating costs, reasonable budgetary considerations in terms of the
1525 feasibility of implementing changes which require a significant capital
1526 expenditure in a given time period, any constraints imposed on
1527 lighting equipment by the nature of the activities being carried out in
1528 the facility involved, considerations involving historic preservation or
1529 unusual architectural features, the amount of remaining useful lifetime
1530 which a particular structure would be expected to enjoy and the size of
1531 the building or portion of the building involved.

1532 (d) The commissioner shall, upon the adoption of the regulations

1533 required by subsection (b) of this section, make random inspections of
1534 public buildings to monitor compliance with the standards established
1535 by such regulations. The commissioner may also inspect any public
1536 buildings against which complaints alleging violation of such
1537 standards have been received. The operator of a public building or
1538 portion thereof shall provide access to such inspectors at any
1539 reasonable time, including all times during which the facility is open to
1540 the public. If an inspector is denied access to a public building for the
1541 purposes of making an inspection in accordance with the provisions of
1542 this section, the commissioner may apply to the superior court for the
1543 judicial district wherein such building is located for injunctive or other
1544 equitable relief. If upon inspection it is determined that the lighting
1545 levels in a public building do not conform to such standards, the
1546 inspector shall make available to the owner or operator of such
1547 building, information regarding such standards and the economic and
1548 energy savings expected to result from compliance therewith. The
1549 owner or operator of a public building may, after having taken
1550 appropriate measures to render such building in compliance with such
1551 standards request a reinspection of such building by the commissioner.
1552 The commissioner may, upon such request or at his own discretion,
1553 conduct such reinspection and determine whether or not such building
1554 has been brought into compliance with such standards.

1555 (e) The commissioner shall maintain a listing of all public buildings
1556 found to be in compliance with the lighting standards adopted
1557 pursuant to subsection (c) of this section.

1558 (f) The [secretary] Commissioner of Energy and Environmental
1559 Protection may award lighting grants to municipalities for the purpose
1560 of improving the energy efficiency of lighting equipment in eligible
1561 buildings. All lighting grants shall be awarded based on an
1562 application, submitted by a municipality, which sets forth the lighting
1563 conservation measures to be implemented. Such measures shall meet
1564 the standards established pursuant to subsection (b) of this section and
1565 be consistent with the state energy policy, as set forth in section 16a-

1566 35k. When evaluating the applications submitted pursuant to this
1567 section and determining the amount of a lighting grant, the [secretary]
1568 Commissioner of Energy and Environmental Protection shall consider
1569 the energy savings and the payback period for the measures to be
1570 implemented and any other information which the [secretary]
1571 commissioner deems relevant. The funds for lighting grants shall be
1572 provided from proceeds of bonds issued for such purpose. The amount
1573 of each grant shall be not less than five thousand dollars but not more
1574 than fifty thousand dollars, provided the [secretary] Commissioner of
1575 Energy and Environmental Protection may award grants of less than
1576 five thousand dollars or more than fifty thousand dollars if the
1577 [secretary] Commissioner of Energy and Environmental Protection
1578 finds good cause to do so. All public service company incentive
1579 payments contributed to any energy conservation project at an eligible
1580 building shall be applied to pay the principal cost of that project.

1581 Sec. 25. Section 16a-40 of the general statutes is repealed and the
1582 following is substituted in lieu thereof (*Effective July 1, 2011*):

1583 For the purposes of sections 16a-40a to 16a-40c, inclusive, and this
1584 section:

1585 [(a)] (1) "Commissioner" means the Commissioner of [Economic and
1586 Community Development] Energy and Environmental Protection;

1587 [(b)] (2) "Alternative energy device" means a wood-burning stove
1588 for space heating and any system or mechanism which uses wood,
1589 solar radiation, wind, water or geothermal resources as a source for
1590 space heating, water heating, cooling or generation of electrical energy.
1591 Such alternative energy device may be a new source or system, a
1592 replacement of an existing source or system or a supplement to an
1593 existing source or system; and

1594 [(c)] (3) "Residential structure" means any building in which at least
1595 two-thirds of the usable square footage is used for dwelling purposes.

1596 Sec. 26. Section 16a-41b of the general statutes is repealed and the
1597 following is substituted in lieu thereof (*Effective July 1, 2011*):

1598 (a) There shall be a Low-Income Energy Advisory Board which shall
1599 consist of the following members: The [Secretary of the Office of Policy
1600 and Management or the secretary's designee] Commissioner of Energy
1601 and Environmental Protection or the commissioner's designee; the
1602 Commissioner of Social Services or the commissioner's designee; the
1603 executive director of the Commission on Aging; a representative of
1604 each electric and gas public service company designated by each such
1605 company; [the chairperson of the Department of Public Utility Control
1606 or] a commissioner of the Department of Public Utility Control;
1607 [designated by the chairperson;] the Consumer Counsel or the
1608 counsel's designee; the executive director of Operation Fuel; the
1609 executive director of Infoline; the director of the Connecticut Local
1610 Administrators of Social Services; the executive director of Legal
1611 Assistance Resource Center of Connecticut; the Connecticut president
1612 of AARP; a designee of the Norwich Public Utility; a designee of the
1613 Connecticut Petroleum Dealers Association; and a representative of the
1614 community action agencies administering energy assistance programs
1615 under contract with the Department of Social Services, designated by
1616 the Connecticut Association for Community Action.

1617 (b) The Low-Income Energy Advisory Board shall advise and assist
1618 the [Office of Policy and Management] Department of Energy and
1619 Environmental Protection and the Department of Social Services in the
1620 planning, development, implementation and coordination of energy-
1621 assistance-related programs and policies and low-income
1622 weatherization assistance programs and policies, shall advise the
1623 Department of [Public Utility Control] Energy and Environmental
1624 Protection regarding the impact of utility rates and policies, and shall
1625 make recommendations to the General Assembly regarding (1)
1626 legislation and plans subject to legislative approval, and (2)
1627 administration of the block grant program authorized under the Low-
1628 Income Energy Assistance Act, as described in section 16a-41a, to

1629 ensure affordable access to residential energy services to low-income
1630 state residents.

1631 (c) The [Secretary of the Office of Policy and Management or the
1632 person designated by the secretary] Commissioner of Energy and
1633 Environmental Protection or the commissioner's designee appointed
1634 pursuant to subsection (a) of this section shall be the chairperson of the
1635 board.

1636 (d) The [Secretary of the Office of Policy and Management]
1637 Commissioner of Energy and Environmental Protection shall convene
1638 the first meeting of the board not later than August 1, 2005. The
1639 [secretary] commissioner shall provide notice of meetings to the
1640 members of Low-Income Energy Advisory Board, provide space for
1641 such meetings, maintain minutes and publish reports of the board.

1642 Sec. 27. Section 16a-46 of the general statutes is repealed and the
1643 following is substituted in lieu thereof (*Effective July 1, 2011*):

1644 (a) The [Secretary of the Office of Policy and Management]
1645 Commissioner of Energy and Environmental Protection shall be
1646 responsible for the development and implementation of a residential
1647 energy conservation service program in accordance with the
1648 provisions of this section, sections 16a-46a, 16a-46b and 16a-46c and
1649 applicable federal law. Participants in the program shall provide or
1650 arrange for low cost energy audits. No participant under subdivision
1651 (1) or (3) of section 16a-45a may be required to provide such services
1652 outside its authorized service area or area of normal operation. The
1653 residential energy conservation service program shall terminate on
1654 July 1, 2010.

1655 (b) The [secretary, in consultation with the Department of Public
1656 Utility Control] commissioner, may adopt regulations, in accordance
1657 with chapter 54, with regard to the conduct and administration of such
1658 program. Not later than January first in 1996 and 1997, each participant
1659 shall submit a report to the [secretary] commissioner concerning the

1660 energy audits the participant provided or arranged for pursuant to this
1661 section. Not later than February first in 1996 and 1997, the [secretary]
1662 commissioner shall submit a report to the joint standing committee of
1663 the General Assembly having cognizance of matters relating to energy
1664 and technology concerning all energy audits provided or arranged for
1665 pursuant to this section.

1666 Sec. 28. Section 16a-46c of the general statutes is repealed and the
1667 following is substituted in lieu thereof (*Effective July 1, 2011*):

1668 The [Department of] Public Utility Control Authority shall exercise
1669 its regulatory responsibilities as they relate to the residential energy
1670 conservation service program within any program guidelines
1671 established by the [Secretary of the Office of Policy and Management]
1672 Commissioner of Energy and Environmental Protection in regulations
1673 adopted under section 16a-46 and in the plan authorized under section
1674 16a-46a. The [secretary] commissioner shall consult with the
1675 department in the development of the program. The department, in
1676 consultation with the [secretary] commissioner, may adopt regulations
1677 in accordance with chapter 54 concerning the conduct and
1678 administration of the program as it relates to the department's
1679 regulatory responsibilities.

1680 Sec. 29. Section 16a-48 of the general statutes is repealed and the
1681 following is substituted in lieu thereof (*Effective July 1, 2011*):

1682 (a) As used in this section:

1683 (1) ["Office" means the Office of Policy and Management;]
1684 "Department" means the Department of Energy and Environmental
1685 Protection;

1686 (2) "Fluorescent lamp ballast" or "ballast" means a device designed
1687 to operate fluorescent lamps by providing a starting voltage and
1688 current and limiting the current during normal operation, but does not
1689 include such devices that have a dimming capability or are intended

1690 for use in ambient temperatures of zero degrees Fahrenheit or less or
1691 have a power factor of less than sixty-one hundredths for a single
1692 F40T12 lamp;

1693 (3) "F40T12 lamp" means a tubular fluorescent lamp that is a
1694 nominal forty-watt lamp, with a forty-eight-inch tube length and one
1695 and one-half inches in diameter;

1696 (4) "F96T12 lamp" means a tubular fluorescent lamp that is a
1697 nominal seventy-five-watt lamp with a ninety-six-inch tube length and
1698 one and one-half inches in diameter;

1699 (5) "Luminaire" means a complete lighting unit consisting of a
1700 fluorescent lamp, or lamps, together with parts designed to distribute
1701 the light, to position and protect such lamps, and to connect such
1702 lamps to the power supply;

1703 (6) "New product" means a product that is sold, offered for sale, or
1704 installed for the first time and specifically includes floor models and
1705 demonstration units;

1706 (7) ["Secretary" means the Secretary of the Office of Policy and
1707 Management;] "Commissioner" means the Commissioner of Energy
1708 and Environmental Protection;

1709 (8) "State Building Code" means the building code adopted
1710 pursuant to section 29-252;

1711 (9) "Torchiere lighting fixture" means a portable electric lighting
1712 fixture with a reflector bowl giving light directed upward so as to give
1713 indirect illumination;

1714 (10) "Unit heater" means a self-contained, vented fan-type
1715 commercial space heater that uses natural gas or propane and that is
1716 designed to be installed without ducts within the heated space. "Unit
1717 heater" does not include a product regulated by federal standards
1718 pursuant to 42 USC 6291, as amended from time to time, a product that

1719 is a direct vent, forced flue heater with a sealed combustion burner, or
1720 any oil fired heating system;

1721 (11) "Transformer" means a device consisting of two or more coils of
1722 insulated wire that transfers alternating current by electromagnetic
1723 induction from one coil to another in order to change the original
1724 voltage or current value;

1725 (12) "Low-voltage dry-type transformer" means a transformer that:
1726 (A) Has an input voltage of six hundred volts or less; (B) is between
1727 fourteen kilovolt-amperes and two thousand five hundred one
1728 kilovolt-amperes in size; (C) is air-cooled; and (D) does not use oil as a
1729 coolant. "Low-voltage dry-type transformer" does not include such
1730 transformers excluded from the low-voltage dry-type distribution
1731 transformer definition contained in the California Code of Regulations,
1732 Title 20: Division 2, Chapter 4, Article 4: Appliance Efficiency
1733 Regulations;

1734 (13) "Pass-through cabinet" means a refrigerator or freezer with
1735 hinged or sliding doors on both the front and rear of the refrigerator or
1736 freezer;

1737 (14) "Reach-in cabinet" means a refrigerator, freezer, or combination
1738 thereof, with hinged or sliding doors or lids;

1739 (15) "Roll-in" or "roll-through cabinet" means a refrigerator or
1740 freezer with hinged or sliding doors that allows wheeled racks of
1741 product to be rolled into or through the refrigerator or freezer;

1742 (16) "Commercial refrigerators and freezers" means reach-in
1743 cabinets, pass-through cabinets, roll-in cabinets and roll-through
1744 cabinets that have less than eighty-five feet of capacity, which are
1745 designed for the refrigerated or frozen storage of food and food
1746 products;

1747 (17) "Traffic signal module" means a standard eight-inch or twelve-
1748 inch round traffic signal indicator consisting of a light source, lens and

1749 all parts necessary for operation and communication of movement
1750 messages to drivers through red, amber and green colors;

1751 (18) "Illuminated exit sign" means an internally illuminated sign that
1752 is designed to be permanently fixed in place and used to identify an
1753 exit by means of a light source that illuminates the sign or letters from
1754 within where the background of the exit sign is not transparent;

1755 (19) "Packaged air-conditioning equipment" means air-conditioning
1756 equipment that is built as a package and shipped as a whole to end-
1757 user sites;

1758 (20) "Large packaged air-conditioning equipment" means air-cooled
1759 packaged air-conditioning equipment having not less than two
1760 hundred forty thousand BTUs per hour of capacity;

1761 (21) "Commercial clothes washer" means a soft mount front-loading
1762 or soft mount top-loading clothes washer that is designed for use in
1763 (A) applications where the occupants of more than one household will
1764 be using it, such as in multifamily housing common areas and coin
1765 laundries; or (B) other commercial applications, if the clothes container
1766 compartment is no greater than three and one-half cubic feet for
1767 horizontal-axis clothes washers or no greater than four cubic feet for
1768 vertical-axis clothes washers;

1769 (22) "Energy efficiency ratio" means a measure of the relative
1770 efficiency of a heating or cooling appliance that is equal to the unit's
1771 output in BTUs per hour divided by its consumption of energy,
1772 measured in watts;

1773 (23) "Electricity ratio" means the ratio of furnace electricity use to
1774 total furnace energy use;

1775 (24) "Boiler" means a space heater that is a self-contained appliance
1776 for supplying steam or hot water primarily intended for space-heating.
1777 "Boiler" does not include hot water supply boilers;

1778 (25) "Central furnace" means a self-contained space heater designed
1779 to supply heated air through ducts of more than ten inches in length;

1780 (26) "Residential furnace or boiler" means a product that utilizes
1781 only single-phase electric current or single-phase electric current or DC
1782 current in conjunction with natural gas, propane or home heating oil
1783 and that (A) is designed to be the principal heating source for the
1784 living space of a residence; (B) is not contained within the same cabinet
1785 as a central air conditioner with a rated cooling capacity of not less
1786 than sixty-five thousand BTUs per hour; (C) is an electric central
1787 furnace, electric boiler, forced-air central furnace, gravity central
1788 furnace or low pressure steam or hot water boiler; and (D) has a heat
1789 input rate of less than three hundred thousand BTUs per hour for an
1790 electric boiler and low pressure steam or hot water boiler and less than
1791 two hundred twenty-five thousand BTUs per hour for a forced-air
1792 central furnace, gravity central furnace and electric central furnace;

1793 (27) "Furnace air handler" means the section of the furnace that
1794 includes the fan, blower and housing, generally upstream of the
1795 burners and heat exchanger. The furnace air handler may include a
1796 filter and a cooling coil;

1797 (28) "High-intensity discharge lamp" means a lamp in which light is
1798 produced by the passage of an electric current through a vapor or gas,
1799 the light-producing arc is stabilized by bulb wall temperature and the
1800 arc tube has a bulb wall loading in excess of three watts per square
1801 centimeter;

1802 (29) "Metal halide lamp" means a high intensity discharge lamp in
1803 which the major portion of the light is produced by radiation of metal
1804 halides and their products of dissociation, possibly in combination
1805 with metallic vapors;

1806 (30) "Metal halide lamp fixture" means a light fixture designed to be
1807 operated with a metal halide lamp and a ballast for a metal halide
1808 lamp;

1809 (31) "Probe start metal halide ballast" means a ballast used to
1810 operate metal halide lamps that does not contain an ignitor and that
1811 instead starts lamps by using a third starting electrode probe in the arc
1812 tube;

1813 (32) "Single voltage external AC to DC power supply" means a
1814 device that (A) is designed to convert line voltage AC input into lower
1815 voltage DC output; (B) is able to convert to only one DC output voltage
1816 at a time; (C) is sold with, or intended to be used with, a separate end-
1817 use product that constitutes the primary power load; (D) is contained
1818 within a separate physical enclosure from the end-use product; (E) is
1819 connected to the end-use product in a removable or hard-wired male
1820 and female electrical connection, cable, cord or other wiring; (F) does
1821 not have batteries or battery packs, including those that are removable
1822 or that physically attach directly to the power supply unit; (G) does not
1823 have a battery chemistry or type selector switch and indicator light or a
1824 battery chemistry or type selector switch and a state of charge meter;
1825 and (H) has a nameplate output power less than or equal to two
1826 hundred fifty watts;

1827 (33) "State regulated incandescent reflector lamp" means a lamp that
1828 is not colored or designed for rough or vibration service applications,
1829 has an inner reflective coating on the outer bulb to direct the light, has
1830 an E26 medium screw base, a rated voltage or voltage range that lies at
1831 least partially within one hundred fifteen to one hundred thirty volts,
1832 and that falls into one of the following categories: (A) A bulged
1833 reflector or elliptical reflector or a blown PAR bulb shape and that has
1834 a diameter that equals or exceeds two and one-quarter inches, or (B) a
1835 reflector, parabolic aluminized reflector, bulged reflector or similar
1836 bulb shape and that has a diameter of two and one-quarter to two and
1837 three-quarters inches. "State regulated incandescent reflector lamp"
1838 does not include ER30, BR30, BR40 and ER40 lamps of not more than
1839 fifty watts, BR30, BR40 and ER40 lamps of sixty-five watts and R20
1840 lamps of not more than forty-five watts;

1841 (34) "Bottle-type water dispenser" means a water dispenser that uses
1842 a bottle or reservoir as the source of potable water;

1843 (35) "Commercial hot food holding cabinet" means a heated, fully-
1844 enclosed compartment with one or more solid or partial glass doors
1845 that is designed to maintain the temperature of hot food that has been
1846 cooked in a separate appliance. "Commercial hot food holding cabinet"
1847 does not include heated glass merchandizing cabinets, drawer
1848 warmers or cook-and-hold appliances;

1849 (36) "Pool heater" means an appliance designed for heating
1850 nonpotable water contained at atmospheric pressure for swimming
1851 pools, spas, hot tubs and similar applications, including natural gas,
1852 heat pump, oil and electric resistance pool heaters;

1853 (37) "Portable electric spa" means a factory-built electric spa or hot
1854 tub supplied with equipment for heating and circulating water;

1855 (38) "Residential pool pump" means a pump used to circulate and
1856 filter pool water to maintain clarity and sanitation;

1857 (39) "Walk-in refrigerator" means a space refrigerated to
1858 temperatures at or above thirty-two degrees Fahrenheit that has a total
1859 chilled storage area of less than three thousand square feet, can be
1860 walked into and is designed for the refrigerated storage of food and
1861 food products. "Walk-in refrigerator" does not include refrigerated
1862 warehouses and products designed and marketed exclusively for
1863 medical, scientific or research purposes;

1864 (40) "Walk-in freezer" means a space refrigerated to temperatures
1865 below thirty-two degrees Fahrenheit that has a total chilled storage
1866 area of less than three thousand square feet, can be walked into and is
1867 designed for the frozen storage of food and food products. "Walk-in
1868 freezer" does not include refrigerated warehouses and products
1869 designed and marketed exclusively for medical, scientific or research
1870 purposes;

1871 (41) "Central air conditioner" means a central air conditioning model
1872 that consists of one or more factory-made assemblies, which normally
1873 include an evaporator or cooling coil, compressor and condenser.
1874 Central air conditioning models may provide the function of air
1875 cooling, air cleaning, dehumidifying or humidifying.

1876 (b) The provisions of this section apply to the testing, certification
1877 and enforcement of efficiency standards for the following types of new
1878 products sold, offered for sale or installed in the state: (1) Commercial
1879 clothes washers; (2) commercial refrigerators and freezers; (3)
1880 illuminated exit signs; (4) large packaged air-conditioning equipment;
1881 (5) low voltage dry-type distribution transformers; (6) torchiere
1882 lighting fixtures; (7) traffic signal modules; (8) unit heaters; (9)
1883 residential furnaces and boilers; (10) residential pool pumps; (11) metal
1884 halide lamp fixtures; (12) single voltage external AC to DC power
1885 supplies; (13) state regulated incandescent reflector lamps; (14) bottle-
1886 type water dispensers; (15) commercial hot food holding cabinets; (16)
1887 portable electric spas; (17) walk-in refrigerators and walk-in freezers;
1888 (18) pool heaters; and (19) any other products as may be designated by
1889 the office in accordance with subdivision (3) of subsection (d) of this
1890 section.

1891 (c) The provisions of this section do not apply to (1) new products
1892 manufactured in the state and sold outside the state, (2) new products
1893 manufactured outside the state and sold at wholesale inside the state
1894 for final retail sale and installation outside the state, (3) products
1895 installed in mobile manufactured homes at the time of construction, or
1896 (4) products designed expressly for installation and use in recreational
1897 vehicles.

1898 (d) (1) The [office, in consultation with the Department of Public
1899 Utility Control,] department shall adopt regulations, in accordance
1900 with the provisions of chapter 54, to implement the provisions of this
1901 section and to establish minimum energy efficiency standards for the
1902 types of new products set forth in subsection (b) of this section. The

1903 regulations shall provide for the following minimum energy efficiency
1904 standards:

1905 (A) Commercial clothes washers shall meet the requirements shown
1906 in Table P-3 of section 1605.3 of the California Code of Regulations,
1907 Title 20: Division 2, Chapter 4, Article 4;

1908 (B) Commercial refrigerators and freezers shall meet the August 1,
1909 2004, requirements shown in Table A-6 of said California regulation;

1910 (C) Illuminated exit signs shall meet the version 2.0 product
1911 specification of the "Energy Star Program Requirements for Exit Signs"
1912 developed by the United States Environmental Protection Agency;

1913 (D) Large packaged air-conditioning equipment having not more
1914 than seven hundred sixty thousand BTUs per hour of capacity shall
1915 meet a minimum energy efficiency ratio of 10.0 for units using both
1916 electric heat and air conditioning or units solely using electric air
1917 conditioning, and 9.8 for units using both natural gas heat and electric
1918 air conditioning;

1919 (E) Large packaged air-conditioning equipment having not less than
1920 seven hundred sixty-one thousand BTUs per hour of capacity shall
1921 meet a minimum energy efficiency ratio of 9.7 for units using both
1922 electric heat and air conditioning or units solely using electric air
1923 conditioning, and 9.5 for units using both natural gas heat and electric
1924 air conditioning;

1925 (F) Low voltage dry-type distribution transformers shall meet or
1926 exceed the energy efficiency values shown in Table 4-2 of the National
1927 Electrical Manufacturers Association Standard TP-1-2002;

1928 (G) Torchiere lighting fixtures shall not consume more than one
1929 hundred ninety watts and shall not be capable of operating with lamps
1930 that total more than one hundred ninety watts;

1931 (H) Traffic signal modules shall meet the product specification of

1932 the "Energy Star Program Requirements for Traffic Signals" developed
1933 by the United States Environmental Protection Agency that took effect
1934 in February, 2001, except where the department, in consultation with
1935 the Commissioner of Transportation, determines that such
1936 specification would compromise safe signal operation;

1937 (I) Unit heaters shall not have pilot lights and shall have either
1938 power venting or an automatic flue damper;

1939 (J) On or after January 1, 2009, residential furnaces and boilers
1940 purchased by the state shall meet or exceed the following annual fuel
1941 utilization efficiency: (i) For gas and propane furnaces, ninety per cent
1942 annual fuel utilization efficiency, (ii) for oil furnaces, eighty-three per
1943 cent annual fuel utilization efficiency, (iii) for gas and propane hot
1944 water boilers, eighty-four per cent annual fuel utilization efficiency,
1945 (iv) for oil-fired hot water boilers, eighty-four per cent annual fuel
1946 utilization efficiency, (v) for gas and propane steam boilers, eighty-two
1947 per cent annual fuel utilization efficiency, (vi) for oil-fired steam
1948 boilers, eighty-two per cent annual fuel utilization efficiency, and (vii)
1949 for furnaces with furnace air handlers, an electricity ratio of not more
1950 than 2.0, except air handlers for oil furnaces with a capacity of less than
1951 ninety-four thousand BTUs per hour shall have an electricity ratio of
1952 2.3 or less;

1953 (K) On or after January 1, 2010, metal halide lamp fixtures designed
1954 to be operated with lamps rated greater than or equal to one hundred
1955 fifty watts but less than or equal to five hundred watts shall not
1956 contain a probe-start metal halide lamp ballast;

1957 (L) Single-voltage external AC to DC power supplies manufactured
1958 on or after January 1, 2008, shall meet the energy efficiency standards
1959 of table U-1 of section 1605.3 of the January 2006 California Code of
1960 Regulations, Title 20, Division 2, Chapter 4, Article 4: Appliance
1961 Efficiency Regulations. This standard applies to single voltage AC to
1962 DC power supplies that are sold individually and to those that are sold
1963 as a component of or in conjunction with another product. This

1964 standard shall not apply to single voltage external AC to DC power
1965 supplies sold with products subject to certification by the United States
1966 Food and Drug Administration. A single-voltage external AC to DC
1967 power supply that is made available by a manufacturer directly to a
1968 consumer or to a service or repair facility after and separate from the
1969 original sale of the product requiring the power supply as a service
1970 part or spare part shall not be required to meet the standards in said
1971 table U-1 until five years after the effective dates indicated in the table;

1972 (M) On or after January 1, 2009, state regulated incandescent
1973 reflector lamps shall be manufactured to meet the minimum average
1974 lamp efficacy requirements for federally-regulated incandescent
1975 reflector lamps contained in 42 USC 6295(i)(1)(A). Each lamp shall
1976 indicate the date of manufacture;

1977 (N) On or after January 1, 2009, bottle-type water dispensers,
1978 commercial hot food holding cabinets, portable electric spas, walk-in
1979 refrigerators and walk-in freezers shall meet the efficiency
1980 requirements of section 1605.3 of the January 2006 California Code of
1981 Regulations, Title 20, Division 2, Chapter 4, Article 4: Appliance
1982 Efficiency Regulations. On or after January 1, 2010, residential pool
1983 pumps shall meet said efficiency requirements;

1984 (O) On or after January 1, 2009, pool heaters shall meet the
1985 efficiency requirements of sections 1605.1 and 1605.3 of the January
1986 2006 California Code of Regulations, Title 20, Division 2, Chapter 4,
1987 Article 4: Appliance Efficiency Regulations.

1988 (2) Such efficiency standards, where in conflict with the State
1989 Building Code, shall take precedence over the standards contained in
1990 the Building Code. Not later than July 1, 2007, and biennially
1991 thereafter, the [office, in consultation with the Department of Public
1992 Utility Control,] department shall review and increase the level of such
1993 efficiency standards by adopting regulations in accordance with the
1994 provisions of chapter 54 upon a determination that increased efficiency
1995 standards would serve to promote energy conservation in the state and

1996 would be cost-effective for consumers who purchase and use such new
1997 products, provided no such increased efficiency standards shall
1998 become effective within one year following the adoption of any
1999 amended regulations providing for such increased efficiency
2000 standards.

2001 (3) The [office, in consultation with the Department of Public Utility
2002 Control,] department shall adopt regulations, in accordance with the
2003 provisions of chapter 54, to designate additional products to be subject
2004 to the provisions of this section and to establish efficiency standards
2005 for such products upon a determination that such efficiency standards
2006 (A) would serve to promote energy conservation in the state, (B)
2007 would be cost-effective for consumers who purchase and use such new
2008 products, and (C) that multiple products are available which meet
2009 such standards, provided no such efficiency standards shall become
2010 effective within one year following their adoption pursuant to this
2011 subdivision.

2012 (e) On or after July 1, 2006, except for commercial clothes washers,
2013 for which the date shall be July 1, 2007, commercial refrigerators and
2014 freezers, for which the date shall be July 1, 2008, and large packaged
2015 air-conditioning equipment, for which the date shall be July 1, 2009, no
2016 new product of a type set forth in subsection (b) of this section or
2017 designated by the office may be sold, offered for sale, or installed in
2018 the state unless the energy efficiency of the new product meets or
2019 exceeds the efficiency standards set forth in such regulations adopted
2020 pursuant to subsection (d) of this section.

2021 (f) The [office, in consultation with the Department of Public Utility
2022 Control,] department shall adopt procedures for testing the energy
2023 efficiency of the new products set forth in subsection (b) of this section
2024 or designated by the department if such procedures are not provided
2025 for in the State Building Code. The [office] department shall use United
2026 States Department of Energy approved test methods, or in the absence
2027 of such test methods, other appropriate nationally recognized test

2028 methods. The manufacturers of such products shall cause samples of
2029 such products to be tested in accordance with the test procedures
2030 adopted pursuant to this subsection or those specified in the State
2031 Building Code.

2032 (g) Manufacturers of new products set forth in subsection (b) of this
2033 section or designated by the [office] department shall certify to the
2034 [secretary] Commissioner of Energy and Environmental Protection
2035 that such products are in compliance with the provisions of this
2036 section, except that certification is not required for single voltage
2037 external AC to DC power supplies and walk-in refrigerators and walk-
2038 in freezers. All single voltage external AC to DC power supplies shall
2039 be labeled as described in the January 2006 California Code of
2040 Regulations, Title 20, Section 1607 (9). The [office, in consultation with
2041 the Department of Public Utility Control,] department shall
2042 promulgate regulations governing the certification of such products.
2043 The [secretary] commissioner shall publish an annual list of such
2044 products.

2045 (h) The Attorney General may institute proceedings to enforce the
2046 provisions of this section. Any person who violates any provision of
2047 this section shall be subject to a civil penalty of not more than two
2048 hundred fifty dollars. Each violation of this section shall constitute a
2049 separate offense, and each day that such violation continues shall
2050 constitute a separate offense.

2051 Sec. 30. Section 21a-86a of the general statutes is repealed and the
2052 following is substituted in lieu thereof (*Effective July 1, 2011*):

2053 (a) On or before October 1, 1990, the Commissioner of Consumer
2054 Protection, in consultation with [the Secretary of the Office of Policy
2055 and Management, the chairperson of the Public Utilities Control
2056 Authority,] the State Building Inspector and the Commissioners of
2057 Public Health and Energy and Environmental Protection, shall adopt
2058 regulations in accordance with the provisions of chapter 54
2059 establishing minimum efficiency standards for plumbing fixtures and

2060 other water-using devices, as appropriate.

2061 (b) The maximum water use allowed in the regulations adopted
2062 under subsection (a) of this section for showerheads, urinals, faucets
2063 and replacement aerators manufactured or sold on or after October 1,
2064 1990, shall be as follows: For showerheads, 2.5 gallons per minute; for
2065 urinals, 1.0 gallons per flush; for bathroom sinks, lavatory and kitchen
2066 faucets and replacement aerators, 2.5 gallons per minute, except that
2067 lavatories in restrooms of public facilities shall be equipped with outlet
2068 devices which limit the flow rate to a maximum of 0.5 gallons per
2069 minute. The maximum water use allowed in the regulations adopted
2070 under subsection (a) of this section for tank-type toilets, flushometer-
2071 valve toilets, flushometer-tank toilets and electromechanical hydraulic
2072 toilets manufactured or sold on or after January 1, 1992, shall be 1.6
2073 gallons per flush, unless and until equivalent standards for similar
2074 types of toilets are adopted by the American National Standards
2075 Institute, Inc.

2076 (c) Notwithstanding the provisions of subsection (b) of this section,
2077 the Commissioner of Consumer Protection, after consultation with [the
2078 Secretary of the Office of Policy and Management, the chairperson of
2079 the Public Utilities Control Authority,] the State Building Inspector
2080 and the Commissioners of Public Health and Energy and
2081 Environmental Protection, may increase the level of efficiency for
2082 plumbing fixtures upon determination that such increase would
2083 promote the conservation of water and energy and be cost-effective for
2084 consumers who purchase and use such fixtures. Any increased
2085 efficiency standard shall be effective one year after its adoption.

2086 (d) The Commissioner of Consumer Protection, in consultation with
2087 the Secretary of the Office of Policy and Management, [the chairperson
2088 of the Public Utilities Control Authority,] the State Building Inspector
2089 and the Commissioners of Public Health and Energy and
2090 Environmental Protection, shall adopt regulations in accordance with
2091 the provisions of chapter 54 necessary to implement the provisions of

2092 sections 21a-86 to 21a-86g, inclusive. Such regulations shall provide for
2093 (1) the sale of plumbing fixtures which do not meet the standards if the
2094 commissioner determines that compliance is not feasible or an
2095 unnecessary hardship exists and (2) the sale of plumbing fixtures,
2096 including, but not limited to, antique reproduction plumbing fixtures,
2097 which do not meet the standards, provided such plumbing fixtures
2098 were in stock in a store located in the state before October 1, 1990, if a
2099 showerhead, urinal, faucet or replacement aerator or before January 1,
2100 1992, if a tank-type toilet, flushometer-valve toilet, flushometer-tank
2101 toilet or electromechanical hydraulic toilet.

2102 Sec. 31. Subsection (a) of section 21a-86c of the general statutes is
2103 repealed and the following is substituted in lieu thereof (*Effective July*
2104 *1, 2011*):

2105 (a) The Commissioner of Consumer Protection, in consultation with
2106 [the Secretary of the Office of Policy and Management, the chairperson
2107 of the Public Utilities Control Authority,] the State Building Inspector
2108 and the Commissioners of Public Health and Energy and
2109 Environmental Protection, shall establish procedures for testing the
2110 efficiency of plumbing fixtures offered for retail sale if such procedures
2111 are not established in the State Building Code adopted pursuant to
2112 section 29-252.

2113 Sec. 32. Section 22a-174~~l~~ of the general statutes is repealed and the
2114 following is substituted in lieu thereof (*Effective July 1, 2011*):

2115 (a) Not later than sixty days after June 4, 2007, the Commissioner of
2116 Energy and Environmental Protection shall issue notice of intent to
2117 issue a general permit regarding the construction and operation of new
2118 or existing emergency engines and distributed generation resources
2119 that (1) generate no more than two megawatts of electricity; and (2) are
2120 approved by the Department of [Public Utility Control] Energy and
2121 Environmental Protection to participate in the markets administered
2122 by the regional independent system operator in accordance with
2123 subsection (b) of section 16-246g. Before issuing such permit, the

2124 sources to be covered by such permit shall provide the Commissioner
2125 of Energy and Environmental Protection with any information said
2126 commissioner deems necessary for the issuance of such permit. Any
2127 such general permit shall be issued in accordance with the provisions
2128 of subsection (k) of section 22a-174 and the general permit, and any
2129 authorization to operate under such permit, shall expire on the later of
2130 December 31, 2010, or ninety days after the energizing of the
2131 Middletown-Norwalk 345 kv transmission line approved by the
2132 Connecticut Siting Council. Notwithstanding this section, the
2133 Commissioner of Energy and Environmental Protection may [, in
2134 consultation with the chairperson of the Public Utilities Control
2135 Authority,] renew such general permit in accordance with the
2136 provisions of subsection (k) of section 22a-174 provided the
2137 Commissioner of Energy and Environmental Protection determines
2138 that renewal of such general permit is consistent with the requirements
2139 of subsection (b) of this section. The provisions of the general permit
2140 shall include, but not be limited to: Minimum setback provisions,
2141 limitations on hours of operation, requirements for air pollution
2142 controls certified to achieve a minimum reduction in emissions of
2143 nitrogen oxides of ninety per cent, directionally correct offsets at a
2144 ratio to be determined by the Commissioner of Energy and
2145 Environmental Protection, required control equipment, requirements
2146 for monitoring, reporting and recordkeeping, and any other
2147 requirement that said commissioner deems necessary. The provisions
2148 of this section are in addition to any other authority provided by law
2149 to said commissioner.

2150 (b) When issuing or renewing the general permit pursuant to this
2151 section, the Commissioner of Energy and Environmental Protection
2152 shall [, in consultation with the chairperson of the Public Utilities
2153 Control Authority,] consider energy generation that will maximize the
2154 savings to the state's electric ratepayers and benefit the state's economy
2155 as a whole, but shall ensure that any emission increases resulting from
2156 the operation of sources covered by the general permit are offset by
2157 emission decreases from sources in Connecticut consistent with

2158 Connecticut's air quality attainment planning needs and requirements.
2159 The sources of decreases in emissions may include, but not be limited
2160 to, electric generation sources and demand response.

2161 (c) On or before February 1, 2008, the Department of Energy and
2162 Environmental Protection [, in consultation with the Department of
2163 Public Utility Control,] shall report to the joint standing committees of
2164 the General Assembly having cognizance of matters relating to energy
2165 and the environment regarding the economic and environmental
2166 benefits of the general permit issued pursuant to this section and the
2167 actions and measures taken pursuant to section 16-246g.

2168 Sec. 33. Section 22a-1b of the general statutes is repealed and the
2169 following is substituted in lieu thereof (*Effective July 1, 2011*):

2170 The General Assembly directs that, to the fullest extent possible:

2171 (a) Each state department, institution or agency shall review its
2172 policies and practices to insure that they are consistent with the state's
2173 environmental policy as set forth in sections 22a-1 and 22a-1a.

2174 (b) (1) Each sponsoring agency shall, prior to a decision to prepare
2175 an environmental impact evaluation pursuant to subsection (c) of this
2176 section for an action which may significantly affect the environment,
2177 conduct an early public scoping process.

2178 (2) To initiate an early public scoping process, the sponsoring
2179 agency shall provide notice on a form that has been approved by the
2180 [Council on Environmental Quality] Department of Energy and
2181 Environmental Protection, which shall include, but not be limited to,
2182 the date, time and location of any proposed public scoping meeting
2183 and the duration of the public comment period pursuant to
2184 subdivision (3) of this subsection, to the council, the Office of Policy
2185 and Management and any other state agency whose activities may
2186 reasonably be expected to affect or be affected by the proposed action.

2187 (3) Members of the public and any interested state agency

2188 representatives may submit comments on the nature and extent of any
2189 environmental impacts of the proposed action during the thirty days
2190 following the publication of the notice of the early public scoping
2191 process pursuant to this section.

2192 (4) A public scoping meeting shall be held at the discretion of the
2193 sponsoring agency or if twenty-five persons or an association having
2194 not less than twenty-five persons requests such a meeting within ten
2195 days of the publication of the notice in the Environmental Monitor. A
2196 public scoping meeting shall be held not less than ten days following
2197 the notice of the proposed action in the Environmental Monitor. The
2198 public comment period shall remain open for at least five days
2199 following the meeting.

2200 (5) A sponsoring agency shall provide the following at a public
2201 scoping meeting: (A) A description of the proposed action; (B) a
2202 description of the purpose and need of the proposed action; (C) a list of
2203 the criteria for a site for the proposed action; (D) a list of potential sites
2204 for the proposed action; (E) the resources of any proposed site for the
2205 proposed action; (F) the environmental limitations of such sites; (G)
2206 potential alternatives to the proposed action; and (H) any information
2207 the sponsoring agency deems necessary.

2208 (6) Any agency submitting comments or participating in the public
2209 scoping meeting pursuant to this section shall include, to the extent
2210 practicable, but not be limited to, information about (A) the resources
2211 of any proposed site for the proposed action, (B) any plans of the
2212 commenting agency that may affect or be affected by the proposed
2213 action, (C) any permits or approvals that may be necessary for the
2214 proposed action, and (D) any appropriate measures that would
2215 mitigate the impact of the proposed action, including, but not limited
2216 to, recommendations as to preferred sites for the proposed action or
2217 alternatives for the proposed action that have not been identified by
2218 the sponsoring agency.

2219 (7) The sponsoring agency shall consider any comments received

2220 pursuant to this section or any information obtained during the public
2221 scoping meeting in selecting the proposed actions to be addressed in
2222 the environmental impact evaluation and shall evaluate in its
2223 environmental impact evaluation any substantive issues raised during
2224 the early public scoping process that pertain to a proposed action or
2225 site or alternative actions or sites.

2226 (c) Each state department, institution or agency responsible for the
2227 primary recommendation or initiation of actions which may
2228 significantly affect the environment shall in the case of each such
2229 proposed action make a detailed written evaluation of its
2230 environmental impact before deciding whether to undertake or
2231 approve such action. All such environmental impact evaluations shall
2232 be detailed statements setting forth the following: (1) A description of
2233 the proposed action which shall include, but not be limited to, a
2234 description of the purpose and need of the proposed action, and, in the
2235 case of a proposed facility, a description of the infrastructure needs of
2236 such facility, including, but not limited to, parking, water supply,
2237 wastewater treatment and the square footage of the facility; (2) the
2238 environmental consequences of the proposed action, including
2239 cumulative, direct and indirect effects which might result during and
2240 subsequent to the proposed action; (3) any adverse environmental
2241 effects which cannot be avoided and irreversible and irretrievable
2242 commitments of resources should the proposal be implemented; (4)
2243 alternatives to the proposed action, including the alternative of not
2244 proceeding with the proposed action and, in the case of a proposed
2245 facility, a list of all the sites controlled by or reasonably available to the
2246 sponsoring agency that would meet the stated purpose of such facility;
2247 (5) an evaluation of the proposed action's consistency and each
2248 alternative's consistency with the state plan of conservation and
2249 development, an evaluation of each alternative including, to the extent
2250 practicable, whether it avoids, minimizes or mitigates environmental
2251 impacts, and, where appropriate, a description of detailed mitigation
2252 measures proposed to minimize environmental impacts, including, but
2253 not limited to, where appropriate, a site plan; (6) an analysis of the

2254 short term and long term economic, social and environmental costs
2255 and benefits of the proposed action; (7) the effect of the proposed
2256 action on the use and conservation of energy resources; and (8) a
2257 description of the effects of the proposed action on sacred sites or
2258 archaeological sites of state or national importance. In the case of an
2259 action which affects existing housing, the evaluation shall also contain
2260 a detailed statement analyzing (A) housing consequences of the
2261 proposed action, including direct and indirect effects which might
2262 result during and subsequent to the proposed action by income group
2263 as defined in section 8-37aa and by race, and (B) the consistency of the
2264 housing consequences with the long-range state housing plan adopted
2265 under section 8-37t. As used in this section, "sacred sites" and
2266 "archaeological sites" shall have the same meaning as in section 10-381.

2267 (d) (1) The [Council on Environmental Quality] Department of
2268 Energy and Environmental Protection shall publish a document at
2269 least once a month to be called the Environmental Monitor which shall
2270 include any notices the council receives pursuant to sections 22a-1b to
2271 22a-1i, inclusive, and shall include notice of the opportunity to request
2272 a public scoping meeting. Filings of such notices received by five
2273 o'clock p.m. on the first day of each month shall be published in the
2274 Environmental Monitor that is issued not later than ten days
2275 thereafter.

2276 (2) The [Council on Environmental Quality] Department of Energy
2277 and Environmental Protection shall post the Environmental Monitor
2278 on its Internet site and distribute a subscription or a copy of the
2279 Environmental Monitor by electronic mail to any state agency,
2280 municipality or person upon request. The council shall also provide
2281 the Environmental Monitor to the clerk of each municipality for
2282 posting in its town hall.

2283 (e) Any state department, institution or agency that conducts an
2284 environmental impact evaluation pursuant to subsection (c) of this
2285 section may enter into a contract with a person for the preparation of

2286 such evaluation, provided such department, institution or agency: (1)
2287 Guides such person in the preparation of such evaluation, (2)
2288 participates in the preparation of such evaluation, (3) independently
2289 reviews such evaluation prior to submitting such evaluation for
2290 comment pursuant to section 22a-1d, and (4) assures that any third
2291 party responsible for conducting any activity that is the subject of such
2292 evaluation is not a party to such contract. Such department, institution
2293 or agency may require any such third party responsible for conducting
2294 any activity that is the subject of such evaluation to remit a fee to such
2295 department, institution or agency in an amount sufficient to pay for
2296 the cost of hiring a person to prepare such evaluation in accordance
2297 with the provisions of this subsection.

2298 Sec. 34. Section 22a-2 of the general statutes is repealed and the
2299 following is substituted in lieu thereof (*Effective July 1, 2011*):

2300 (a) There shall be a Department of Energy and Environmental
2301 Protection which shall have jurisdiction over all matters relating to the
2302 preservation and protection of the air, water and other natural
2303 resources of the state, the equitable distribution and conservation of
2304 energy, the regulation of public utilities and the development and
2305 administration of a state-wide energy policy. Said department shall be
2306 under the direction of a Commissioner of Energy and Environmental
2307 Protection who shall be appointed in accordance with the provisions of
2308 sections 4-5 to 4-8, inclusive.

2309 (b) As used in this title and chapters 263, 268, 348, 360, 447, 448, 449,
2310 452, 462, 474, 476, 477, 478, 479, 490 and 495, except where otherwise
2311 provided, "commissioner" means the Commissioner of Energy and
2312 Environmental Protection or his designated agent. The Commissioner
2313 of Energy and Environmental Protection shall have the authority to
2314 designate as his agent (1) any deputy commissioner to exercise all or
2315 part of the authority, powers and duties of said commissioner in his
2316 absence, (2) any deputy commissioner or any employee, assistant or
2317 agent employed pursuant to section 22a-4 to exercise such authority of

2318 the Commissioner of Energy and Environmental Protection as he
2319 delegates for the administration or enforcement of any applicable
2320 statute, regulation, permit or order, (3) the Commissioner of Public
2321 Safety and any local air pollution control official or agency to exercise
2322 such authority as the Commissioner of Energy and Environmental
2323 Protection delegates for the enforcement of any applicable statute,
2324 regulation, order or permit pertaining to air pollution, except the
2325 authority to render a final decision, after a hearing, assessing a civil
2326 penalty under said section 22a-6b, and (4) any municipal police
2327 department the authority to enforce the provisions of chapters 268 and
2328 490.

2329 (c) As used in this chapter, and chapters 263, 268, 348, 360, 440,
2330 446d, 446i, 446k, 447, 448, 449, 452, 462, 474, 476, 477, 478, 479, 490 and
2331 495, except where otherwise provided, "person" means any individual,
2332 firm, partnership, association, syndicate, company, trust, corporation,
2333 limited liability company, municipality, agency or political or
2334 administrative subdivision of the state, or other legal entity of any
2335 kind.

2336 Sec. 35. Section 22a-5 of the general statutes is repealed and the
2337 following is substituted in lieu thereof (*Effective July 1, 2011*):

2338 The commissioner shall carry out the energy and environmental
2339 policies of the state and shall have all powers necessary and
2340 convenient to faithfully discharge this duty. In addition to, and
2341 consistent with the environment policy of the state, the commissioner
2342 shall [(a)] (1) promote and coordinate management of water, land and
2343 air resources to assure their protection, enhancement and proper
2344 allocation and utilization; [(b)] (2) provide for the protection and
2345 management of plants, trees, fish, shellfish, wildlife and other animal
2346 life of all types, including the preservation of endangered species; [(c)]
2347 (3) provide for the protection, enhancement and management of the
2348 public forests, parks, open spaces and natural area preserves; [(d)] (4)
2349 provide for the protection, enhancement and management of inland,

2350 marine and coastal water resources, including, but not limited to,
2351 wetlands, rivers, estuaries and shorelines; [(e)] (5) provide for the
2352 prevention and abatement of all water, land and air pollution
2353 including, but not limited to, that related to particulates, gases, dust,
2354 vapors, noise, radiation, odors, nutrients and cooled or heated liquids,
2355 gases and solids; [(f)] (6) provide for control of pests and regulate the
2356 use, storage and disposal of pesticides and other chemicals which may
2357 be harmful to man, sea life, animals, plant life or natural resources;
2358 [(g)] (7) regulate the disposal of solid waste and liquid waste,
2359 including but not limited to, domestic and industrial refuse, junk
2360 motor vehicles, litter and debris, which methods shall be consistent
2361 with sound health, scenic environmental quality and land use
2362 practices; [(h)] (8) regulate the storage, handling and transportation of
2363 solids, liquids and gases which may cause or contribute to pollution;
2364 [and (i)] (9) provide for minimum state-wide standards for the mining,
2365 extraction, excavation or removal of earth materials of all types; (10)
2366 provide for the highest standards of public utility regulation and the
2367 protection of consumers; (11) provide for the equitable distribution
2368 and conservation of energy; (12) provide for the conservation of energy
2369 resources by avoiding unnecessary and wasteful consumption; (13)
2370 provide for the consumption of energy resources in the most efficient
2371 manner feasible; (14) provide for the development and use of
2372 renewable energy resources, such as solar and wind energy, to the
2373 maximum practicable extent; (15) diversify the state's energy supply;
2374 (16) whenever practicable, replace energy resources vulnerable to
2375 interruption due to circumstances beyond the state's control with
2376 energy sources that are less vulnerable to such interruption; (17) assist
2377 citizens and businesses in implementing measures to reduce energy
2378 consumption and energy costs; (18) ensure that low-income
2379 households can meet essential energy needs; (19) maintain planning
2380 and preparedness capabilities necessary to deal effectively with future
2381 energy supply interruptions; and (20) whenever available energy
2382 alternatives are equivalent, give preference to capacity additions for
2383 conservation and load management.

2384 Sec. 36. Section 22a-11 of the general statutes is repealed and the
2385 following is substituted in lieu thereof (*Effective July 1, 2011*):

2386 There shall be a Council on Environmental Quality which shall be
2387 within the Department of Environmental Protection, [for
2388 administrative purposes only.] Said council shall consist of nine
2389 members, five to be appointed by the Governor, two to be appointed
2390 by the speaker of the House of Representatives and two to be
2391 appointed by the president pro tempore of the Senate. No member
2392 shall be allowed to serve more than eight years of any twelve-year
2393 period. The Governor shall fill any vacancy by appointment for the
2394 unexpired portion of the term vacated. The chairman of said council
2395 shall be selected by the Governor. Members of said council shall
2396 receive no compensation for their services thereon, but shall be
2397 reimbursed for necessary expenses in the performance of their duties.
2398 Said council shall hold one meeting each month and such additional
2399 meetings as may be prescribed by council rules. In addition, special
2400 meetings may be called by the chairman or by any three members
2401 upon delivery of forty-eight hours' written notice to each member. Five
2402 members shall constitute a quorum and not fewer than three votes
2403 shall be required for any final determination of said council. [The
2404 council may employ an executive director, exclusive of the provisions
2405 of chapter 67 and such additional staff and consultants as may be
2406 necessary to carry out its duties, within available appropriations.]

2407 Sec. 37. Subsection (e) of section 22a-119 of the general statutes is
2408 repealed and the following is substituted in lieu thereof (*Effective July*
2409 *1, 2011*):

2410 (e) Prior to commencing any hearing pursuant to this section the
2411 council shall consult with and solicit written comments from the
2412 Departments of Energy and Environmental Protection, Public Health,
2413 [Public Utility Control,] Economic and Community Development,
2414 Public Safety and Transportation, the Office of Policy and
2415 Management and the Council on Environmental Quality. Copies of

2416 comments submitted by such agencies shall be available to all parties
2417 prior to commencement of the public hearing. Agencies consulted may
2418 file additional comments within thirty days of the conclusion of the
2419 hearing and such additional comments shall be a part of the record.

2420 Sec. 38. Section 22a-198 of the general statutes is repealed and the
2421 following is substituted in lieu thereof (*Effective July 1, 2011*):

2422 (a) On and after January 1, 2005, the owner or operator of a Title IV
2423 source that is also an affected unit or units shall:

2424 (1) Combust liquid fuel, gaseous fuel, solid fuel or a combination of
2425 each provided that each fuel possesses a fuel sulfur limit equal to or
2426 less than 0.3 per cent sulfur, by weight (dry basis); or

2427 (2) Meet an average emission rate equal to or less than 0.33 pounds
2428 SO₂ per MMBtu for each calendar quarter for an affected unit at the
2429 premises; or

2430 (3) Meet an average emission rate equal to or less than 0.3 pounds
2431 SO₂ per MMBtu calculated for each calendar quarter, if such owner or
2432 operator averages the emissions from two or more affected units at the
2433 premises.

2434 (b) On and after January 1, 2005, no owner or operator of a Title IV
2435 source that is also an affected unit or units may use SO₂ DERCS or SO₂
2436 allowances to comply with the requirements of subsection (a) of this
2437 section except if the Commissioner of Environmental Protection
2438 requires the owner or operator of an affected unit or units using a low-
2439 sulfur fuel to comply with subdivision (1) of subsection (a) of this
2440 section to offset excess SO₂ emissions that were emitted during a
2441 suspension period, as described in subsection (c) of this section,
2442 through the purchase or retirement of such SO₂ DERCS or SO₂
2443 allowances.

2444 (c) The Commissioner of Energy and Environmental Protection may
2445 suspend the requirements of subdivision (1) of subsection (a) of this

2446 section for the owner or operator of any affected unit using a low-
2447 sulfur fuel, including a low-sulfur solid fuel. Such suspension shall be
2448 made only when the commissioner finds that the availability of fuel
2449 that complies with such requirements is inadequate to meet the needs
2450 of residential, commercial and industrial users in this state and that
2451 such inadequate supply constitutes an emergency, provided such
2452 suspension shall not exceed the period that the inadequate supply
2453 constitutes an emergency. Any such suspension by the commissioner
2454 shall not suspend or alter the sulfur dioxide average emission rate
2455 requirements that are in effect as of May 2, 2002. The Commissioner of
2456 Energy and Environmental Protection shall specify in writing the
2457 period of time that such suspension shall be in effect and shall provide
2458 notice of such suspension to the joint standing committees of the
2459 General Assembly having cognizance of matters relating to the
2460 environment and energy and technology. No later than thirty days
2461 after the termination of such suspension, the owner or operator of an
2462 affected unit or units shall report to the commissioner, in writing, the
2463 amount of SO₂ emissions in excess of those that would have occurred if
2464 the use of compliant fuel at such affected unit or units had not been
2465 interrupted. If such excess SO₂ emissions from any premises exceed
2466 fifty tons, the commissioner shall require that the owner or operator of
2467 such affected unit or units offset such SO₂ emissions through the
2468 purchase or retirement of SO₂ DERCS or SO₂ allowances.

2469 (d) The provisions of subsections (c) and (f) of this section, when
2470 implemented by the Commissioner of Energy and Environmental
2471 Protection, shall not suspend any underlying procedures or
2472 requirements in the Regulations of Connecticut State Agencies adopted
2473 by the Department of Energy and Environmental Protection pertaining
2474 to SO₂ emissions.

2475 (e) No provision of section 22a-197, this section or subsection (a) of
2476 section 16-245l shall be construed to prohibit the Commissioner of
2477 Energy and Environmental Protection from waiving or suspending
2478 any applicable sulfur dioxide emissions standard as may be allowed

2479 under current federal or state laws or regulations, or other permit
2480 limits of a must run Title IV source, as ordered by the Independent
2481 System Operator, as may be allowed under current federal or state
2482 laws or regulations. The commissioner may attach any conditions to
2483 such suspension or waiver, as the commissioner deems necessary to
2484 mitigate any adverse environmental or public health impacts.

2485 (f) The Commissioner of Energy and Environmental Protection [, in
2486 consultation with the chairperson of the Public Utilities Control
2487 Authority,] may suspend the prohibition of subsection (b) of this
2488 section for a Title IV source if it is determined that the application of
2489 the prohibition established under subsection (b) of this section
2490 adversely affects the ability to meet the reliability standards, as defined
2491 by the New England Power Pool or its successor organization, and the
2492 suspension thereof is intended to mitigate such reliability problems.
2493 The Commissioner of Energy and Environmental Protection [, in
2494 consultation with the chairperson of the Public Utilities Control
2495 Authority,] shall specify in writing the reasons for such suspension
2496 and the period of time that such suspension shall be in effect and shall
2497 provide notice of such suspension at the time of issuance, or the next
2498 business day, to the joint standing committees of the General
2499 Assembly having cognizance of matters relating to the environment
2500 and energy and technology. No such waiver shall last more than thirty
2501 days. The commissioner may reissue additional waivers for such
2502 source after said initial waiver has expired. Within ten days of receipt
2503 of the commissioner's notice of suspension, the committees having
2504 cognizance of matters relating to the environment and energy and
2505 technology may hold a joint public hearing and meeting of the
2506 committees to either modify or reject the commissioner's suspension
2507 by a majority vote. If the committees do not meet, the commissioner's
2508 suspension shall be deemed approved.

2509 Sec. 39. Section 22a-354i of the general statutes is repealed and the
2510 following is substituted in lieu thereof (*Effective July 1, 2011*):

2511 (a) On or before July 1, 1991, the Commissioner of Energy and
2512 Environmental Protection shall publish notice of intent to adopt
2513 regulations in accordance with chapter 54 for land use controls in
2514 aquifer protection areas. The regulations shall establish (1) best
2515 management practice standards for existing regulated activities located
2516 entirely or in part within aquifer protection areas and a schedule for
2517 compliance of nonconforming regulated activities with such standards,
2518 (2) best management practice standards for and prohibitions of
2519 regulated activities proposed to be located entirely or in part within
2520 aquifer protection areas, (3) procedures for exempting regulated
2521 activities in aquifer protection areas upon determination solely by the
2522 commissioner that such regulated activities do not pose a threat to any
2523 existing or potential drinking water supply, and (4) requirements for
2524 design and installation of groundwater monitoring within aquifer
2525 protection areas. In addition, the commissioner may adopt such other
2526 regulations as deemed necessary to carry out the purposes of sections
2527 22a-354b, 22a-354c, 22a-354h, this section, sections 22a-354m, 22a-354n,
2528 subsection (e) of section 22a-354p and subsection (d) of section 22a-451,
2529 including, but not limited to, regulations which provide for the
2530 manner in which the boundaries of aquifer protection areas shall be
2531 established and amended; criteria and procedures for submission and
2532 review of applications to construct or begin regulated activities;
2533 procedures for granting, denying, limiting, revoking, suspending,
2534 transferring and modifying permits for regulated activities; controls
2535 regarding the expansion of nonconforming regulated activities,
2536 including procedures for offsetting impacts from the expansion or
2537 modification of nonconforming regulated activities or procedures for
2538 modifying permits of regulated activities by the removal of other
2539 potential pollution sources within the subject well field, procedures for
2540 the granting of permits for such expansion or modification based on
2541 the certification of a qualified person that such expansion meets
2542 criteria established by the commissioner; registration requirements for
2543 existing regulated activities and procedures for transferring
2544 registrations; procedures for landowners to notify a municipality or

2545 the commissioner of a change in use and other provisions for
2546 administration of the aquifer protection program.

2547 (b) In adopting such regulations, the commissioner shall consider
2548 the guidelines for aquifer protection areas recommended in the report
2549 prepared pursuant to special act 87-63, as amended, and shall avoid
2550 duplication and inconsistency with other state or federal laws and
2551 regulations affecting aquifers. The regulations shall be developed in
2552 consultation with an advisory committee appointed by the
2553 commissioner. The advisory committee shall include the
2554 Commissioners of Public Works and Public Health, [and the
2555 chairperson of the Public Utilities Control Authority,] or their
2556 designees, members of the public, and representatives of businesses
2557 affected by the regulations, agriculture, environmental groups,
2558 municipal officers and water companies.

2559 Sec. 40. Section 22a-354w of the general statutes is repealed and the
2560 following is substituted in lieu thereof (*Effective July 1, 2011*):

2561 The Commissioner of Energy and Environmental Protection, in
2562 consultation with the Commissioner of Public Health [and the
2563 chairperson of the Public Utilities Control Authority,] shall prepare
2564 guidelines for acquisition of lands surrounding existing or proposed
2565 public water supply well fields. In preparing such guidelines the
2566 commissioner shall consider economic implications for mandating
2567 land acquisition including, but not limited to, the effect on land values
2568 and the ability of small water companies to absorb the cost of
2569 acquisition.

2570 Sec. 41. Subsection (d) of section 22a-371 of the general statutes is
2571 repealed and the following is substituted in lieu thereof (*Effective July*
2572 *1, 2011*):

2573 (d) Upon notifying the applicant in accordance with subsection (c)
2574 of this section that the application is complete, the commissioner shall
2575 immediately provide notice of the application and a concise

2576 description of the proposed diversion to the Governor, the Attorney
2577 General, the speaker of the House of Representatives, the president pro
2578 tempore of the Senate, the Secretary of the Office of Policy and
2579 Management, the Commissioners of Public Health and Economic and
2580 Community Development, [the chairperson of the Public Utilities
2581 Control Authority,] chief executive officer and chairmen of the
2582 conservation commission and wetlands agency of the municipality or
2583 municipalities in which the proposed diversion will take place or have
2584 effect, and to any person who has requested notice of such activities.

2585 Sec. 42. Section 23-8 of the general statutes is repealed and the
2586 following is substituted in lieu thereof (*Effective July 1, 2011*):

2587 (a) The Commissioner of Energy and Environmental Protection
2588 shall have power, acting by himself or with local authorities, to
2589 acquire, maintain and make available to the public open spaces for
2590 recreation. Said commissioner may take, in the name of the state and
2591 for the benefit of the public, by purchase, gift or devise, lands and
2592 rights in land and personal estate for public open spaces, or take bonds
2593 for the conveyance thereof, or may lease the same for a period not
2594 exceeding five years, with an option to buy, and may preserve and
2595 care for such public reservations, and, in his discretion and upon such
2596 terms as he may approve, such other open spaces within this state as
2597 may be entrusted, given or devised to the state by the United States or
2598 by cities, towns, corporations or individuals for the purposes of public
2599 recreation, or for the preservation of natural beauty or historical
2600 association, provided said commissioner shall not take or contract to
2601 take by purchase or lease any land or other property for an amount or
2602 amounts beyond such sum or sums as have been appropriated or
2603 contributed therefor. No provision of this section shall be construed to
2604 set aside any terms or conditions under which gifts or bequests of land
2605 have been accepted by the commissioner.

2606 (b) Twenty-one per cent of the state's land area shall be held as open
2607 space land. The goal of the state's open space acquisition program shall

2608 be to acquire land such that ten per cent of the state's land area is held
2609 by the state as open space land and not less than eleven per cent of the
2610 state's land area is held by municipalities, water companies or
2611 nonprofit land conservation organizations as open space land
2612 consistent with the provisions of sections 7-131d to 7-131g, inclusive.
2613 Such program shall not affect the ability of any water company to
2614 reclassify or sell any land, or interest in land, which was not acquired,
2615 in whole or in part, with funds made available under the program
2616 established under sections 7-131d to 7-131g, inclusive. The goal for
2617 state open space acquisition shall be three thousand acres acquired in
2618 1999, four thousand acres acquired in 2000, four thousand acres
2619 acquired in 2001 and five thousand acres acquired in 2002 provided
2620 such acquisition program shall continue until the overall state goal of
2621 open space acquisition is achieved. The commissioner, in consultation
2622 with [the Council on Environmental Quality established under section
2623 22a-11 and] private nonprofit land conservation organizations, shall
2624 prepare, and update as necessary, a comprehensive strategy for
2625 achieving the state goal and shall set an appropriate additional goal for
2626 increasing the amount of land held as open space by municipalities or
2627 by private nonprofit land conservation organizations and shall include
2628 in such strategy provisions for achieving such goal. Such strategy shall
2629 include, but not be limited to, recommendations regarding: (1)
2630 Timetables for acquisition of land by the state, (2) management of such
2631 land, (3) resources to be used for acquisition and management of such
2632 land, and (4) acquisition and maintenance of open space land by
2633 municipalities and by private entities. On or before January 1, 1998,
2634 and annually thereafter, the commissioner shall submit a report to the
2635 joint standing committee of the General Assembly having cognizance
2636 of matters relating to the environment regarding the strategy and the
2637 progress being made towards the goals.

2638 (c) To further the efforts to preserve open space in the state and to
2639 help realize the goal established in subsection (b) of this section to have
2640 at least twenty-one per cent of the state's land held by the state,
2641 municipalities, land conservation organizations and water utilities as

2642 open space, the Department of Energy and Environmental Protection
2643 shall conduct an evaluation of lands of class A water companies, as
2644 defined in section 16-1, to determine the resource value and potential
2645 desirability of such lands for purchase for open space or public
2646 outdoor recreation or natural resource conservation or preservation.
2647 The water companies and land conservation organizations shall work
2648 cooperatively with the department and provide maps and other
2649 information to assist the Department of Energy and Environmental
2650 Protection in the evaluation of these properties and said department
2651 shall develop strategies for alternative methods of funding the
2652 preservation of water company lands in perpetuity as open space.

2653 Sec. 43. Section 23-102 of the general statutes is repealed and the
2654 following is substituted in lieu thereof (*Effective July 1, 2011*):

2655 (a) There shall be a Connecticut Greenways Council which shall be
2656 within the Department of Energy and Environmental Protection for
2657 administrative purposes only. The council shall consist of eleven
2658 members, five to be appointed by the Governor, one to be appointed
2659 by the speaker of the House of Representatives, one to be appointed by
2660 the majority leader of the House of Representatives, one to be
2661 appointed by the president pro tempore of the Senate, one to be
2662 appointed by the majority leader of the Senate, one to be appointed by
2663 the minority leader of the House of Representatives and one to be
2664 appointed by the minority leader of the Senate. All appointments to
2665 the council shall be made on or before October 1, 1995. Three of the
2666 members initially appointed by the Governor shall serve a term of two
2667 years and two of the members appointed by the Governor shall serve a
2668 term of four years. All members appointed by the Governor thereafter
2669 shall serve a term of four years. The terms of all members appointed
2670 by members of the General Assembly shall be coterminous with the
2671 terms of members of the General Assembly. The appointing authority
2672 shall fill any vacancy by appointment for the unexpired portion of the
2673 term vacated. The chairman of said council shall be selected by the
2674 Governor. Members of said council shall receive no compensation for

2675 their services on the council. The council shall hold one meeting each
2676 quarter and such additional meetings as may be prescribed by council
2677 rules. Special meetings may be called by the chairman or by any three
2678 members upon delivery of forty-eight hours' written notice to each
2679 member. The council may employ an executive director, exclusive of
2680 the provisions of chapter 67, and such additional staff and contractors
2681 and consultants as may be necessary to carry out its duties. [and may
2682 share the personnel and resources of the council on environmental
2683 quality, within available appropriations.] The council may receive aid
2684 or contributions from any source, including grants-in-aid from any
2685 state agency.

2686 (b) The duties of the council shall be: (1) To advise and assist in the
2687 coordination of state agencies, municipalities, regional planning
2688 organizations, as defined in section 4-124i, and private citizens in
2689 voluntarily planning and implementing a system of greenways; (2) to
2690 operate a greenways help center to advise state agencies,
2691 municipalities, regional planning organizations, as defined in section
2692 4-124i, and private citizens in the technical aspects of planning,
2693 designing and implementing greenways, including advice on securing
2694 state, federal and nongovernmental grants; (3) to establish criteria for
2695 designation of greenways; (4) to maintain an inventory of greenways
2696 in the state which shall include the location of greenways
2697 transportation projects which have received grants under sections 23-
2698 101, 32-6a, 32-9qq and 32-328; (5) to advise the Commissioner of
2699 Economic and Community Development on the distribution of grants
2700 for greenways transportation projects pursuant to sections 32-6a, 32-
2701 9qq and 32-328; and (6) to advise the Commissioner of Energy and
2702 Environmental Protection on the distribution of grants pursuant to
2703 section 23-101.

2704 Sec. 44. Section 25-32i of the general statutes is repealed and the
2705 following is substituted in lieu thereof (*Effective July 1, 2011*):

2706 There is created a Residential Water-Saving Advisory Board to

2707 advise the Commissioner of Public Health on educational materials or
2708 information on water conservation. The board shall consist of eight
2709 members as follows: The Commissioners of Energy and Environmental
2710 Protection and Public Health, the Secretary of the Office of Policy and
2711 Management, [the chairperson of the Public Utilities Control
2712 Authority,] and the Consumer Counsel, or their respective designees; a
2713 representative of a small investor-owned water company, who shall be
2714 appointed by the minority leader of the Senate; a representative of a
2715 large investor-owned water company, who shall be appointed by the
2716 minority leader of the House of Representatives; and a representative
2717 of a municipal or regional water authority, who shall be jointly
2718 appointed by the president pro tempore of the Senate and the speaker
2719 of the House of Representatives. The Governor shall designate the
2720 chairman of the board.

2721 Sec. 45. Section 25-33o of the general statutes is repealed and the
2722 following is substituted in lieu thereof (*Effective July 1, 2011*):

2723 (a) The [chairperson of the Public Utilities Control Authority, or the
2724 chairperson's designee, the] Commissioner of Energy and
2725 Environmental Protection, or the commissioner's designee, the
2726 Secretary of the Office of Policy and Management, or the secretary's
2727 designee, and the Commissioner of Public Health, or the
2728 commissioner's designee, shall constitute a Water Planning Council to
2729 address issues involving the water companies, water resources and
2730 state policies regarding the future of the state's drinking water supply.
2731 On or after July 1, 2007, and each year thereafter, the chairperson of the
2732 Water Planning Council shall be elected by the members of the Water
2733 Planning Council.

2734 (b) The Water Planning Council shall conduct a study, in
2735 consultation with representatives of water companies, municipalities,
2736 agricultural groups, environmental groups and other water users, that
2737 shall include the following issues: (1) The financial viability, market
2738 structure, reliability of customer service and managerial competence of

2739 water companies; (2) fair and reasonable water rates; (3) protection and
2740 appropriate allocation of the state's water resources while providing
2741 for public water supply needs; (4) the adequacy and quality of the
2742 state's drinking water supplies to meet current and future needs; (5) an
2743 inventory of land and land use by water companies; (6) the status of
2744 current withdrawals, projected withdrawals, river flows and the future
2745 needs of water users; (7) methods for measurement and estimations of
2746 natural flows in Connecticut waterways in order to determine
2747 standards for stream flows that will protect the ecology of the state's
2748 rivers and streams; (8) the status of river flows and available data for
2749 measuring river flows; (9) the streamlining of the water diversion
2750 permit process; (10) coordination between the Departments of Energy
2751 and Environmental Protection [,] and Public Health [and Public Utility
2752 Control] in review of applications for water diversion; and (11) the
2753 procedure for coordination of planning of public water supply systems
2754 established in sections 25-33c to 25-33j, inclusive. Such study shall be
2755 conducted on both a regional and state-wide level.

2756 (c) The council may establish an advisory group that shall serve at
2757 the pleasure of the council. The advisory group shall be balanced
2758 between consumptive and nonconsumptive interests. The advisory
2759 group may include representatives of (1) regional and municipal water
2760 utilities, (2) investor-owned water utilities, (3) a wastewater system, (4)
2761 agricultural interests, (5) electric power generation interests, (6)
2762 business and industry interests, (7) environmental land protection
2763 interests, (8) environmental river protection interests, (9) boating
2764 interests, (10) fisheries interests, (11) recreational interests, (12)
2765 endangered species protection interests, and (13) members of academia
2766 with expertise in stream flow, public health and ecology.

2767 (d) The council shall, not later than January 1, 2002, and annually
2768 thereafter, report its preliminary findings and any proposed legislative
2769 changes to the joint standing committees of the General Assembly
2770 having cognizance of matters relating to public health, the
2771 environment and public utilities in accordance with section 11-4a,

2772 except that not later than February 1, 2004, the council shall report its
2773 recommendations in accordance with this subsection with regard to (1)
2774 a water allocation plan based on water budgets for each watershed, (2)
2775 funding for water budget planning, giving priority to the most highly
2776 stressed watersheds, and (3) the feasibility of merging the data
2777 collection and regulatory functions of the Department of Energy and
2778 Environmental Protection's inland water resources program and the
2779 Department of Public Health's water supplies section.

2780 Sec. 46. Section 25-157 of the general statutes is repealed and the
2781 following is substituted in lieu thereof (*Effective July 1, 2011*):

2782 Notwithstanding any other provision of the general statutes, no
2783 state agency, including, but not limited to, the Department of Energy
2784 and Environmental Protection and the Connecticut Siting Council
2785 within such department, shall consider or render a final decision for
2786 any applications relating to electric power line crossings, gas pipeline
2787 crossings or telecommunications crossings of Long Island Sound that
2788 have required or will require a certificate issued pursuant to section
2789 16-50k or approval by the Federal Energy Regulatory Commission
2790 including, but not limited to, electrical power line, gas pipeline or
2791 telecommunications applications that are pending or received after
2792 June 3, 2002, for a period of three years after June 3, 2002. Such
2793 moratorium shall not apply to applications relating solely to the
2794 maintenance, repair or replacement necessary for repair of electrical
2795 power lines, gas pipelines or telecommunications facilities currently
2796 used to provide service to customers located on islands or peninsulas
2797 off the Connecticut coast or harbors, embayments, tidal rivers, streams
2798 or creeks. An applicant may seek a waiver of such moratorium by
2799 submitting a petition to the following: The chairpersons and ranking
2800 members of the joint standing committees of the General Assembly
2801 having cognizance of matters relating to energy and the environment,
2802 the chairman of the Connecticut Siting Council, [the chairperson of the
2803 Public Utilities Control Authority,] the Commissioner of Energy and
2804 Environmental Protection, and any other state agency head with

2805 jurisdiction over the subject of the petition. Such persons may grant a
2806 petition for a waiver by unanimous consent. Nothing in section 16-
2807 244j, this section or sections 25-157a to 25-157c, inclusive, shall be
2808 construed to affect the project in the corridor across Long Island
2809 Sound, from Norwalk to Northport, New York, to replace the existing
2810 electric cables that cross the sound.

2811 Sec. 47. Section 28-24 of the general statutes is repealed and the
2812 following is substituted in lieu thereof (*Effective July 1, 2011*):

2813 (a) There is established an Office of State-Wide Emergency
2814 Telecommunications which shall be in the Division of Fire, Emergency
2815 and Building Services within the Department of Public Safety. The
2816 Office of State-Wide Emergency Telecommunications shall be
2817 responsible for developing and maintaining a state-wide emergency
2818 service telecommunications policy. In connection with said policy the
2819 office shall:

2820 (1) Develop a state-wide emergency service telecommunications
2821 plan specifying emergency police, fire and medical service
2822 telecommunications systems needed to provide coordinated
2823 emergency service telecommunications to all state residents, including
2824 the physically disabled;

2825 (2) Pursuant to the recommendations of the task force established by
2826 public act 95-318 to study enhanced 9-1-1 telecommunications services,
2827 and in accordance with regulations adopted by the Commissioner of
2828 Public Safety pursuant to subsection (b) of this section, develop and
2829 administer, by July 1, 1997, an enhanced emergency 9-1-1 program,
2830 which shall provide for: (A) The replacement of existing 9-1-1 terminal
2831 equipment for each public safety answering point; (B) the
2832 subsidization of regional public safety emergency telecommunications
2833 centers, with enhanced subsidization for municipalities with a
2834 population in excess of forty thousand; (C) the establishment of a
2835 transition grant program to encourage regionalization of public safety
2836 telecommunications centers; and (D) the establishment of a regional

2837 emergency telecommunications service credit in order to support
2838 regional dispatch services;

2839 (3) Provide technical telecommunications assistance to state and
2840 local police, fire and emergency medical service agencies;

2841 (4) Provide frequency coordination for such agencies;

2842 (5) Coordinate and assist in state-wide planning for 9-1-1 and E 9-1-
2843 1 systems;

2844 (6) Review and make recommendations concerning proposed
2845 legislation affecting emergency service telecommunications; and

2846 (7) Review and make recommendations to the General Assembly
2847 concerning emergency service telecommunications funding.

2848 (b) The Commissioner of Public Safety shall adopt regulations, in
2849 accordance with chapter 54, establishing eligibility standards for state
2850 financial assistance to local or regional police, fire and emergency
2851 medical service agencies providing emergency service
2852 telecommunications. Not later than April 1, 1997, the commissioner
2853 shall adopt regulations, in accordance with chapter 54, in order to
2854 carry out the provisions of subdivision (2) of subsection (a) of this
2855 section.

2856 (c) Within a time period determined by the commissioner to ensure
2857 the availability of funds for the fiscal year beginning July 1, 1997, to the
2858 regional public safety emergency telecommunications centers within
2859 the state, and not later than April first of each year thereafter, the
2860 commissioner shall determine the amount of funding needed for the
2861 development and administration of the enhanced emergency 9-1-1
2862 program. The commissioner shall specify the expenses associated with
2863 (1) the purchase, installation and maintenance of new public safety
2864 answering point terminal equipment, (2) the implementation of the
2865 subsidy program, as described in subdivision (2) of subsection (a) of
2866 this section, (3) the implementation of the transition grant program,

2867 described in subdivision (2) of subsection (a) of this section, (4) the
2868 implementation of the regional emergency telecommunications service
2869 credit, as described in subdivision (2) of subsection (a) of this section,
2870 provided, for the fiscal year ending June 30, 2001, and each fiscal year
2871 thereafter, such credit for coordinated medical emergency direction
2872 services as provided in regulations adopted under this section shall be
2873 based upon the factor of thirty cents per capita and shall not be
2874 reduced each year, (5) the training of personnel, as necessary, (6)
2875 recurring expenses and future capital costs associated with the
2876 telecommunications network used to provide emergency 9-1-1 service
2877 and the public safety services data networks, (7) for the fiscal year
2878 ending June 30, 2001, and each fiscal year thereafter, the collection,
2879 maintenance and reporting of emergency medical services data, as
2880 required under subparagraphs (A) and (B) of subdivision (8) of section
2881 19a-177, provided the amount of expenses specified under this
2882 subdivision shall not exceed two hundred fifty thousand dollars in any
2883 fiscal year, (8) for the fiscal year ending June 30, 2001, and each fiscal
2884 year thereafter, the initial training of emergency medical dispatch
2885 personnel, the provision of an emergency medical dispatch priority
2886 reference card set and emergency medical dispatch training and
2887 continuing education pursuant to subdivisions (3) and (4) of
2888 subsection (g) of section 28-25b, and (9) the administration of the
2889 enhanced emergency 9-1-1 program by the Office of State-Wide
2890 Emergency Telecommunications, as the commissioner determines to
2891 be reasonably necessary. The commissioner shall communicate the
2892 commissioner's findings to the [chairperson of the Public Utilities
2893 Control Authority] Commissioner of Energy and Environmental
2894 Protection not later than April first of each year.

2895 (d) The office may apply for, receive and distribute any federal
2896 funds available for emergency service telecommunications. The office
2897 shall deposit such federal funds in the Enhanced 9-1-1
2898 Telecommunications Fund established by section 28-30a.

2899 (e) The office shall work in cooperation with the Department of

2900 [Public Utility Control] Energy and Environmental Protection to carry
 2901 out the purposes of this section.

2902 Sec. 48. Sections 16-1b and 16a-22l of the general statutes are
 2903 repealed. (*Effective July 1, 2011*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2011</i>	New section
Sec. 2	<i>July 1, 2011</i>	4-5
Sec. 3	<i>July 1, 2011</i>	4-38c
Sec. 4	<i>July 1, 2011</i>	4-67e
Sec. 5	<i>July 1, 2011</i>	4b-47(a) and (b)
Sec. 6	<i>July 1, 2011</i>	4d-90(a)
Sec. 7	<i>July 1, 2011</i>	4d-100(a)
Sec. 8	<i>July 1, 2011</i>	16-1
Sec. 9	<i>July 1, 2011</i>	16-2
Sec. 10	<i>July 1, 2011</i>	16-2c
Sec. 11	<i>July 1, 2011</i>	16-8(a) and (b)
Sec. 12	<i>July 1, 2011</i>	16-50j
Sec. 13	<i>July 1, 2011</i>	16-261a
Sec. 14	<i>July 1, 2011</i>	16a-3
Sec. 15	<i>July 1, 2011</i>	16a-3a(e) and (f)
Sec. 16	<i>July 1, 2011</i>	16a-3c
Sec. 17	<i>July 1, 2011</i>	16a-4
Sec. 18	<i>July 1, 2011</i>	16a-7b(b)
Sec. 19	<i>July 1, 2011</i>	16a-7c(a)
Sec. 20	<i>July 1, 2011</i>	16a-22c
Sec. 21	<i>July 1, 2011</i>	16a-23t(f)
Sec. 22	<i>July 1, 2011</i>	16a-37w
Sec. 23	<i>July 1, 2011</i>	16a-38k(b)
Sec. 24	<i>July 1, 2011</i>	16a-39
Sec. 25	<i>July 1, 2011</i>	16a-40
Sec. 26	<i>July 1, 2011</i>	16a-41b
Sec. 27	<i>July 1, 2011</i>	16a-46
Sec. 28	<i>July 1, 2011</i>	16a-46c
Sec. 29	<i>July 1, 2011</i>	16a-48
Sec. 30	<i>July 1, 2011</i>	21a-86a
Sec. 31	<i>July 1, 2011</i>	21a-86c(a)

Sec. 32	<i>July 1, 2011</i>	22a-174l
Sec. 33	<i>July 1, 2011</i>	22a-1b
Sec. 34	<i>July 1, 2011</i>	22a-2
Sec. 35	<i>July 1, 2011</i>	22a-5
Sec. 36	<i>July 1, 2011</i>	22a-11
Sec. 37	<i>July 1, 2011</i>	22a-119(e)
Sec. 38	<i>July 1, 2011</i>	22a-198
Sec. 39	<i>July 1, 2011</i>	22a-354i
Sec. 40	<i>July 1, 2011</i>	22a-354w
Sec. 41	<i>July 1, 2011</i>	22a-371(d)
Sec. 42	<i>July 1, 2011</i>	23-8
Sec. 43	<i>July 1, 2011</i>	23-102
Sec. 44	<i>July 1, 2011</i>	25-32i
Sec. 45	<i>July 1, 2011</i>	25-33o
Sec. 46	<i>July 1, 2011</i>	25-157
Sec. 47	<i>July 1, 2011</i>	28-24
Sec. 48	<i>July 1, 2011</i>	Repealer section

Statement of Purpose:

To implement the Governor's budget recommendations.

[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.]