



General Assembly

**Amendment**

February Session, 2014

LCO No. 5133

**\*SB0035705133SD0\***

Offered by:

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REP. SHARKEY, 88<sup>th</sup> Dist.  
SEN. LOONEY, 11<sup>th</sup> Dist.  
REP. ARESIMOWICZ, 30<sup>th</sup> Dist.  
SEN. DUFF, 25<sup>th</sup> Dist.  
REP. REED, 102<sup>nd</sup> Dist.

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SEN. CHAPIN, 30<sup>th</sup> Dist.  
REP. HOYDICK, 120<sup>th</sup> Dist.  
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To: Subst. Senate Bill No. 357

File No. 285

Cal. No. 198

**"AN ACT CONCERNING REVISIONS TO ENERGY STATUTES."**

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

3 "Section 1. (NEW) (*Effective from passage*) (a) There is established the  
4 Materials Innovation and Recycling Authority. The Materials  
5 Innovation and Recycling Authority shall constitute a successor  
6 authority to the Connecticut Resources Recovery Authority in  
7 accordance with the provisions of sections 4-38d, 4-38e and 4-39 of the  
8 general statutes.

9 (b) Wherever the words "Connecticut Resources Recovery  
10 Authority" are used in any public or special act of 2014 or in the  
11 following sections of the general statutes, the words "Materials

12 Innovation and Recycling Authority" shall be substituted in lieu  
13 thereof: 1-79, 1-120, 1-124, 1-125, 3-24d, 3-24f, 7-329a, 12-412, 12-459, 16-  
14 1, 16-245, 16-245b, 22a-208a, as amended by this act, 22a-208v, 22a-  
15 209h, 22a-219b, 22a-220, 22a-241, 22a-260, 22a-261, as amended by this  
16 act, 22a-263a, 22a-263b, 22a-268a, 22a-268b, 22a-270a, 22a-272a, 22a-282,  
17 22a-283, 22a-284, 32-1e and 32-658.

18 (c) The Legislative Commissioners' Office shall, in codifying the  
19 provisions of this section, make such conforming, technical,  
20 grammatical and punctuation changes as are necessary to carry out the  
21 purposes of this section.

22 Sec. 2. Section 22a-241a of the general statutes is repealed and the  
23 following is substituted in lieu thereof (*Effective from passage*):

24 (a) On or before ~~[June 1, 1988]~~ July 1, 2016, the Commissioner of  
25 Energy and Environmental Protection shall revise the state-wide solid  
26 waste management plan adopted pursuant to section 22a-228 to  
27 include a strategy ~~[to recycle]~~ for diverting, through source reduction,  
28 reuse and recycling, not less than ~~[twenty-five]~~ sixty per cent of the  
29 solid waste generated in the state after ~~[January 1, 1991]~~ January 1,  
30 2024. Such strategy shall include, but not be limited to, modernization  
31 of solid waste management infrastructure throughout the state  
32 through the efforts of private, public and quasi-public entities,  
33 promotion of organic materials management, the recycling of  
34 construction and demolition debris, the development of intermediate  
35 processing centers, recommendations for ~~[assigning municipalities to]~~  
36 the development of municipal or regional recycling programs, options  
37 for local compliance of municipalities with recycling requirements and  
38 the composting of solid waste. The commissioner shall consult with  
39 municipalities in developing any revision to the state-wide solid waste  
40 management plan and with the Connecticut Agricultural Experiment  
41 Station on issues related to composting.

42 (b) On or before February 1, 2016, the commissioner shall submit  
43 such revised state-wide solid waste management plan to the joint

44 standing committee of the General Assembly having cognizance of  
45 matters relating to the environment. Not later than thirty days after  
46 receipt of such revised state-wide solid waste management plan, said  
47 committee may hold a public hearing on such plan. The commissioner,  
48 or the commissioner's designee, shall testify at any such public hearing  
49 and receive comments from the members of said committees  
50 concerning such proposals.

51       Sec. 3. (NEW) (*Effective from passage*) On or before January 1, 2016,  
52 the Commissioner of Energy and Environmental Protection, in  
53 consultation with the Materials Innovation and Recycling Authority,  
54 shall issue a request for proposals from providers of solid waste  
55 materials management services, including, but not limited to,  
56 recycling, reuse, energy and fuel recovery for the purpose of  
57 redeveloping the Connecticut Solid Waste System Project. Such  
58 proposals shall not include the provision of waste collection or  
59 transportation services. From such proposals, the commissioner may  
60 select not more than three respondents who may each conduct a  
61 feasibility study with the cooperation of the Materials Innovation and  
62 Recycling Authority. Any such feasibility study shall be completed not  
63 later than January 1, 2017, and any such respondent shall submit a  
64 final proposal to the Commissioner of Energy and Environmental  
65 Protection not later than July 1, 2017. The commissioner shall provide  
66 an opportunity for public review and comment on such feasibility  
67 study. On or before September 15, 2017, the commissioner shall submit  
68 a report on the nature and status of such proposals to the joint  
69 standing committees of the General Assembly having cognizance of  
70 matters relating to the environment and energy and technology and to  
71 the joint standing committee on legislative management. The joint  
72 standing committees of the General Assembly having cognizance of  
73 matters relating to the environment and energy and technology may  
74 hold a joint public hearing on such report not later than thirty days  
75 after receipt of such report. The commissioner, or the commissioner's  
76 designee, shall testify at any such public hearing and receive  
77 comments from the members of said committees concerning such

78 proposals. On or before December 31, 2017, the Commissioner of  
79 Energy and Environmental Protection may select one such final  
80 proposal and direct the Materials Innovation and Recycling Authority  
81 to enter into an agreement with the applicable respondent for the  
82 redevelopment of the Connecticut Solid Waste Management System  
83 Project. In selecting such final proposal, the Commissioner of Energy  
84 and Environmental Protection shall consider the following factors: (1)  
85 Whether the proposal is consistent with the strategies developed  
86 pursuant to section 22a-241a of the general statutes, as amended by  
87 this act, (2) whether the proposal is consistent with the goals of the  
88 state-wide solid waste management plan adopted in accordance with  
89 section 22a-228 of the general statutes, (3) whether the proposal is in  
90 the best interest of the municipalities under contract with the Materials  
91 Innovation and Recycling Authority, including, but not limited to, the  
92 maintenance or reduction of current tipping fees for contracted waste,  
93 (4) the level of investment proposed by the respondent, (5) any  
94 potential positive impacts on the state's economic development, (6)  
95 public comments received on the feasibility studies, and (7) any other  
96 factor consistent with the purpose of this section that the  
97 Commissioner of Energy and Environmental Protection deems  
98 relevant to the redevelopment of the Connecticut Solid Waste System  
99 Project. The selection of a final proposal by the Department of Energy  
100 and Environmental Protection, in consultation with the Materials  
101 Innovation and Recycling Authority, shall not be construed as a  
102 legislative mandate as it relates to the Materials Innovation and  
103 Recycling Authority's ability to obligate municipal customers to  
104 remain under contract.

105 Sec. 4. (NEW) (*Effective from passage*) (a) There is established the  
106 Recycle CT Foundation, Inc., a nonstock, nonprofit corporation,  
107 organized under the laws of the state of Connecticut as a state  
108 chartered foundation. The Recycle CT Foundation, Inc. shall: (1) Target  
109 and promote the coordination and support of research and education  
110 activities and public information programs aimed at increasing the rate  
111 of recycling and reuse in the state, in accordance with the state-wide

112 solid waste management plan adopted pursuant to section 22a-228 of  
113 the general statutes; and (2) receive, disburse and administer gifts,  
114 grants, endowments or other funds from any source that supports  
115 research and education activities consistent with the purposes of  
116 chapter 446d of the general statutes.

117 (b) There is established a Recycle CT Foundation Council that shall  
118 consist of the following members: (1) The Commissioners of Energy  
119 and Environmental Protection and Economic and Community  
120 Development, or said commissioners' designees, (2) five appointed by  
121 the Governor, (3) one appointed by the president pro tempore of the  
122 Senate, (4) one appointed by the speaker of the House of  
123 Representatives, (5) one appointed by the minority leader of the House  
124 of Representatives, and (6) one appointed by the minority leader of the  
125 Senate. The chairperson of the council shall be appointed by the  
126 Governor and shall serve a term coterminous with that of the  
127 Governor. All other members of the council shall serve a term of two  
128 years. No member shall serve for more than three terms. Members of  
129 the council shall not receive compensation for service on such council.  
130 Any vacancy shall be filled by the appointing authority.

131 (c) The council shall undertake all requisite efforts to obtain  
132 nonprofit, tax exempt status under Section 501(c)(3) of the Internal  
133 Revenue Code of 1986, or any subsequent corresponding internal  
134 revenue code of the United States, as amended from time to time. The  
135 council shall solicit and accept funds, on behalf of the Recycle CT  
136 Foundation, Inc., to be used for the purpose of making grants to  
137 programs that are intended to increase the rate of recycling and reuse  
138 of solid waste materials in the state. The council shall establish criteria  
139 and procedures for the award of such grants, provided recipients of  
140 such grants may include: Nonprofit organizations, civic and  
141 community groups, schools, public agencies, municipalities, regional  
142 entities that represent municipalities or organizations in the private  
143 sector. Any person seeking the award of such grant shall file an  
144 application with the council on a form as prescribed by the council.

145 Sec. 5. Section 22a-262 of the general statutes is repealed and the  
146 following is substituted in lieu thereof (*Effective from passage*):

147 (a) The purposes of the authority shall be:

148 (1) The planning, design, construction, financing, management,  
149 ownership, operation and maintenance of solid waste disposal, volume  
150 reduction, recycling, intermediate processing and resources recovery  
151 facilities and all related solid waste reception, storage, transportation  
152 and waste-handling and general support facilities considered by the  
153 authority to be necessary, desirable, convenient or appropriate in  
154 carrying out the provisions of the state solid waste management plan  
155 and in establishing, managing and operating solid waste disposal and  
156 resources recovery systems and their component waste-processing  
157 facilities and equipment;

158 (2) The provision of solid waste management services to  
159 municipalities, regions and persons within the state by receiving solid  
160 wastes at authority facilities, pursuant to contracts between the  
161 authority and such municipalities, regions and persons; the recovery of  
162 resources and resource values from such solid wastes; and the  
163 production from such services and resources recovery operations of  
164 revenues sufficient to provide for the support of the authority and its  
165 operations on a self-sustaining basis, with due allowance for the  
166 redistribution of any surplus revenues to reduce the costs of authority  
167 services to the users thereof provided such surplus revenues shall  
168 include any net revenue from activities undertaken pursuant to  
169 subdivisions (18) and (19) of subsection (a) of section 22a-266 and  
170 subdivision (8) of section 22a-267;

171 (3) The utilization, through contractual arrangements, of private  
172 industry for implementation of some or all of the requirements of the  
173 state solid waste management plan and for such other activities as may  
174 be considered necessary, desirable or convenient by the authority;

175 (4) Assistance with and coordination of efforts directed toward

176 source separation for recycling purposes; and

177 [(5) Assistance in the development of industries, technologies and  
178 commercial enterprises within the state of Connecticut based upon  
179 resources recovery, recycling, reuse and treatment or processing of  
180 solid waste.]

181 (5) In consultation with the Commissioner of Energy and  
182 Environmental Protection and consistent with the state-wide solid  
183 waste management plan adopted pursuant to section 22a-228, the  
184 development of new industries, technologies and commercial  
185 enterprises on property owned by the authority based upon resource  
186 recovery, recycling, reuse and treatment or processing of solid waste.

187 (b) These purposes shall be considered to be operating  
188 responsibilities of the authority, in accordance with the state solid  
189 waste management plan, and are to be considered in all respects public  
190 purposes. [It is the intention of this chapter that the authority shall be  
191 granted all powers necessary to fulfill these purposes and to carry out  
192 its assigned responsibilities and that the provisions of this chapter,  
193 itself, are to be construed liberally in furtherance of this intention.]

194 (c) These purposes shall not include activities related to state-wide  
195 recycling education and promotion or the establishment of state-wide  
196 solid waste management or policy.

197 Sec. 6. Section 22a-264 of the general statutes is repealed and the  
198 following is substituted in lieu thereof (*Effective from passage*):

199 The activities of the authority in providing or contracting to provide  
200 solid waste management services [to the state, regions, municipalities  
201 and persons, in implementing the state resources recovery system and  
202 in planning, designing, financing, constructing, managing or operating  
203 solid waste facilities, including their location, size and capabilities,]  
204 shall be in conformity with applicable statutes and regulations and  
205 with the state solid waste management plan as [promulgated] adopted  
206 by the Commissioner of Energy and Environmental Protection. [The

207 authority shall have power to assist in the preparation, revision,  
208 extension or amendment of the state solid waste management plan,  
209 and the Department of Energy and Environmental Protection is hereby  
210 authorized to utilize, by contract or other agreement, the capabilities of  
211 the authority for the carrying out of such planning functions. The  
212 authority shall have power to revise and update, as may be necessary  
213 to carry out the purposes of this chapter, that portion of the state solid  
214 waste management plan defined as the "solid waste management  
215 system". To effect such revision and updating, the] The authority shall  
216 prepare an annual plan of operations which shall be reviewed by the  
217 Commissioner of Energy and Environmental Protection for consistency  
218 with the state solid waste management plan. Upon approval by the  
219 Commissioner of Energy and Environmental Protection and by a [two-  
220 thirds] vote of the authority's full board of directors, the annual plan of  
221 operations shall be [promulgated] adopted. Any activities of the  
222 authority carried out to assist in the development of industry and  
223 commerce based upon the availability of recovered resources for  
224 recycling and reuse shall be coordinated to the extent practicable with  
225 plans and activities of Connecticut Innovations, Incorporated, with  
226 due consideration given to the secondary materials and waste  
227 management industries operating within the state of Connecticut.

228 Sec. 7. Section 22a-265 of the general statutes is repealed and the  
229 following is substituted in lieu thereof (*Effective January 1, 2015*):

230 The authority shall have power to:

231 (1) Employ a staff of not to exceed [seventy] forty-five personnel,  
232 exclusive of the directors, and to fix their duties, qualifications and  
233 compensation; [provided before employing more than forty-five  
234 persons the board of directors shall, by a two-thirds vote of all the  
235 members, establish the maximum number of employees which may be  
236 employed;]

237 (2) Establish offices where necessary in the state of Connecticut;

- 238 (3) Make and enter into any contract or agreement necessary or  
239 incidental to the performance of its duties and execution of its powers;
- 240 (4) Sue and be sued;
- 241 (5) Have a seal and alter it at pleasure;
- 242 (6) Make and alter bylaws and rules and regulations with respect to  
243 the exercise of its own powers;
- 244 (7) Conduct such hearings, examinations and investigations as may  
245 be necessary and appropriate to the conduct of its operations and the  
246 fulfillment of its responsibilities;
- 247 (8) Obtain access to public records and apply for the process of  
248 subpoena if necessary to produce books, papers, records and other  
249 data;
- 250 (9) Charge reasonable fees for the services it performs and waive,  
251 suspend, reduce or otherwise modify such fees, provided such user  
252 fees shall apply uniformly within each municipality to all users who  
253 are provided with waste management services with respect to a given  
254 type or category of wastes, in accordance with criteria established by  
255 the authority, and provided further no change may be made in user  
256 fees without at least sixty days prior notice to the users affected  
257 thereby;
- 258 (10) Purchase, lease or rent such real and personal property as it  
259 may deem necessary, convenient or desirable;
- 260 [(11) Appoint such state and local advisory councils as it may from  
261 time to time deem advisable, including but not limited to state and  
262 local councils on the continuation and utilization of source-separation  
263 and recycling efforts to benefit the people of the state;]
- 264 [(12)] (11) Otherwise, do all things necessary for the performance of  
265 its duties, the fulfillment of its obligations, the conduct of its

266 operations, the maintenance of its working relationships with  
267 municipalities, regions and persons, and the conduct of a  
268 comprehensive program for reuse, recycling, solid waste disposal and  
269 resources recovery, and for solid waste management services, in  
270 accordance with the provisions of the state solid waste management  
271 plan, applicable statutes and regulations and the requirements of this  
272 chapter;

273 [(13)] (12) Receive and accept, from any source, aid or contributions,  
274 including money, property, labor and other things of value;

275 [(14) To invest] (13) Invest any funds not needed for immediate use  
276 or disbursement in obligations issued or guaranteed by the United  
277 States of America or the state of Connecticut and in obligations that are  
278 legal investments for savings banks in this state; and

279 [(15) To adopt] (14) Adopt regular procedures for exercising its  
280 power under this chapter not in conflict with other provisions of the  
281 general statutes.

282 Sec. 8. Section 22a-265a of the general statutes is repealed and the  
283 following is substituted in lieu thereof (*Effective from passage*):

284 [If, during any fiscal year the number of employees authorized by  
285 the board pursuant to subdivision (1) of section 22a-265 exceeds forty-  
286 five, expenditures by the authority for outside consultants during such  
287 fiscal year shall be reduced below expenditures for outside consultants  
288 for the previous fiscal year by an amount equal to expenditures for  
289 such additional employees in excess of forty-five unless during such  
290 fiscal year municipalities contract with the authority for the  
291 development or operation of additional recycling, intermediate  
292 processing or resources recovery processing facilities.] Any  
293 expenditure of fifty thousand dollars or more by the authority for an  
294 outside consultant shall require a two-thirds vote of approval by the  
295 board of directors.

296 Sec. 9. Section 16a-14e of the general statutes is repealed and the

297 following is substituted in lieu thereof (*Effective from passage*):

298     (a) The Department of Energy and Environmental Protection shall  
299 operate a purchasing pool for the purchase of electricity for state  
300 operations and the operations of any municipality in the state that  
301 elects to participate in such purchasing pool. In connection with the  
302 operation of such purchasing pool, the Commissioner of Energy and  
303 Environmental Protection may solicit proposals from electric suppliers  
304 and as authorized pursuant to subsection (e) of this section, on behalf  
305 of any state agency, municipality or institution of higher education for  
306 electric generation services to purchase electricity for state and  
307 municipal operations and to meet the state's energy policy goals, as  
308 established in the comprehensive energy strategy adopted by the  
309 commissioner. Said department shall provide the opportunity to  
310 participate in such purchasing pool to each household that includes an  
311 individual who receives means-tested assistance administered by the  
312 state or federal government. Any such household shall receive through  
313 such purchasing pool the same benefits and rate discounts available  
314 for state facilities. The Department of Energy and Environmental  
315 Protection shall use federal and state energy assistance funds to  
316 leverage the lowest practicable electric rates for households  
317 participating in such pool, provided such funds shall not be used for  
318 administrative purposes. The commissioner may make grants  
319 available to municipalities that join such pool and commit to achieving  
320 the state diversion, recycling and reuse goals in accordance with  
321 sections 22a-220 and 22a-241a, as amended by this act, and the state-  
322 wide solid waste management plan adopted and amended pursuant to  
323 section 22a-228. The provisions of section 16-245 shall not apply to the  
324 Department of Energy and Environmental Protection for purposes of  
325 this section.

326     (b) In connection with the operation of the purchasing pool  
327 described in subsection (a) of this section, on or before January 1, 2020,  
328 the Commissioner of Energy and Environmental Protection shall  
329 solicit, on behalf of state agencies and any municipality or institution

330 of higher education that elects to participate in such purchasing pool,  
331 in one or more solicitations, proposals from retail electric suppliers and  
332 as authorized pursuant to subsection (e) of this section for electric  
333 supply, provided at least one solicitation occurs on or before January 1,  
334 2015. For any solicitation issued for a purchasing pool of three  
335 hundred seventy thousand megawatt hours per year or less, proposals  
336 submitted in response to such solicitation shall include not less than  
337 sixty per cent of electric generation supplied from Class II renewable  
338 energy sources, as defined in section 16-1, that originate from trash-to-  
339 energy facilities constructed on or before January 1, 2013, and that are  
340 permitted pursuant to section 22a-208a. Selection criteria for such  
341 services shall include, but are not limited to: (1) The delivered price of  
342 such service, (2) the Class II renewable energy facility's practices in  
343 furtherance of the state's diversion, reduction, reuse and recycling  
344 goals that are consistent with sections 22a-220 and 22a-241a, as  
345 amended by this act, and the state-wide solid waste management plan  
346 adopted and amended pursuant to section 22a-228, (3) the degree to  
347 which a proposal includes a greater percentage of trash-to-energy in  
348 the fuel mix, and (4) the degree to which a proposal includes a greater  
349 number of trash-to-energy facilities. On or before January 1, 2020, the  
350 commissioner shall, through one or more solicitations, select the  
351 proposals that meet the requirements of this subsection to satisfy, for a  
352 total period of not less than five consecutive years, not less than three  
353 hundred seventy thousand megawatt hours per year of electric supply,  
354 provided such proposals include sixty per cent of electric generation  
355 supplied from Class II renewable energy sources, as described in this  
356 subsection, and otherwise meet the requirements of this subsection.  
357 Any proposals for such electric supply service selected by the  
358 commissioner shall be for a period of not more than five years and at a  
359 price not higher than one-half cent per kilowatt hour above the price  
360 for standard generation service at the time any such solicitation is  
361 issued. In the event that no proposals include sixty per cent or more of  
362 electric generation supplied from Class II renewable energy sources, as  
363 defined in section 16-1, that originate from trash-to-energy facilities  
364 constructed on or before January 1, 2013, and that are permitted

365 pursuant to section 22a-208a, the commissioner may select the  
366 proposal or proposals with the highest percentage of electric  
367 generation supplied from such Class II renewable energy sources,  
368 provided the price does not exceed one-half cent per kilowatt hour  
369 above the price for standard generation service at the time any such  
370 solicitation is issued.

371 (c) In the event that the pool authorized pursuant to subsection (a)  
372 of this section exceeds three hundred seventy thousand megawatt  
373 hours per year of electric supply, the commissioner may select an  
374 amount using the selection criteria contained in subsection (b) of this  
375 section, provided the requirement contained in subsection (b) of this  
376 section for sixty per cent of such electric generation supplied from  
377 Class II renewable energy sources shall not apply to any such amount  
378 of such pool that exceeds three hundred seventy thousand megawatt  
379 hours per year.

380 (d) For the purposes of subdivisions (17) and (18) of subsection (b)  
381 of section 7-233e, the purchasing pool described in subsection (a) of  
382 this section and any energy improvement district described in section  
383 32-80a shall be deemed to be included in the entities that constitute  
384 electric power entities.

385 (e) Notwithstanding the provisions of subsection (g) of section 16-  
386 245c, a municipal electric energy cooperative is authorized to and may  
387 provide and supply electric generation services to those entities that  
388 constitute electric power entities, as described in subsection (d) of this  
389 section, provided any such cooperative shall comply with the  
390 renewable energy procurement requirements of sections 16-243q and  
391 16-245a with respect to the electric generation services supplied to such  
392 entities. Any such cooperative shall not be subject to the provisions of  
393 section 16-245.

394 Sec. 10. Section 1-2b of the 2014 supplement to the general statutes is  
395 repealed and the following is substituted in lieu thereof (*Effective from*  
396 *passage*):

397 (a) For purposes of sections 1-100oo, 1-206, 2-71r, 4-176, 4-180, 4-183,  
398 4a-52a, 4a-60q, 4a-63, 4a-100, 4e-34, 4e-35, 7-65, 7-148w, 7-247a, 7-473c,  
399 7-478e, 8-3b, 8-3i, 8-7d, 8-26b, 8-169r, 8-293, 9-388, 9-608, 9-623, 10a-22c,  
400 10a-22i, 10a-34a, 10a-109n, 12-35, 12-157, 12-242ii, 12-242jj, 13a-80, 13a-  
401 123, 15-11a, 16-41, 16-50c, 16-50d, 17a-103b, 19a-87, 19a-87c, 19a-209c,  
402 19a-332e, 19a-343a, 19a-486a, 19a-486c, 19a-486d, 19a-497, 19a-507b, 20-  
403 205a, 20-325a, 21-63, 21-80, 22-7, 22a-6b, 22a-6u, 22a-30, 22a-42d, 22a-  
404 42f, 22a-66d, 22a-137, 22a-178, 22a-225, 22a-228, 22a-250, [22a-285b,]  
405 22a-354p, 22a-354s, 22a-354t, 22a-361, 22a-371, 22a-401, 22a-403, 22a-  
406 433, 22a-436, 22a-449f, 22a-449l, 22a-449n, 22a-504, 22a-626, 23-46, 23-  
407 65j, 23-651, 23-65p, 25-32, 25-32e, 25-331, 25-34, 25-204, 25-234, 29-108d,  
408 31-57c, 31-57d, 31-355, 32-613, 33-663, 33-929, 33-1053, 33-1219, 34-521,  
409 35-42, 36a-50, 36a-51, 36a-52, 36a-53, 36a-82, 36a-184, 36a-493, 36b-62,  
410 36b-72, 38-323a, 38a-344, 38a-676, 38a-724, 38a-788, 42-158j, 42-161, 42-  
411 181, 42-182, 42-186, 42-271, 45a-716, 46b-115w, 46b-128, 47-42d, 47-74f,  
412 47-88b, 47-236, 47-284, 47a-11b, 47a-11d, 47a-13a, 47a-14h, 47a-56b, 49-  
413 2, 49-4a, 49-8, 49-8a, 49-10b, 49-31b, 49-51, 49-70, 51-90e, 52-57, 52-59b,  
414 52-63, 52-64, 52-195c, 52-350e, 52-351b, 52-361a, 52-362, 52-565a, 52-605,  
415 52-606, 53-401, 53a-128, 53a-128d, 53a-207 and 54-82c and chapter 965,  
416 any reference to certified mail, return receipt requested, shall include  
417 mail, electronic, and digital methods of receiving the return receipt,  
418 including all methods of receiving the return receipt identified by the  
419 Mailing Standards of the United States Postal Service in Chapter 500 of  
420 the Domestic Mail Manual or any subsequent corresponding  
421 document of the United States Postal Service.

422 (b) The Legislative Commissioners' Office shall, in codifying the  
423 provisions of this section, make such technical, grammatical and  
424 punctuation changes and statutory placements and classifications,  
425 including, but not listed in subsection (a) of this section as are  
426 necessary to carry out the purposes of this section.

427 Sec. 11. Section 16-50j of the 2014 supplement to the general statutes  
428 is repealed and the following is substituted in lieu thereof (*Effective*  
429 *from passage*):

430 (a) There is established a "Connecticut Siting Council", hereinafter  
431 referred to as the "council", which shall be within the Department of  
432 Energy and Environmental Protection for administrative purposes  
433 only.

434 (b) Except for proceedings under chapter 445, this subsection and  
435 subsection (c) of this section, the council shall consist of: (1) The  
436 Commissioner of Energy and Environmental Protection, or his  
437 designee; (2) the chairperson of the Public Utilities Regulatory  
438 Authority, or the chairperson's designee; (3) one designee of the  
439 speaker of the House and one designee of the president pro tempore of  
440 the Senate; and (4) five members of the public, to be appointed by the  
441 Governor, at least two of whom shall be experienced in the field of  
442 ecology, and not more than one of whom shall have affiliation, past or  
443 present, with any utility or governmental utility regulatory agency, or  
444 with any person owning, operating, controlling, or presently  
445 contracting with respect to a facility, a hazardous waste facility, as  
446 defined in section 22a-115, or an ash residue disposal area.

447 (c) For proceedings under chapter 445, subsection (b) of this section  
448 and this subsection, the council shall consist of (1) the Commissioners  
449 of Public Health and Emergency Services and Public Protection or their  
450 designated representatives; (2) the designees of the speaker of the  
451 House of Representatives and the president pro tempore of the Senate  
452 as provided in subsection (b) of this section; (3) the five members of the  
453 public as provided in subsection (b) of this section; and (4) four ad hoc  
454 members, three of whom shall be electors from the municipality in  
455 which the proposed facility is to be located and one of whom shall be  
456 an elector from a neighboring municipality likely to be most affected  
457 by the proposed facility. The municipality most affected by the  
458 proposed facility shall be determined by the permanent members of  
459 the council. If any one of the five members of the public or of the  
460 designees of the speaker of the House of Representatives or the  
461 president pro tempore of the Senate resides (A) in the municipality in  
462 which a hazardous waste facility is proposed to be located for a

463 proceeding concerning a hazardous waste facility or in which a low-  
464 level radioactive waste facility is proposed to be located for a  
465 proceeding concerning a low-level radioactive waste facility, or (B) in  
466 the neighboring municipality likely to be most affected by the  
467 proposed facility, the appointing authority shall appoint a substitute  
468 member for the proceedings on such proposal. If any appointee is  
469 unable to perform his duties on the council due to illness, or has a  
470 substantial financial or employment interest which is in conflict with  
471 the proper discharge of his duties under this chapter, the appointing  
472 authority shall appoint a substitute member for proceedings on such  
473 proposal. An appointee shall report any substantial financial or  
474 employment interest which might conflict with the proper discharge of  
475 his duties under this chapter to the appointing authority who shall  
476 determine if such conflict exists. If any state agency is the applicant, an  
477 appointee shall not be deemed to have a substantial employment  
478 conflict of interest because of employment with the state unless such  
479 appointee is directly employed by the state agency making the  
480 application. Ad hoc members shall be appointed by the chief elected  
481 official of the municipality they represent and shall continue their  
482 membership until the council issues a letter of completion of the  
483 development and management plan to the applicant.

484 [(d) For proceedings under sections 22a-285d to 22a-285h, inclusive,  
485 the council shall consist of (1) the Commissioners of Public Health and  
486 Emergency Services and Public Protection or their designated  
487 representatives; (2) the designees of the speaker of the House of  
488 Representatives and the president pro tempore of the Senate as  
489 provided in subsection (b) of this section, and (3) five members of the  
490 public as provided in subsection (b) of this section. If any one of the  
491 five members of the public or of the designees of the speaker of the  
492 House of Representatives or the president pro tempore of the Senate  
493 resides in the municipality in which an ash residue disposal area is  
494 proposed to be located the appointing authority shall appoint a  
495 substitute member for the proceedings on such proposal. If any  
496 appointee is unable to perform his duties on the council due to illness,

497 or has a substantial financial or employment interest which is in  
498 conflict with the proper discharge of his duties under sections 22a-  
499 285d to 22a-285h, inclusive, the appointing authority shall appoint a  
500 substitute member for proceedings on such proposal. An appointee  
501 shall report any substantial financial or employment interest which  
502 might conflict with the proper discharge of his duties under said  
503 sections to the appointing authority who shall determine if such  
504 conflict exists. If any state agency is the applicant, an appointee shall  
505 not be deemed to have a substantial employment conflict of interest  
506 because of employment with the state unless such appointee is directly  
507 employed by the state agency making the application.]

508 [(e)] (d) The chairman of the council shall be appointed by the  
509 Governor from among the five public members appointed by him,  
510 with the advice and consent of the House or Senate, and shall serve as  
511 chairman at the pleasure of the Governor.

512 [(f)] (e) The public members of the council, including the chairman,  
513 the members appointed by the speaker of the House and president pro  
514 tempore of the Senate and the four ad hoc members specified in  
515 subsection (c) of this section, shall be compensated for their attendance  
516 at public hearings, executive sessions, or other council business as may  
517 require their attendance at the rate of two hundred dollars, provided in  
518 no case shall the daily compensation exceed two hundred dollars.

519 [(g)] (f) The council shall, in addition to its other duties prescribed in  
520 this chapter, adopt, amend, or rescind suitable regulations to carry out  
521 the provisions of this chapter and the policies and practices of the  
522 council in connection therewith, and appoint and prescribe the duties  
523 of such staff as may be necessary to carry out the provisions of this  
524 chapter. The chairman of the council, with the consent of five or more  
525 other members of the council, may appoint an executive director, who  
526 shall be the chief administrative officer of the Connecticut Siting  
527 Council. The executive director shall be exempt from classified service.

528 [(h)] (g) Prior to commencing any hearing pursuant to section 16-

529 50m, the council shall consult with and solicit written comments from  
530 (1) the Department of Energy and Environmental Protection, the  
531 Department of Public Health, the Council on Environmental Quality,  
532 the Department of Agriculture, the Public Utilities Regulatory  
533 Authority, the Office of Policy and Management, the Department of  
534 Economic and Community Development and the Department of  
535 Transportation, and (2) in a hearing pursuant to section 16-50m, for a  
536 facility described in subdivision (3) of subsection (a) of section 16-50i,  
537 the Department of Emergency Services and Public Protection, the  
538 Department of Consumer Protection, the Department of  
539 Administrative Services and the Labor Department. In addition, the  
540 Department of Energy and Environmental Protection shall have the  
541 continuing responsibility to investigate and report to the council on all  
542 applications which prior to October 1, 1973, were within the  
543 jurisdiction of the Department of Environmental Protection with  
544 respect to the granting of a permit. Copies of such comments shall be  
545 made available to all parties prior to the commencement of the  
546 hearing. Subsequent to the commencement of the hearing, said  
547 departments and council may file additional written comments with  
548 the council within such period of time as the council designates. All  
549 such written comments shall be made part of the record provided by  
550 section 16-50o. Said departments and council shall not enter any  
551 contract or agreement with any party to the proceedings or hearings  
552 described in this section or section 16-50p that requires said  
553 departments or council to withhold or retract comments, refrain from  
554 participating in or withdraw from said proceedings or hearings.

555 Sec. 12. Section 22a-208b of the general statutes is repealed and the  
556 following is substituted in lieu thereof (*Effective from passage*):

557 (a) The Commissioner of Energy and Environmental Protection may  
558 issue a permit to construct a facility for the land disposal of solid waste  
559 pursuant to section 22a-208a, as amended by this act, provided [(1)] the  
560 applicant submits to the commissioner a copy of a valid certificate of  
561 zoning approval, special permit, special exception or variance, or other

562 documentation, establishing that the facility complies with the zoning  
563 requirements adopted by the municipality in which such facility is  
564 located pursuant to chapter 124 or any special act, [ , or (2) the council  
565 has approved a negotiated agreement or issued an arbitration award in  
566 accordance with section 22a-285g.]

567 (b) Nothing in this chapter or chapter 446e shall be construed to  
568 limit the right of a municipality to regulate, through zoning, land  
569 usage for an existing or new solid waste facility. No municipal  
570 regulation adopted pursuant to section 8-2 shall have the effect of  
571 prohibiting the construction, alteration or operation of solid waste  
572 facilities within the limits of a municipality.

573 Sec. 13. Section 51-344a of the 2014 supplement to the general  
574 statutes is repealed and the following is substituted in lieu thereof  
575 (*Effective from passage*):

576 (a) Whenever the term "judicial district of Hartford-New Britain" or  
577 "judicial district of Hartford-New Britain at Hartford" is used or  
578 referred to in the following sections of the general statutes, it shall be  
579 deemed to mean or refer to the judicial district of Hartford on and after  
580 September 1, 1998: Sections 1-205, 1-206, 2-48, 3-21a, 3-62d, 3-70a, 3-  
581 71a, 4-61, 4-160, 4-164, 4-177b, 4-180, 4-183, 4-197, 5-202, 5-276a, 8-30g,  
582 9-7a, 9-7b, 9-369b, 10-153e, 12-208, 12-237, 12-268l, 12-312, 12-330m, 12-  
583 405k, 12-422, 12-448, 12-454, 12-456, 12-463, 12-489, 12-522, 12-554, 12-  
584 565, 12-572, 12-586f, 12-597, 12-730, 13b-34, 13b-235, 13b-315, 13b-375,  
585 14-57, 14-66, 14-67u, 14-110, 14-195, 14-311, 14-311c, 14-324, 14-331, 15-  
586 125, 15-126, 16-41, 16a-5, 17b-60, 17b-100, 17b-238, 17b-531, 19a-85, 19a-  
587 86, 19a-123d, 19a-425, 19a-498, 19a-517, 19a-526, 19a-633, 20-12f, 20-13e,  
588 20-29, 20-40, 20-45, 20-59, 20-73a, 20-86f, 20-99, 20-114, 20-133, 20-154,  
589 20-156, 20-162p, 20-192, 20-195p, 20-202, 20-206c, 20-227, 20-238, 20-247,  
590 20-263, 20-271, 20-307, 20-341f, 20-363, 20-373, 20-404, 20-414, 21a-55,  
591 21a-190i, 22-7, 22-64, 22-228, 22-248, 22-254, 22-320d, 22-326a, 22-344b,  
592 22-386, 22a-6b, 22a-7, 22a-16, 22a-30, 22a-34, 22a-53, 22a-60, 22a-62, 22a-  
593 63, 22a-66h, 22a-106a, 22a-119, 22a-180, 22a-182a, 22a-184, 22a-220a,  
594 22a-220d, 22a-225, 22a-226, 22a-226c, 22a-227, 22a-250, 22a-255l, 22a-

595 276, [22a-285a, 22a-285g, 22a-285j,] 22a-310, 22a-342a, 22a-344, 22a-  
596 361a, 22a-374, 22a-376, 22a-408, 22a-430, 22a-432, 22a-438, 22a-449f, 22a-  
597 449g, 22a-459, 23-5e, 23-65m, 25-32e, 25-36, 28-5, 29-143j, 29-158, 29-  
598 161z, 29-317, 29-323, 29-329, 29-334, 29-340, 29-369, 30-8, 31-109, 31-  
599 249b, 31-266, 31-266a, 31-270, 31-273, 31-284, 31-285, 31-339, 31-355a,  
600 31-379, 35-3c, 35-42, 36a-186, 36a-187, 36a-471a, 36a-494, 36a-587, 36a-  
601 647, 36a-684, 36a-718, 36a-807, 36b-26, 36b-27, 36b-30, 36b-50, 36b-71,  
602 36b-72, 36b-74, 36b-76, 38a-41, 38a-52, 38a-134, 38a-139, 38a-140, 38a-  
603 147, 38a-150, 38a-185, 38a-209, 38a-225, 38a-226b, 38a-241, 38a-337, 38a-  
604 470, 38a-620, 38a-657, 38a-687, 38a-774, 38a-776, 38a-817, 38a-843, 38a-  
605 868, 38a-906, 38a-994, 42-103c, 42-110d, 42-110k, 42-110p, 42-182, 46a-5,  
606 46a-56, 46a-100, 47a-21, 49-73, 51-44a, 51-81b, 51-194, 52-146j, 53-392d  
607 and 54-211a.

608 (b) If the term "judicial district of Hartford-New Britain" or "judicial  
609 district of Hartford-New Britain at Hartford" is used or referred to in  
610 any public act of 1995, 1996, 1997 or 1998 or in any section of the  
611 general statutes which is amended in 1995, 1996, 1997 or 1998 it shall  
612 be deemed to mean or refer to the judicial district of Hartford on and  
613 after September 1, 1998.

614 (c) If the term "judicial district of Hartford-New Britain at New  
615 Britain" is used or referred to in any public act of 1995, 1996, 1997 or  
616 1998 or in any section of the general statutes which is amended in 1995,  
617 1996, 1997 or 1998 it shall be deemed to mean or refer to the judicial  
618 district of New Britain on and after September 1, 1998.

619 Sec. 14. Subsection (a) of section 51-344a of the 2014 supplement to  
620 the general statutes, as amended by section 22 of public act 09-177,  
621 section 6 of public act 10-54 and sections 3 and 4 of public act 12-60, is  
622 repealed and the following is substituted in lieu thereof (*Effective*  
623 *January 1, 2015*):

624 (a) Whenever the term "judicial district of Hartford-New Britain" or  
625 "judicial district of Hartford-New Britain at Hartford" is used or  
626 referred to in the following sections of the general statutes, it shall be

627 deemed to mean or refer to the judicial district of Hartford on and after  
628 September 1, 1998: Sections 1-205, 1-206, 2-48, 3-21a, 3-62d, 3-70a, 3-  
629 71a, 4-61, 4-160, 4-164, 4-177b, 4-180, 4-183, 4-197, 5-202, 5-276a, 8-30g,  
630 9-7a, 9-7b, 9-369b, 10-153e, 12-208, 12-237, 12-268l, 12-312, 12-330m, 12-  
631 405k, 12-422, 12-448, 12-454, 12-456, 12-463, 12-489, 12-522, 12-554, 12-  
632 565, 12-572, 12-586f, 12-597, 12-730, 13b-34, 13b-235, 13b-315, 13b-375,  
633 14-57, 14-66, 14-67u, 14-110, 14-195, 14-311, 14-311c, 14-324, 14-331, 15-  
634 125, 15-126, 16-41, 16a-5, 17b-60, 17b-100, 17b-238, 17b-531, 19a-85, 19a-  
635 86, 19a-123d, 19a-425, 19a-498, 19a-517, 19a-526, 19a-633, 20-12f, 20-13e,  
636 20-29, 20-40, 20-45, 20-59, 20-73a, 20-86f, 20-99, 20-114, 20-133, 20-154,  
637 20-156, 20-162p, 20-192, 20-195p, 20-202, 20-206c, 20-227, 20-238, 20-247,  
638 20-263, 20-271, 20-307, 20-341f, 20-363, 20-373, 20-404, 20-414, 21a-55,  
639 21a-190i, 22-7, 22-64, 22-228, 22-248, 22-254, 22-320d, 22-326a, 22-344b,  
640 22-386, 22a-6b, 22a-7, 22a-16, 22a-30, 22a-34, 22a-53, 22a-60, 22a-62, 22a-  
641 63, 22a-66h, 22a-106a, 22a-119, 22a-167, 22a-180, 22a-182a, 22a-184, 22a-  
642 220a, 22a-220d, 22a-225, 22a-226, 22a-226c, 22a-227, 22a-250, 22a-255l,  
643 22a-276, [22a-285a, 22a-285g, 22a-285j,] 22a-310, 22a-342a, 22a-344, 22a-  
644 361a, 22a-374, 22a-376, 22a-408, 22a-430, 22a-432, 22a-438, 22a-449f, 22a-  
645 449g, 22a-459, 23-5e, 23-65m, 25-32e, 25-36, 28-5, 29-143j, 29-158, 29-  
646 161z, 29-323, 30-8, 31-109, 31-249b, 31-266, 31-266a, 31-270, 31-273, 31-  
647 284, 31-285, 31-339, 31-355a, 31-379, 35-3c, 35-42, 36a-186, 36a-187, 36a-  
648 471a, 36a-494, 36a-587, 36a-647, 36a-684, 36a-718, 36a-807, 36b-26, 36b-  
649 27, 36b-30, 36b-50, 36b-71, 36b-72, 36b-74, 36b-76, 38a-41, 38a-52, 38a-  
650 134, 38a-139, 38a-140, 38a-147, 38a-150, 38a-185, 38a-209, 38a-225, 38a-  
651 226b, 38a-241, 38a-337, 38a-470, 38a-620, 38a-657, 38a-687, 38a-774, 38a-  
652 776, 38a-817, 38a-843, 38a-868, 38a-906, 38a-994, 42-103c, 42-110d, 42-  
653 110k, 42-110p, 42-182, 46a-5, 46a-56, 46a-100, 47a-21, 49-73, 51-44a, 51-  
654 81b, 51-194, 52-146j, 53-392d and 54-211a.

655 Sec. 15. Subsection (a) of section 22a-266 of the general statutes is  
656 repealed and the following is substituted in lieu thereof (*Effective from*  
657 *passage*):

658 (a) To accomplish the purposes of this chapter, the authority shall  
659 have power to:

- 660 (1) Own, manage and use real property or any interest therein;
- 661 (2) Determine the location and character of any project to be  
662 developed under the provisions of this chapter, subject to applicable  
663 statutes and regulations and the requirements of the state-wide solid  
664 waste management plan;
- 665 (3) Purchase, receive by gift or otherwise, lease, exchange, or  
666 otherwise acquire and construct, reconstruct, improve, maintain, equip  
667 and furnish such waste management projects as are called for by the  
668 state solid waste management plan;
- 669 (4) Sell or lease to any person, all or any portion of a waste  
670 management project, for such consideration and upon such terms as  
671 the authority may determine to be reasonable;
- 672 (5) Mortgage or otherwise encumber all or any portion of a project  
673 whenever, in the opinion of the authority, such action is deemed to be  
674 in furtherance of the purposes of this chapter;
- 675 (6) Grant options to purchase, or to renew a lease for, any authority  
676 waste management project on such terms as the authority may  
677 determine to be reasonable;
- 678 (7) Acquire, by purchase, gift [,] or transfer, [or by condemnation for  
679 public purposes,] and manage and operate, hold and dispose of real  
680 property and, subject to agreements with lessors or lessees, develop or  
681 alter such property by making improvements and betterments with the  
682 purpose of enhancing the value and usefulness of such property;
- 683 (8) Make plans, surveys, studies and investigations necessary or  
684 desirable, in conformity with the state plan and with due consideration  
685 for local or regional plans, to carry out authority functions with respect  
686 to the acquisition, use and development of real property and the  
687 design and construction of systems and facilities;
- 688 (9) Make short and long range plans, consistent with the provisions

689 of the state solid waste management plan, for the processing and  
690 transportation of solid wastes and recovered resources by authority-  
691 owned facilities;

692 (10) Design or provide for the design of solid waste management  
693 facilities including design for the alteration, reconstruction,  
694 improvement, enlargement or extension of existing facilities;

695 (11) Construct, erect, build, acquire, alter, reconstruct, improve,  
696 enlarge or extend waste management projects including provision for  
697 the inspection and supervision thereof and the engineering,  
698 architectural, legal, fiscal and economic investigations and studies,  
699 surveys, designs, plans, working drawings, specifications, procedures  
700 and any other actions incidental thereto;

701 (12) Own, operate and maintain waste management projects and  
702 make provision for their management and for the manufacturing,  
703 processing and transportation operations necessary to derive  
704 recovered resources from solid waste, and contracting for the sale of  
705 such;

706 (13) Enter upon lands and waters, as may be necessary, to make  
707 surveys, soundings, borings and examinations in order to accomplish  
708 the purposes of this chapter;

709 (14) Contract with municipal and regional authorities and state  
710 agencies to provide waste management services in accordance with the  
711 provisions of section 22a-275 and to plan, design, construct, manage,  
712 operate and maintain solid waste disposal and processing facilities on  
713 their behalf;

714 (15) Design and construct improvements or alterations on properties  
715 which it owns or which it operates by contract on behalf of municipal  
716 or regional authorities, including the restoration of terminated dumps  
717 and landfills to beneficial public or private use;

718 (16) Contract for services in the performance of architectural and

719 engineering design, the supervision of design and construction, system  
720 management and facility management; for such professional or  
721 technical services as are specified in subdivision (3) of section 22a-265;  
722 and for such other professional or technical services as may require  
723 either prequalification of a contractor or the submission by any  
724 individual, firm or consortium or association of individuals or firms of  
725 a proposal in response to an official request for proposal or similar  
726 written communication of the authority that is issued or made  
727 pursuant to the contracting procedures adopted under section 22a-  
728 268a, whenever such services are, in the discretion of the authority,  
729 deemed necessary, desirable or convenient in carrying out the  
730 purposes of the authority;

731 (17) Contract for the construction of solid waste facilities with  
732 private persons or firms, or consortia of such persons or firms,  
733 pursuant to applicable provisions of this chapter, the requirements of  
734 applicable regulations, the contracting procedures adopted under  
735 section 22a-268a and the state plan and in accordance with such  
736 specifications, terms and conditions as the authority may deem  
737 necessary or advisable;

738 (18) Assist in the development of industries and commercial  
739 enterprises and the planning, design, construction, financing,  
740 management, ownership, operation and maintenance of systems,  
741 facilities and technology within the state based upon or related to  
742 resources recovery, recycling, reuse, treatment, processing or disposal  
743 of solid waste provided any net revenue to the authority from  
744 activities, contracts, products or processes undertaken pursuant to this  
745 subdivision shall be distributed so as to reduce the costs of other  
746 authority services to the users thereof on a pro rata basis proportionate  
747 to costs paid by such users;

748 (19) Act as an electric supplier or an electric aggregator pursuant to  
749 public act 98-28 provided any net revenue to the authority from  
750 activities, contracts, products or processes undertaken pursuant to this  
751 subdivision, after payment of principal and interest on bonds and

752 repayment of any loans or notes of the authority, shall be distributed  
753 so as to reduce the costs of other authority services to the users thereof  
754 on a pro rata basis proportionate to costs paid by such users. In acting  
755 as an electric supplier or an electric aggregator pursuant to any license  
756 granted by the Public Utilities Regulatory Authority, the authority  
757 may enter into contracts for the purchase and sale of electricity and  
758 electric generation services, provided such contracts are solely for the  
759 purposes of ensuring the provision of safe and reliable electric service  
760 and protecting the position of the authority with respect to capacity  
761 and price.

762 Sec. 16. Subsection (d) of section 22a-208a of the general statutes is  
763 repealed and the following is substituted in lieu thereof (*Effective from*  
764 *passage*):

765 (d) (1) No person or municipality that holds a permit issued under  
766 this section shall alter the design or method of operation of the  
767 permitted facility without first obtaining a modified permit. For the  
768 purposes of this section and sections 22a-208, 22a-208b, 22a-220a, 22a-  
769 225 and 22a-226, "alter" means to change to any substantive degree the  
770 design, capacity, volume process or operation of a solid waste facility  
771 and includes, but is not limited to, changes in the approved capacity or  
772 composition of solid waste disposed of, processed, reduced, stored or  
773 recycled at the facility. For purposes of this section, "alter" does not  
774 include the addition of not more than seventy-five tons per day of  
775 mattresses and items designated by the commissioner for recycling  
776 pursuant to section 22a-241b and any regulation adopted pursuant to  
777 said section, except storage batteries and waste oil, provided the  
778 permitted storage capacity of such solid waste facility is not exceeded.  
779 The owner or operator of any such facility shall, not later than thirty  
780 days after adding such recyclable items, submit a written notification  
781 to the commissioner describing such addition. The commissioner may  
782 approve, in writing, a modification of a closure plan for a closed  
783 permitted solid waste disposal area without modifying the permit for  
784 such area. The commissioner may require a person who, or a

785 municipality that, requests such modification to provide public notice  
786 of a proposed modification of a closure plan if the modification  
787 involves any activity that would disrupt the solid waste or change the  
788 use of the solid waste disposal area. A fee of five hundred dollars shall  
789 accompany any request for such modification of a closure plan. The  
790 commissioner may reduce or waive such fee in cases of financial  
791 hardship and may modify such fee in accordance with regulations  
792 adopted in accordance with chapter 54.

793 (2) Changes in design, processes or operations, including the  
794 addition of thermal oxidizers or other air pollution control equipment,  
795 made to mitigate, correct or abate odors from a solid waste facility that  
796 is owned or operated by the Connecticut Resources Recovery  
797 Authority and that contracts with more than fifty municipalities, shall  
798 not be considered an alteration requiring a modified permit or minor  
799 permit amendment under this chapter. In addition, notwithstanding  
800 any provision of the general statutes or regulation adopted pursuant to  
801 said statutes, any such change shall not be considered a modification  
802 or new stationary source requiring a permit to construct or operate  
803 under chapter 446c or under any regulation adopted pursuant to  
804 chapter 446c, unless such change is a major modification or a major  
805 stationary source requiring a permit under the federal Clean Air Act  
806 Amendments of 1990. Any person making any such change to an odor  
807 control system at such a facility shall, not more than thirty days after  
808 making such change, submit a written report to the commissioner fully  
809 describing the changes made and the reason for such changes for the  
810 commissioner's review and comment. Nothing in this subdivision shall  
811 affect the commissioner's authority to take any other action to enforce  
812 the requirements of this title.

813 Sec. 17. Subsection (c) of section 22a-261 of the 2014 supplement to  
814 the general statutes is repealed and the following is substituted in lieu  
815 thereof (*Effective from passage*)

816 (c) On and after June 1, 2002, the powers of the authority shall be  
817 vested in and exercised by a board of directors, which shall consist of

818 eleven directors as follows: Three appointed by the Governor, one of  
819 whom shall be a municipal official of a municipality having a  
820 population of fifty thousand or less and one of whom shall have  
821 extensive, high-level experience in the energy field; two appointed by  
822 the president pro tempore of the Senate, one of whom shall be a  
823 municipal official of a municipality having a population of more than  
824 fifty thousand and one of whom shall have extensive high-level  
825 experience in public or corporate finance or business or industry; two  
826 appointed by the speaker of the House of Representatives, one of  
827 whom shall be a municipal official of a municipality having a  
828 population of more than fifty thousand and one of whom shall have  
829 extensive high-level experience in public or corporate finance or  
830 business or industry; two appointed by the minority leader of the  
831 Senate, one of whom shall be a municipal official of a municipality  
832 having a population of fifty thousand or less and one of whom shall  
833 have extensive high-level experience in public or corporate finance or  
834 business or industry; two appointed by the minority leader of the  
835 House of Representatives, one of whom shall be a municipal official of  
836 a municipality having a population of fifty thousand or less and one of  
837 whom shall have extensive, high-level experience in the environmental  
838 field. No director may be a member of the General Assembly. Not  
839 more than two of the directors appointed by the Governor shall be  
840 members of the same political party. The appointed directors shall  
841 serve for terms of four years each, provided, of the directors first  
842 appointed for terms beginning on June 1, 2002, (1) two of the directors  
843 appointed by the Governor, one of the directors appointed by the  
844 president pro tempore of the Senate, one of the directors appointed by  
845 the speaker of the House of Representatives, one of the directors  
846 appointed by the minority leader of the Senate and one of the directors  
847 appointed by the minority leader of the House of Representatives shall  
848 serve an initial term of two years and one month, and (2) the other  
849 appointed directors shall serve an initial term of four years and one  
850 month. The appointment of each director for a term beginning on or  
851 after June 1, 2004, shall be made with the advice and consent of both  
852 houses of the General Assembly. The Governor shall designate one of

853 the directors to serve as chairperson of the board, with the advice and  
854 consent of both houses of the General Assembly. The chairperson of  
855 the board shall serve at the pleasure of the Governor. Any appointed  
856 director who fails to attend three consecutive meetings of the board or  
857 who fails to attend fifty per cent of all meetings of the board held  
858 during any calendar year shall be deemed to have resigned from the  
859 board. Any vacancy occurring other than by expiration of term shall be  
860 filled in the same manner as the original appointment for the balance  
861 of the unexpired term. As used in this subsection, "municipal official"  
862 means the first selectman, mayor, city or town manager or chief  
863 financial officer of a municipality, or a municipal employee with  
864 extensive public works or waste management and recycling experience  
865 that has entered into a solid waste disposal services contract with the  
866 authority and pledged the municipality's full faith and credit for the  
867 payment of obligations under such contract.

868 Sec. 18. Subsection (g) of section 16a-48 of the 2014 supplement to  
869 the general statutes is repealed and the following is substituted in lieu  
870 thereof (*Effective October 1, 2014*):

871 (g) Manufacturers of any new products set forth in subsection (b) of  
872 this section [or designated by the Commissioner of Energy and  
873 Environmental Protection] for which (1) no efficiency standards exist  
874 in California, and (2) the Commissioner of Energy and Environmental  
875 Protection adopts efficiency standards, shall certify to the  
876 commissioner that such products are in compliance with the  
877 provisions of this section, except that certification is not required for  
878 single voltage external AC to DC power supplies and walk-in  
879 refrigerators and walk-in freezers. All single voltage external AC to DC  
880 power supplies shall be labeled as described in the January 2006  
881 California Code of Regulations, Title 20, Section 1607(9). The  
882 commissioner shall promulgate regulations governing the certification  
883 of such products. The commissioner shall publish an annual list of  
884 [such products] any products set forth in subsection (b) of this section  
885 on the department's Internet web site that designates which such

886 products are certified in California and which such products not  
887 certified in California have demonstrated compliance with efficiency  
888 standards adopted by the commissioner pursuant to subparagraph (B)  
889 of subdivision (3) of subsection (d) of this section.

890 Sec. 19. Section 16a-38k of the general statutes is repealed and the  
891 following is substituted in lieu thereof (*Effective October 1, 2014*):

892 (a) Notwithstanding any provision of the general statutes, any (1)  
893 new construction of a state facility that is projected to cost five million  
894 dollars, or more, and for which all budgeted project bond funds are  
895 allocated by the State Bond Commission on or after January 1, 2008, (2)  
896 renovation of a state facility that is projected to cost two million dollars  
897 or more, of which two million dollars or more is state funding,  
898 approved and funded on or after January 1, 2008, (3) new construction  
899 of a facility that is projected to cost five million dollars, or more, of  
900 which two million dollars or more is state funding, and is authorized  
901 by the General Assembly pursuant to chapter 173 on or after January 1,  
902 2009, and (4) renovation of a public school facility as defined in  
903 subdivision (18) of section 10-282 that is projected to cost two million  
904 dollars or more, of which two million dollars or more is state funding,  
905 and is authorized by the General Assembly pursuant to chapter 173 on  
906 or after January 1, 2009, shall comply with [or exceed compliance with  
907 the silver building rating of the Leadership in Energy and  
908 Environmental Design's rating system for new commercial  
909 construction and major renovation projects, as established by the  
910 United States Green Building Council, or an equivalent standard,  
911 including, but not limited to, a two-globe rating in the Green Globes  
912 USA design program] the regulations described in subsection (b) of  
913 this section until the regulations described in subsection [(b)] (c) of this  
914 section are adopted. The Commissioner of Energy and Environmental  
915 Protection, in consultation with the Commissioner of Administrative  
916 Services and the Institute for Sustainable Energy, shall exempt any  
917 facility from complying with [said] the regulations adopted pursuant  
918 to subsection (b) or (c) of this section if the Commissioner of Energy

919 and Environmental Protection, in consultation with the Secretary of the  
920 Office of Policy and Management, finds, in a written analysis, that [the  
921 cost of such compliance significantly outweighs the benefits] the  
922 measures needed to comply with the building construction standards  
923 are not cost effective, as defined in subdivision (8) of subsection (a) of  
924 section 16a-38. Nothing in this section shall be construed to require the  
925 redesign of any new construction of a state facility that is designed in  
926 accordance with the silver building rating of the Leadership in Energy  
927 and Environmental Design's rating system for new commercial  
928 construction and major renovation projects, as established by the  
929 United States Green Building Council, or an equivalent standard,  
930 including, but not limited to, a two-globe rating in the Green Globes  
931 USA design program, provided the design for such facility was  
932 initiated or completed prior to the adoption of the regulations  
933 described in subsection (b) of this section.

934 (b) Not later than January 1, 2007, the Commissioner of Energy and  
935 Environmental Protection, in consultation with the Commissioner of  
936 Administrative Services, shall adopt regulations, in accordance with  
937 the provisions of chapter 54, to adopt state building construction  
938 standards that are consistent with or exceed the silver building rating  
939 of the Leadership in Energy and Environmental Design's rating system  
940 for new commercial construction and major renovation projects, as  
941 established by the United States Green Building Council, including  
942 energy standards that exceed those set forth in the 2004 edition of the  
943 American Society of Heating, Ventilating and Air Conditioning  
944 Engineers (ASHRAE) Standard 90.1 by [no] not less than twenty per  
945 cent, or an equivalent standard, including, but not limited to, a two-  
946 globe rating in the Green Globes USA design program, and thereafter  
947 update such regulations as the Commissioner of Energy and  
948 Environmental Protection deems necessary.

949 (c) Not later than January 1, 2015, the Commissioner of Energy and  
950 Environmental Protection, in consultation with the Commissioner of  
951 Administrative Services, shall adopt regulations, in accordance with

952 chapter 54, to adopt state building construction standards for facilities  
953 described in subsection (a) of this section that achieve at least seventy-  
954 five points on the United States Environmental Protection Agency's  
955 national energy performance rating system, as determined by said  
956 agency's Energy Star Target Finder tool. Such regulations shall include  
957 a standard for inclusion of electric vehicle charging stations. The  
958 Commissioner of Energy and Environmental Protection may update  
959 such regulations as the commissioner deems necessary.

960 (d) The Commissioner of Energy and Environmental Protection, in  
961 consultation with the Commissioner of Administrative Services and  
962 the Institute for Sustainable Energy, shall exempt any facility from  
963 complying with the regulations adopted pursuant to subsection (c) of  
964 this section if such facility cannot be defined as an eligible building  
965 type, as determined by the Energy Star Target Finder tool. Any such  
966 exempt facility shall exceed the energy building construction  
967 standards set forth in the 2007 edition of the American Society of  
968 Heating, Ventilating and Air Conditioning Engineers (ASHRAE)  
969 Standard 90.1 by not less than twenty per cent, or adhere to the current  
970 State Building Code, whichever is more stringent.

971 Sec. 20. Subsection (a) of section 12-268s of the 2014 supplement to  
972 the general statutes is repealed and the following is substituted in lieu  
973 thereof (*Effective from passage*):

974 (a) As used in this section:

975 (1) "Person" has the same meaning as provided in section 12-1;

976 (2) "Electric generation services" has the same meaning as provided  
977 in section 16-1;

978 (3) "Electric generation facility" means electric generation facility, as  
979 the term is used in section 12-94d;

980 (4) "Regional bulk power grid" means regional bulk power grid, as  
981 [the term is used in section 16a-7b] determined in consultation with the

982 regional independent system operator, as defined in section 16-1;

983 (5) "Alternative energy system" has the same meaning as provided  
984 in subdivision (21) of subsection (a) of section 12-213;

985 (6) "Fuel cells" has the same meaning as provided in subdivision  
986 (113) of section 12-412;

987 (7) "Commissioner" means the Commissioner of Revenue Services;

988 (8) "Department" means the Department of Revenue Services; and

989 (9) "Person subject to tax" means a person providing electric  
990 generation services and uploading electricity generated at such  
991 person's electric generation facility in this state to the regional bulk  
992 power grid.

993 Sec. 21. (*Effective from passage*) (a) NuPower Thermal, LLC, with such  
994 persons who shall be associated with it and each other for that  
995 purpose, are constituted a body politic and corporate by the name of  
996 "The Bridgeport Thermal Limited Liability Company" and shall  
997 constitute a thermal energy transportation company, as defined in  
998 subsection (a) of section 16-1 of the general statutes.

999 (b) The Bridgeport Thermal Limited Liability Company shall be  
1000 located in the city of Bridgeport.

1001 (c) Notwithstanding the provisions of any general statute or any  
1002 special act, The Bridgeport Thermal Limited Liability Company is  
1003 authorized and empowered either directly or through the agency of its  
1004 parent, a subsidiary or an affiliate: (1) To furnish from a plant or plants  
1005 located in the city of Bridgeport, heat or air conditioning or both, by  
1006 means of hot or chilled water or other medium; (2) to lay, install and  
1007 maintain mains, pipes or other conduits, and to erect such other  
1008 fixtures and improvements as are or may be necessary or convenient in  
1009 and on the streets, highways and public grounds of said city or other  
1010 public highways and rights-of-way, for the purpose of carrying heated

1011 or chilled water or other medium from such plant or plants to the  
1012 locations to be served and returning the same; and (3) to lease to one or  
1013 more corporations or limited liability companies formed under the  
1014 general law or specially chartered for the purpose of furnishing heat or  
1015 air conditioning, or both, one or more of such plants or distribution  
1016 systems, or both, owned by it and constructed or adapted for either or  
1017 both of such purposes.

1018 (d) The amount of authorized membership units of The Bridgeport  
1019 Thermal Limited Liability Company and the required capital  
1020 contribution of each member shall be determined by the members of  
1021 said limited liability company in its operating agreement.

1022 (e) The duration of The Bridgeport Thermal Limited Liability  
1023 Company shall be unlimited.

1024 Sec. 22. Section 16-50i of the general statutes is repealed and the  
1025 following is substituted in lieu thereof (*Effective from passage*):

1026 As used in this chapter:

1027 (a) "Facility" means: (1) An electric transmission line of a design  
1028 capacity of sixty-nine kilovolts or more, including associated  
1029 equipment but not including a transmission line tap, as defined in  
1030 subsection (e) of this section; (2) a fuel transmission facility, except a  
1031 gas transmission line having a design capability of less than two  
1032 hundred pounds per square inch gauge pressure or having a design  
1033 capacity of less than twenty per cent of its specified minimum yield  
1034 strength; (3) any electric generating or storage facility using any fuel,  
1035 including nuclear materials, including associated equipment for  
1036 furnishing electricity but not including an emergency generating  
1037 device, as defined in subsection (f) of this section or a facility [(i)] (A)  
1038 owned and operated by a private power producer, as defined in  
1039 section 16-243b, [(ii)] (B) which is a qualifying small power production  
1040 facility or a qualifying cogeneration facility under the Public Utility  
1041 Regulatory Policies Act of 1978, as amended, or a facility determined

1042 by the council to be primarily for a producer's own use, and [(iii)] (C)  
1043 which has, in the case of a facility utilizing renewable energy sources, a  
1044 generating capacity of one megawatt of electricity or less and, in the  
1045 case of a facility utilizing cogeneration technology, a generating  
1046 capacity of twenty-five megawatts of electricity or less; (4) any electric  
1047 substation or switchyard designed to change or regulate the voltage of  
1048 electricity at sixty-nine kilovolts or more or to connect two or more  
1049 electric circuits at such voltage, which substation or switchyard may  
1050 have a substantial adverse environmental effect, as determined by the  
1051 council established under section 16-50j, and other facilities which may  
1052 have a substantial adverse environmental effect as the council may, by  
1053 regulation, prescribe; (5) such community antenna television towers  
1054 and head-end structures, including associated equipment, which may  
1055 have a substantial adverse environmental effect, as said council shall,  
1056 by regulation, prescribe; and (6) such telecommunication towers,  
1057 including associated telecommunications equipment, owned or  
1058 operated by the state, a public service company or a certified  
1059 telecommunications provider or used in a cellular system, as defined  
1060 in the Code of Federal Regulations Title 47, Part 22, as amended, which  
1061 may have a substantial adverse environmental effect, as said council  
1062 shall, by regulation, prescribe; [and (7) any component of a proposal  
1063 submitted pursuant to the request for proposal process;]

1064 (b) "Municipality" means a city, town or borough of the state and  
1065 "municipal" has a correlative meaning;

1066 (c) "Person" means any individual, corporation, limited liability  
1067 company, joint venture, public benefit corporation, political  
1068 subdivision, governmental agency or authority, municipality,  
1069 partnership, association, trust or estate and any other entity, public or  
1070 private, however organized;

1071 (d) "Modification" means a significant change or alteration in the  
1072 general physical characteristics of a facility;

1073 (e) "Transmission line tap" means an electrical transmission line not

1074 requested by an applicant to be treated as a facility that has the  
1075 primary function, as determined by the council, of interconnecting a  
1076 private power producing or cogeneration facility to the electrical  
1077 power grid serving the state, and does not have a substantial adverse  
1078 environmental effect, as determined by the council based on a review  
1079 of the line's proposed purpose, the line's proposed length, the number  
1080 and type of support structures, the number of manholes required for  
1081 the proposed line, the necessity of entering a right-of-way including  
1082 any easements or land acquisition for any construction or maintenance  
1083 on the proposed line, and any other environmental, health or public  
1084 safety factor considered relevant by the council;

1085 (f) "Emergency generating device" means an electric generating  
1086 device with a generating capacity of five megawatts or less, installed  
1087 primarily for the purpose of producing emergency backup electrical  
1088 power for not more than five hundred hours per year, and that (1)  
1089 does not have a substantial adverse environmental effect, as  
1090 determined by the council, or (2) is owned and operated by an entity  
1091 other than an electric, electric distribution or gas company or (3) is  
1092 under construction or in operation prior to May 2, 1989. [; and]

1093 [(g) "Request for proposal process" or "request for proposal" means  
1094 the process set forth in section 16a-7c.]

1095 Sec. 23. Subsection (a) of section 16a-40g of the 2014 supplement to  
1096 the general statutes is repealed and the following is substituted in lieu  
1097 thereof (*Effective from passage*):

1098 (a) As used in this section:

1099 (1) "Energy improvements" means (A) participation in a district  
1100 heating and cooling system by qualifying commercial real property,  
1101 (B) participation in a microgrid, as defined in section 16-243y,  
1102 including any related infrastructure for such microgrid, by qualifying  
1103 commercial real property, provided such microgrid and any related  
1104 infrastructure incorporate clean energy, as defined in section 16-245n,

1105 as amended by this act, (C) any renovation or retrofitting of qualifying  
1106 commercial real property to reduce energy consumption, ~~[(C)] (D)~~  
1107 installation of a renewable energy system to service qualifying  
1108 commercial real property, or ~~[(D)] (E)~~ installation of a solar thermal or  
1109 geothermal system to service qualifying commercial real property,  
1110 provided such renovation, retrofit or installation described in  
1111 subparagraph ~~[(B),] (C),~~ [or] (D) or (E) of this subdivision is  
1112 permanently fixed to such qualifying commercial real property;

1113 (2) "District heating and cooling system" means a local system  
1114 consisting of a pipeline or network providing hot water, chilled water  
1115 or steam from one or more sources to multiple buildings;

1116 (3) "Qualifying commercial real property" means any commercial or  
1117 industrial property, regardless of ownership, that meets the  
1118 qualifications established for the commercial sustainable energy  
1119 program;

1120 (4) "Commercial or industrial property" means any real property  
1121 other than a residential dwelling containing less than five dwelling  
1122 units;

1123 (5) "Benefited property owner" means an owner of qualifying  
1124 commercial real property who desires to install energy improvements  
1125 and provides free and willing consent to the benefit assessment against  
1126 the qualifying commercial real property;

1127 (6) "Commercial sustainable energy program" means a program that  
1128 facilitates energy improvements and utilizes the benefit assessments  
1129 authorized by this section as security for the financing of the energy  
1130 improvements;

1131 (7) "Municipality" means a municipality, as defined in section 7-369;

1132 (8) "Benefit assessment" means the assessment authorized by this  
1133 section;

1134 (9) "Participating municipality" means a municipality that has  
1135 entered into a written agreement, as approved by its legislative body,  
1136 with the authority pursuant to which the municipality has agreed to  
1137 assess, collect, remit and assign, benefit assessments to the authority in  
1138 return for energy improvements for benefited property owners within  
1139 such municipality and costs reasonably incurred in performing such  
1140 duties; and

1141 (10) "Authority" means the [Clean Energy Finance and Investment  
1142 Authority] Connecticut Green Bank.

1143 Sec. 24. (*Effective from passage*) Not later than January 1, 2015, the  
1144 Connecticut Green Bank shall submit a report, in accordance with the  
1145 provisions of section 11-4a of the general statutes, to the joint standing  
1146 committee of the General Assembly having cognizance of matters  
1147 relating to energy. Such report shall assess the potential success and  
1148 need for a residential property assessed clean energy program,  
1149 including, but not limited to, an evaluation of (1) potential consistency  
1150 between such a program and the commercial property assessed clean  
1151 energy program, as described in section 16a-40g of the general statutes,  
1152 as amended by this act, and similar programs on the national level, (2)  
1153 the legal framework for a residential property assessed clean energy  
1154 program, and (3) the need for such a program, in light of similar  
1155 current or developing programs at the state or federal level.

1156 Sec. 25. Subdivision (2) of subsection (h) of section 16-244c of the  
1157 2014 supplement to the general statutes is repealed and the following  
1158 is substituted in lieu thereof (*Effective from passage*):

1159 (2) Notwithstanding the provisions of subsection (b) of this section  
1160 regarding an alternative standard service option, an electric  
1161 distribution company providing transitional standard offer service,  
1162 standard service, supplier of last resort service or back-up electric  
1163 generation service in accordance with this section shall, not later than  
1164 July 1, 2008, file with the Public Utilities Regulatory Authority for its  
1165 approval one or more long-term power purchase contracts from Class I

1166 renewable energy source projects with a preference for projects located  
1167 in Connecticut that receive funding from the Clean Energy Fund and  
1168 that are not less than one megawatt in size, at a price that is either, at  
1169 the determination of the project owner, (A) not more than the total of  
1170 the comparable wholesale market price for generation plus five and  
1171 one-half cents per kilowatt hour, or (B) fifty per cent of the wholesale  
1172 market electricity cost at the point at which transmission lines intersect  
1173 with each other or interface with the distribution system, plus the  
1174 project cost of fuel indexed to natural gas futures contracts on the New  
1175 York Mercantile Exchange at the natural gas pipeline interchange  
1176 located in Vermillion Parish, Louisiana that serves as the delivery  
1177 point for such futures contracts, plus the fuel delivery charge for  
1178 transporting fuel to the project, plus five and one-half cents per  
1179 kilowatt hour. In its approval of such contracts, the authority shall give  
1180 preference to purchase contracts from those projects that would  
1181 provide a financial benefit to ratepayers and would enhance the  
1182 reliability of the electric transmission system of the state. Such projects  
1183 shall be located in this state. The owner of a fuel cell project principally  
1184 manufactured in this state shall be allocated all available air emissions  
1185 credits and tax credits attributable to the project and no less than fifty  
1186 per cent of the energy credits in the Class I renewable energy credits  
1187 program established in section 16-245a attributable to the project. On  
1188 and after October 1, 2007, and until September 30, 2008, such contracts  
1189 shall be comprised of not less than a total, apportioned among each  
1190 electric distribution company, of one hundred twenty-five megawatts;  
1191 and on and after October 1, 2008, such contracts shall be comprised of  
1192 not less than a total, apportioned among each electrical distribution  
1193 company, of one hundred fifty megawatts. The Public Utilities  
1194 Regulatory Authority shall not issue any order that results in the  
1195 extension of any in-service date or contractual arrangement made as a  
1196 part of Project 100 or Project 150 beyond the termination date  
1197 previously approved by the authority established by the contract,  
1198 provided any party to such contract may provide a notice of  
1199 termination in accordance with the terms of, and to the extent  
1200 permitted under, its contract, except the authority shall grant, upon

1201 request, an extension of the latest of any such in-service date by (i)  
1202 twelve months for any project located in a distressed municipality, as  
1203 defined in section 32-9p, with a population of more than one hundred  
1204 twenty-five thousand, and (ii) not more than [twenty-four] thirty-six  
1205 months for any project having a capacity of less than five megawatts,  
1206 provided any such project (I) commences construction by April 30,  
1207 2015, and (II) the authority has provided previous approval of such  
1208 contract. The cost of such contracts and the administrative costs for the  
1209 procurement of such contracts directly incurred shall be eligible for  
1210 inclusion in the adjustment to any subsequent rates for standard  
1211 service, provided such contracts are for a period of time sufficient to  
1212 provide financing for such projects, but not less than ten years, and are  
1213 for projects which began operation on or after July 1, 2003. Except as  
1214 provided in this subdivision, the amount from Class I renewable  
1215 energy sources contracted under such contracts shall be applied to  
1216 reduce the applicable Class I renewable energy source portfolio  
1217 standards. For purposes of this subdivision, the authority's  
1218 determination of the comparable wholesale market price for  
1219 generation shall be based upon a reasonable estimate. On or before  
1220 September 1, 2011, the authority, in consultation with the Office of  
1221 Consumer Counsel and the [Clean Energy Finance and Investment  
1222 Authority] Connecticut Green Bank, shall study the operation of such  
1223 renewable energy contracts and report its findings and  
1224 recommendations to the joint standing committee of the General  
1225 Assembly having cognizance of matters relating to energy.

1226 Sec. 26. Section 16-50l of the general statutes is repealed and the  
1227 following is substituted in lieu thereof (*Effective from passage*):

1228 (a) [(1)] To initiate a certification proceeding, an applicant for a  
1229 certificate shall file with the council an application, in such form as the  
1230 council may prescribe, accompanied by a filing fee of not more than  
1231 twenty-five thousand dollars, which fee shall be established in  
1232 accordance with section 16-50t, and a municipal participation fee of  
1233 twenty-five thousand dollars to be deposited in the account

1234 established pursuant to section 16-50bb, as amended by this act, except  
1235 that an application for a facility described in subdivision (5) or (6) of  
1236 subsection (a) of section 16-50i, as amended by this act, shall not pay  
1237 such municipal participation fee. An application shall contain such  
1238 information as the applicant may consider relevant and the council or  
1239 any department or agency of the state exercising environmental  
1240 controls may by regulation require, including the following  
1241 information:

1242       [(A)] (1) In the case of facilities described in subdivisions (1), (2) and  
1243 (4) of subsection (a) of section 16-50i, as amended by this act: [(i)] (A) A  
1244 description, including estimated costs, of the proposed transmission  
1245 line, substation or switchyard, covering, where applicable  
1246 underground cable sizes and specifications, overhead tower design  
1247 and appearance and heights, if any, conductor sizes, and initial and  
1248 ultimate voltages and capacities; [(ii)] (B) a statement and full  
1249 explanation of why the proposed transmission line, substation or  
1250 switchyard is necessary and how the facility conforms to a long-range  
1251 plan for expansion of the electric power grid serving the state and  
1252 interconnected utility systems, that will serve the public need for  
1253 adequate, reliable and economic service; [(iii)] (C) a map of suitable  
1254 scale of the proposed routing or site, showing details of the rights-of-  
1255 way or site in the vicinity of settled areas, parks, recreational areas and  
1256 scenic areas, residential areas, private or public schools, licensed child  
1257 day care facilities, licensed youth camps, and public playgrounds and  
1258 showing existing transmission lines within one mile of the proposed  
1259 route or site; [(iv)] (D) justification for adoption of the route or site  
1260 selected, including comparison with alternative routes or sites which  
1261 are environmentally, technically and economically practical; [(v)] (E) a  
1262 description of the effect of the proposed transmission line, substation  
1263 or switchyard on the environment, ecology, and scenic, historic and  
1264 recreational values; [(vi)] (F) a justification for overhead portions, if  
1265 any, including life-cycle cost studies comparing overhead alternatives  
1266 with underground alternatives, and effects described in [clause (v) of  
1267 this] subparagraph (E) of this subdivision of undergrounding; [(vii)]

1268 (G) a schedule of dates showing the proposed program of right-of-way  
1269 or property acquisition, construction, completion and operation; [(viii)]  
1270 (H) identification of each federal, state, regional, district and municipal  
1271 agency with which proposed route or site reviews have been  
1272 undertaken, including a copy of each written agency position on such  
1273 route or site; and [(ix)] (I) an assessment of the impact of any  
1274 electromagnetic fields to be produced by the proposed transmission  
1275 line; and

1276 [(B)] (2) In the case of facilities described in subdivision (3) of  
1277 subsection (a) of section 16-50i, as amended by this act: [(i)] (A) A  
1278 description of the proposed electric generating or storage facility; [(ii)]  
1279 (B) a statement and full explanation of why the proposed facility is  
1280 necessary; [(iii)] (C) a statement of loads and resources as described in  
1281 section 16-50r; [(iv)] (D) safety and reliability information, including  
1282 planned provisions for emergency operations and shutdowns; [(v)] (E)  
1283 estimated cost information, including plant costs, fuel costs, plant  
1284 service life and capacity factor, and total generating cost per kilowatt-  
1285 hour, both at the plant and related transmission, and comparative costs  
1286 of alternatives considered; [(vi)] (F) a schedule showing the program  
1287 for design, material acquisition, construction and testing, and  
1288 operating dates; [(vii)] (G) available site information, including maps  
1289 and description and present and proposed development, and  
1290 geological, scenic, ecological, seismic, biological, water supply,  
1291 population and load center data; [(viii)] (H) justification for adoption  
1292 of the site selected, including comparison with alternative sites; [(ix)]  
1293 (I) design information, including a description of facilities, plant  
1294 efficiencies, electrical connections to the system, and control systems;  
1295 [(x)] (J) a description of provisions, including devices and operations,  
1296 for mitigation of the effect of the operation of the facility on air and  
1297 water quality, for waste disposal, and for noise abatement, and  
1298 information on other environmental aspects; and [(xi)] (K) a listing of  
1299 federal, state, regional, district and municipal agencies from which  
1300 approvals either have been obtained or will be sought covering the  
1301 proposed facility, copies of approvals received and the planned

1302 schedule for obtaining those approvals not yet received.

1303 [(2) On or after December 1, 2004, the filing of an application  
1304 pursuant to subdivision (1) of this subsection shall initiate the request  
1305 for proposal process, except for an application for a facility described  
1306 in subdivision (4), (5) or (6) of subsection (a) of section 16-50i and  
1307 except for a facility exempt from such requirement pursuant to  
1308 subsection (b) of section 16a-7c.

1309 (3) Notwithstanding the provisions of this subsection, an entity that  
1310 has submitted a proposal pursuant to the request for proposal process  
1311 may initiate a certification proceeding by filing with the council an  
1312 application containing the information required pursuant to this  
1313 section, accompanied by a filing fee of not more than twenty-five  
1314 thousand dollars, which fee shall be established in accordance with  
1315 section 16-50t, and a municipal participation fee of twenty-five  
1316 thousand dollars to be deposited in the account established pursuant  
1317 to section 16-50bb, not later than thirty days after the Connecticut  
1318 Energy Advisory Board performs the evaluation process pursuant to  
1319 subsection (f) of section 16a-7c.]

1320 (b) Each application shall be accompanied by proof of service of a  
1321 copy of such application on: (1) Each municipality in which any  
1322 portion of such facility is to be located, both as primarily proposed and  
1323 in the alternative locations listed, and any adjoining municipality  
1324 having a boundary not more than two thousand five hundred feet  
1325 from such facility, which copy shall be served on the chief executive  
1326 officer of each such municipality and shall include notice of the date on  
1327 or about which the application is to be filed, and the zoning  
1328 commissions, planning commissions, planning and zoning  
1329 commissions, conservation commissions and inland wetlands agencies  
1330 of each such municipality, and the regional planning agencies which  
1331 encompass each such municipality; (2) the Attorney General; (3) each  
1332 member of the legislature in whose assembly or senate district the  
1333 facility or any alternative location listed in the application is to be  
1334 located; (4) any agency, department or instrumentality of the federal

1335 government that has jurisdiction, whether concurrent with the state or  
1336 otherwise, over any matter that would be affected by such facility; (5)  
1337 each state department, agency and commission named in subsection  
1338 (h) of section 16-50j; and (6) such other state and municipal bodies as  
1339 the council may by regulation designate. A notice of such application  
1340 shall be given to the general public, in municipalities entitled to receive  
1341 notice under subdivision (1) of this subsection, by the publication of a  
1342 summary of such application and the date on or about which it will be  
1343 filed. Such notice shall be published under the regulations to be  
1344 promulgated by the council, in such form and in such newspapers as  
1345 will serve substantially to inform the public of such application and to  
1346 afford interested persons sufficient time to prepare for and to be heard  
1347 at the hearing prescribed in section 16-50m, as amended by this act.  
1348 Such notice shall be published in not less than ten-point type. A notice  
1349 of such an application for a certificate for a facility described in  
1350 subdivision (3), (4), (5) or (6) of subsection (a) of section 16-50i, as  
1351 amended by this act, shall also be sent, by certified or registered mail,  
1352 to each person appearing of record as an owner of property which  
1353 abuts the proposed primary or alternative sites on which the facility  
1354 would be located. Such notice shall be sent at the same time that notice  
1355 of such application is given to the general public. Notice of an  
1356 application for a certificate for a facility described in subdivision (1) of  
1357 subsection (a) of section 16-50i, as amended by this act, shall also be  
1358 provided to each electric company or electric distribution company  
1359 customer in the municipality where the facility is proposed to be  
1360 placed. Such notice shall (A) be provided on a separate enclosure with  
1361 each customer's monthly bill for one or more months, (B) be provided  
1362 by the electric company or electric distribution company not earlier  
1363 than sixty days prior to filing the application with the council, but not  
1364 later than the date that the application is filed with the council, and (C)  
1365 include: A brief description of the project, including its location  
1366 relative to the affected municipality and adjacent streets; a brief  
1367 technical description of the project including its proposed length,  
1368 voltage, and type and range of heights of support structures or  
1369 underground configuration; the reason for the project; the address and

1370 a toll-free telephone number of the applicant by which additional  
1371 information about the project can be obtained; and a statement in print  
1372 no smaller than twenty-four-point type size stating "NOTICE OF  
1373 PROPOSED CONSTRUCTION OF A HIGH VOLTAGE ELECTRIC  
1374 TRANSMISSION LINE".

1375 (c) An application for a certificate shall contain information on the  
1376 extent to which the proposed facility has been identified in, and is  
1377 consistent with, the annual forecast reports and life-cycle cost analysis  
1378 required by section 16-50r and other advance planning that has been  
1379 carried out, and shall include an explanation for any failure of the  
1380 facility to conform with such information.

1381 (d) An amendment proceeding may be initiated by an application  
1382 for amendment of a certificate filed with the council by the holder of  
1383 the certificate or by a resolution of the council. An amendment  
1384 application by a certificate holder shall be in such form and contain  
1385 such information as the council shall prescribe. A resolution for  
1386 amendment by the council shall identify the design, location or route  
1387 of the portion of a certificated facility described in subdivisions (1) or  
1388 (2) of subsection (a) of section 16-50i, as amended by this act, which is  
1389 subject to modification on the basis of stated conditions or events  
1390 which could not reasonably have been known or foreseen prior to the  
1391 issuance of the certificate. No such resolution for amendment of a  
1392 certificate shall be adopted after the commencement of site preparation  
1393 or construction of the certificated facility or, in the case of a facility for  
1394 which approval by the council of a right-of-way development and  
1395 management plan or other detailed construction plan is a condition of  
1396 the certificate, after approval of that part of the plan which includes the  
1397 portion of the facility proposed for modification. A copy and notice of  
1398 each amendment application shall be given by the holder of the  
1399 certificate in the manner set forth in subsection (b) of this section. A  
1400 copy and notice of each resolution for amendment shall be given by  
1401 the council in the manner set forth in subsection (b) of this section. The  
1402 council shall also provide the certificate holder with a copy of such

1403 resolution. The certificate holder and the council shall not be required  
1404 to give such copy and notice to municipalities and the commissions  
1405 and agencies of such municipalities other than those in which the  
1406 modified portion of the facility would be located.

1407 (e) [Except as provided in subsection (e) of section 16a-7c, at] At  
1408 least sixty days prior to the filing of an application with the council, the  
1409 applicant shall consult with the municipality in which the facility may  
1410 be located and with any other municipality required to be served with  
1411 a copy of the application under subdivision (1) of subsection (b) of this  
1412 section concerning the proposed and alternative sites of the facility.  
1413 [For a facility described in subdivisions (1) to (4), inclusive, of  
1414 subsection (a) of section 16-50i, the applicant shall submit to the  
1415 Connecticut Energy Advisory Board the same information that it  
1416 provides to a municipality pursuant to this subsection on the same day  
1417 of the consultation with the municipality.] Such consultation with the  
1418 municipality shall include, but not be limited to good faith efforts to  
1419 meet with the chief elected official of the municipality. At the time of  
1420 the consultation, the applicant shall provide the chief elected official  
1421 with any technical reports concerning the public need, the site  
1422 selection process and the environmental effects of the proposed  
1423 facility. The municipality may conduct public hearings and meetings  
1424 as it deems necessary for it to advise the applicant of its  
1425 recommendations concerning the proposed facility. Within sixty days  
1426 of the initial consultation, the municipality shall issue its  
1427 recommendations to the applicant. No later than fifteen days after  
1428 submitting an application to the council, the applicant shall provide to  
1429 the council all materials provided to the municipality and a summary  
1430 of the consultations with the municipality including all  
1431 recommendations issued by the municipality.

1432 [(f) For purposes of this chapter, an application that is subject to the  
1433 request for proposal process of section 16a-7c, shall be deemed to be a  
1434 "preapplication" until the completion of the such request for proposal  
1435 process. At the completion of the request for proposal process, such

1436 preapplication shall be considered an application. The requirements of  
1437 this section shall apply to applications and preapplications.]

1438 [(g)] (f) (1) For a facility described in subdivision (6) of subsection  
1439 (a) of section 16-50i, as amended by this act, at least ninety days before  
1440 filing an application with the council, the applicant shall consult with  
1441 the municipality in which the facility is proposed to be located and  
1442 with any other municipality required to be served with a copy of the  
1443 application under subdivision (1) of subsection (b) of this section.  
1444 Consultation with such municipality shall include, but not be limited  
1445 to, good-faith efforts to meet with the chief elected official of the  
1446 municipality or such official's designee. At the time of the consultation,  
1447 the applicant shall provide the municipality with any technical reports  
1448 concerning the need for the facility, including a map indicating the  
1449 area of need, the location of existing surrounding facilities, a detailed  
1450 description of the proposed and any alternate sites under  
1451 consideration, a listing of other sites or areas considered and rejected,  
1452 the location of all schools near the proposed facility, an analysis of the  
1453 potential aesthetic impacts of the facility on said schools, as well as a  
1454 discussion of efforts or measures to be taken to mitigate such aesthetic  
1455 impacts, a description of the site selection process undertaken by the  
1456 prospective applicant and the potential environmental effects of the  
1457 proposed facility. The applicant shall also provide copies of such  
1458 technical reports to such municipality's planning commission, zoning  
1459 commission or combined planning and zoning commission and inland  
1460 wetland agency.

1461 (2) Not later than sixty days after the initial municipal consultation  
1462 meeting, the municipality, in cooperation with the applicant, may hold  
1463 a public information meeting. If the municipality decides to hold a  
1464 public information meeting, the applicant shall be responsible for  
1465 sending notice of such meeting to each person appearing of record as  
1466 an owner of property which abuts the proposed or alternate facility  
1467 locations and for publishing notice of such meeting in a newspaper of  
1468 general circulation in the municipality at least fifteen days before the

1469 date of the public information meeting.

1470 (3) The municipality shall present the applicant with proposed  
1471 alternative sites, which may include municipal parcels, for its  
1472 consideration not later than thirty days after the initial consultation  
1473 meeting. The applicant shall evaluate these alternate sites presented as  
1474 part of the municipal consultation process and include the results of its  
1475 evaluations in its application to the council. The applicant may present  
1476 any such alternatives to the council in its application for formal  
1477 consideration.

1478 Sec. 27. Subsection (c) of section 16-333l of the general statutes is  
1479 repealed and the following is substituted in lieu thereof (*Effective from*  
1480 *passage*):

1481 (c) No community antenna television company shall issue a bill  
1482 which contains a statement that payment is due upon receipt. The  
1483 payment due date of any subscriber's bill shall be no earlier than  
1484 twenty-five days after the issue date of such bill. No community  
1485 antenna television subscriber's account shall be considered delinquent  
1486 until at least twenty-five days have elapsed from the billing date  
1487 contained in the subscriber's bill. No community antenna television  
1488 company may impose a late charge or terminate service on account of  
1489 nonpayment of a delinquent account less than forty-five days from the  
1490 original billing date. In order to terminate service, a company shall first  
1491 give notice of such delinquency and impending termination at least  
1492 fifteen days prior to the imposition of the proposed late charge or the  
1493 termination, by first class mail addressed to the subscriber. The fifteen-  
1494 day period shall commence from the date the notice is mailed,  
1495 provided no notice may be mailed until at least thirty days have  
1496 elapsed from the billing date contained in the subscriber's bill. No such  
1497 company may impose a late charge greater than eight per cent [per  
1498 annum] of the balance due or any such rate as determined by the  
1499 authority. Any returned check charge imposed by such company shall  
1500 be reasonably related to the company's actual cost of processing  
1501 returned checks.

1502 Sec. 28. Section 16-50m of the general statutes is repealed and the  
1503 following is substituted in lieu thereof (*Effective from passage*):

1504 (a) The council shall promptly fix a commencement date and  
1505 location for a public hearing on an application for a certificate  
1506 complying with section 16-50l, as amended by this act, [(1) where no  
1507 proposals are received pursuant to the request for proposal process,  
1508 not less than thirty days after the deadline for submission of such  
1509 proposals or more than sixty days after such deadline; (2) where a  
1510 proposal is received pursuant to the request for proposal process, not  
1511 less than thirty days after the deadline of submission of an application  
1512 pursuant to subdivision (3) of subsection (a) of section 16-50l or more  
1513 than sixty days after such deadline; or (3) where the application is for a  
1514 facility described in subdivision (5) or (6) of subsection (a) of section  
1515 16-50i,] not less than thirty days after receipt of an application or more  
1516 than one hundred fifty days after such receipt. [Applications that are  
1517 common to a request for proposal shall be heard under a consolidated  
1518 public hearing process.] At least one session of such hearing shall be  
1519 held at a location selected by the council in the county in which the  
1520 facility or any part thereof is to be located after six-thirty p.m. for the  
1521 convenience of the general public. After holding at least one hearing  
1522 session in the county in which the facility or any part thereof is to be  
1523 located, the council may, in its discretion, hold additional hearing  
1524 sessions at other locations. If the proposed facility is to be located in  
1525 more than one county, the council shall fix the location for at least one  
1526 public hearing session in whichever county it determines is most  
1527 appropriate, provided the council may hold hearing sessions in more  
1528 than one county.

1529 (b) (1) The council shall hold a hearing on an application for an  
1530 amendment of a certificate not less than thirty days nor more than  
1531 sixty days after receipt of the application in the same manner as a  
1532 hearing is held on an application for a certificate if, in the opinion of  
1533 the council, the change to be authorized in the facility would result in  
1534 any material increase in any environmental impact of such facility or

1535 would result in a substantial change in the location of all or a portion  
1536 of the facility, other than as provided in the alternatives set forth in the  
1537 original application for the certificate, provided the council may, in its  
1538 discretion, return without prejudice an application for an amendment  
1539 of a certificate to the applicant with a statement of the reasons for such  
1540 return. (2) The council may hold a hearing on a resolution for  
1541 amendment of a certificate not less than thirty days nor more than  
1542 sixty days after adoption of the resolution in the same manner as  
1543 provided in subsection (a) of this section. The council shall hold a  
1544 hearing if a request for a hearing is received from the certificate holder  
1545 or from a person entitled to be a party to the proceedings within  
1546 twenty days after publication of notice of the resolution. Such hearing  
1547 shall be held not less than thirty days nor more than sixty days after  
1548 the receipt of such request in the same manner as provided in  
1549 subsection (a) of this section. (3) The county in which the facility is  
1550 deemed to be located for purposes of a hearing under this subsection  
1551 shall be the county in which the portion of the facility proposed for  
1552 modification is located.

1553 (c) The council shall cause notices of the date and location of each  
1554 hearing to be mailed, within one week of the fixing of the date and  
1555 location, to the applicant and each person entitled under section 16-50l<sub>2</sub>  
1556 as amended by this act, to receive a copy of the application or  
1557 resolution. The general notice to the public shall be published in not  
1558 less than ten point, boldface type.

1559 (d) Hearings, including general hearings on issues which may be  
1560 common to more than one application, may be held before a majority  
1561 of the members of the council.

1562 (e) During any hearing on an application or resolution held  
1563 pursuant to this section, the council may take notice of any facts found  
1564 at a general hearing.

1565 Sec. 29. Section 16-245n of the general statutes is repealed and the  
1566 following is substituted in lieu thereof (*Effective from passage*):

1567 (a) For purposes of this section, "clean energy" means solar  
1568 photovoltaic energy, solar thermal, geothermal energy, wind, ocean  
1569 thermal energy, wave or tidal energy, fuel cells, landfill gas,  
1570 hydropower that meets the low-impact standards of the Low-Impact  
1571 Hydropower Institute, hydrogen production and hydrogen conversion  
1572 technologies, low emission advanced biomass conversion technologies,  
1573 alternative fuels, used for electricity generation including ethanol,  
1574 biodiesel or other fuel produced in Connecticut and derived from  
1575 agricultural produce, food waste or waste vegetable oil, provided the  
1576 Commissioner of Energy and Environmental Protection determines  
1577 that such fuels provide net reductions in greenhouse gas emissions  
1578 and fossil fuel consumption, usable electricity from combined heat and  
1579 power systems with waste heat recovery systems, thermal storage  
1580 systems, other energy resources and emerging technologies which  
1581 have significant potential for commercialization and which do not  
1582 involve the combustion of coal, petroleum or petroleum products,  
1583 municipal solid waste or nuclear fission, financing of energy efficiency  
1584 projects, projects that seek to deploy electric, electric hybrid, natural  
1585 gas or alternative fuel vehicles and associated infrastructure, any  
1586 related storage, distribution, manufacturing technologies or facilities  
1587 and any Class I renewable energy source, as defined in section 16-1.

1588 (b) On and after July 1, 2004, the Public Utilities Regulatory  
1589 Authority shall assess or cause to be assessed a charge of not less than  
1590 one mill per kilowatt hour charged to each end use customer of electric  
1591 services in this state which shall be deposited into the Clean Energy  
1592 Fund established under subsection (c) of this section. Notwithstanding  
1593 the provisions of this section, receipts from such charges shall be  
1594 disbursed to the resources of the General Fund during the period from  
1595 July 1, 2003, to June 30, 2005, unless the authority shall, on or before  
1596 October 30, 2003, issue a financing order for each affected distribution  
1597 company in accordance with sections 16-245e to 16-245k, inclusive, to  
1598 sustain funding of renewable energy investment programs by  
1599 substituting an equivalent amount, as determined by the authority in  
1600 such financing order, of proceeds of rate reduction bonds for

1601 disbursement to the resources of the General Fund during the period  
1602 from July 1, 2003, to June 30, 2005. The authority may authorize in such  
1603 financing order the issuance of rate reduction bonds that substitute for  
1604 disbursement to the General Fund for receipts of both charges under  
1605 this subsection and subsection (a) of section 16-245m and also may in  
1606 its discretion authorize the issuance of rate reduction bonds under this  
1607 subsection and subsection (a) of section 16-245m that relate to more  
1608 than one electric distribution company. The authority shall, in such  
1609 financing order or other appropriate order, offset any increase in the  
1610 competitive transition assessment necessary to pay principal,  
1611 premium, if any, interest and expenses of the issuance of such rate  
1612 reduction bonds by making an equivalent reduction to the charges  
1613 imposed under this subsection, provided any failure to offset all or any  
1614 portion of such increase in the competitive transition assessment shall  
1615 not affect the need to implement the full amount of such increase as  
1616 required by this subsection and sections 16-245e to 16-245k, inclusive.  
1617 Such financing order shall also provide if the rate reduction bonds are  
1618 not issued, any unrecovered funds expended and committed by the  
1619 electric distribution companies for renewable resource investment  
1620 through deposits into the Clean Energy Fund, provided such  
1621 expenditures were approved by the authority following August 20,  
1622 2003, and prior to the date of determination that the rate reduction  
1623 bonds cannot be issued, shall be recovered by the companies from  
1624 their respective competitive transition assessment or systems benefits  
1625 charge, except that such expenditures shall not exceed one million  
1626 dollars per month. All receipts from the remaining charges imposed  
1627 under this subsection, after reduction of such charges to offset the  
1628 increase in the competitive transition assessment as provided in this  
1629 subsection, shall be disbursed to the Clean Energy Fund commencing  
1630 as of July 1, 2003. Any increase in the competitive transition  
1631 assessment or decrease in the renewable energy investment  
1632 component of an electric distribution company's rates resulting from  
1633 the issuance of or obligations under rate reduction bonds shall be  
1634 included as rate adjustments on customer bills.

1635 (c) There is hereby created a Clean Energy Fund which shall be  
1636 within the [Clean Energy Finance and Investment Authority]  
1637 Connecticut Green Bank. The fund may receive any amount required  
1638 by law to be deposited into the fund and may receive any federal  
1639 funds as may become available to the state for clean energy  
1640 investments. Upon authorization of the [Clean Energy Finance and  
1641 Investment Authority] Connecticut Green Bank established pursuant  
1642 to subsection (d) of this section, any amount in said fund may be used  
1643 for expenditures that promote investment in clean energy in  
1644 accordance with a comprehensive plan developed by it to foster the  
1645 growth, development and commercialization of clean energy sources,  
1646 related enterprises and stimulate demand for clean energy and  
1647 deployment of clean energy sources that serve end use customers in  
1648 this state and for the further purpose of supporting operational  
1649 demonstration projects for advanced technologies that reduce energy  
1650 use from traditional sources. Such expenditures may include, but not  
1651 be limited to, providing low-cost financing and credit enhancement  
1652 mechanisms for clean energy projects and technologies,  
1653 reimbursement of the operating expenses, including administrative  
1654 expenses incurred by the [Clean Energy Finance and Investment  
1655 Authority] Connecticut Green Bank and Connecticut Innovations,  
1656 Incorporated, and capital costs incurred by the [Clean Energy Finance  
1657 and Investment Authority] Connecticut Green Bank in connection with  
1658 the operation of the fund, the implementation of the plan developed  
1659 pursuant to subsection (d) of this section or the other permitted  
1660 activities of the [Clean Energy Finance and Investment Authority]  
1661 Connecticut Green Bank, disbursements from the fund to develop and  
1662 carry out the plan developed pursuant to subsection (d) of this section,  
1663 grants, direct or equity investments, contracts or other actions which  
1664 support research, development, manufacture, commercialization,  
1665 deployment and installation of clean energy technologies, and actions  
1666 which expand the expertise of individuals, businesses and lending  
1667 institutions with regard to clean energy technologies.

1668 (d) (1) (A) There is established the [Clean Energy Finance and

1669 Investment Authority] Connecticut Green Bank, which shall be within  
1670 Connecticut Innovations, Incorporated, for administrative purposes  
1671 only. The [Clean Energy Finance and Investment Authority]  
1672 Connecticut Green Bank is hereby established and created as a body  
1673 politic and corporate, constituting a public instrumentality and  
1674 political subdivision of the state of Connecticut established and created  
1675 for the performance of an essential public and governmental function.  
1676 The [Clean Energy Finance and Investment Authority] Connecticut  
1677 Green Bank shall not be construed to be a department, institution or  
1678 agency of the state.

1679 (B) The [Clean Energy Finance and Investment Authority]  
1680 Connecticut Green Bank shall (i) develop separate programs to finance  
1681 and otherwise support clean energy investment in residential,  
1682 municipal, small business and larger commercial projects and such  
1683 others as the [Clean Energy Finance and Investment Authority]  
1684 Connecticut Green Bank may determine; (ii) support financing or other  
1685 expenditures that promote investment in clean energy sources in  
1686 accordance with a comprehensive plan developed by it to foster the  
1687 growth, development and commercialization of clean energy sources  
1688 and related enterprises; and (iii) stimulate demand for clean energy  
1689 and the deployment of clean energy sources within the state that serve  
1690 end-use customers in the state.

1691 (C) The Clean Energy Finance and Investment Authority shall  
1692 constitute a successor agency to Connecticut Innovations,  
1693 Incorporated, for the purposes of administering the Clean Energy  
1694 Fund in accordance with section 4-38d. The [Clean Energy Finance and  
1695 Investment Authority] Connecticut Green Bank shall constitute a  
1696 successor agency to the Clean Energy Finance and Investment  
1697 Authority for purposes of administering the Clean Energy Fund in  
1698 accordance with section 4-38d. The Connecticut Green Bank shall have  
1699 all the privileges, immunities, tax exemptions and other exemptions of  
1700 Connecticut Innovations, Incorporated, with respect to said fund. The  
1701 [Clean Energy Finance and Investment Authority] Connecticut Green

1702 Bank shall be subject to suit and liability solely from the assets,  
1703 revenues and resources of said [authority] bank and without recourse  
1704 to the general funds, revenues, resources or other assets of Connecticut  
1705 Innovations, Incorporated. The [Clean Energy Finance and Investment  
1706 Authority] Connecticut Green Bank may provide financial assistance  
1707 in the form of grants, loans, loan guarantees or debt and equity  
1708 investments, as approved in accordance with written procedures  
1709 adopted pursuant to section 1-121. The [Clean Energy Finance and  
1710 Investment Authority] Connecticut Green Bank may assume or take  
1711 title to any real property, convey or dispose of its assets and pledge its  
1712 revenues to secure any borrowing, convey or dispose of its assets and  
1713 pledge its revenues to secure any borrowing, for the purpose of  
1714 developing, acquiring, constructing, refinancing, rehabilitating or  
1715 improving its assets or supporting its programs, provided each such  
1716 borrowing or mortgage, unless otherwise provided by the board or  
1717 said [authority] bank, shall be a special obligation of said [authority]  
1718 bank, which obligation may be in the form of bonds, bond anticipation  
1719 notes or other obligations which evidence an indebtedness to the  
1720 extent permitted under this chapter to fund, refinance and refund the  
1721 same and provide for the rights of holders thereof, and to secure the  
1722 same by pledge of revenues, notes and mortgages of others, and which  
1723 shall be payable solely from the assets, revenues and other resources of  
1724 said [authority] bank and such bonds may be secured by a special  
1725 capital reserve fund contributed to by the state. The [Clean Energy  
1726 Finance and Investment Authority] Connecticut Green Bank shall have  
1727 the purposes as provided by resolution of said [authority's] bank's  
1728 board of directors, which purposes shall be consistent with this section.  
1729 No further action is required for the establishment of the [Clean  
1730 Energy Finance and Investment Authority] Connecticut Green Bank,  
1731 except the adoption of a resolution for said [authority] bank.

1732 (2) (A) The [Clean Energy Finance and Investment Authority]  
1733 Connecticut Green Bank may seek to qualify as a Community  
1734 Development Financial Institution under Section 4702 of the United  
1735 States Code. If approved as a Community Development Financial

1736 Institution, said [authority] bank would be treated as a qualified  
1737 community development entity for purposes of Section 45D and  
1738 Section 1400N(m) of the Internal Revenue Code.

1739 (B) Before making any loan, loan guarantee, or such other form of  
1740 financing support or risk management for a clean energy project, the  
1741 [Clean Energy Finance and Investment Authority] Connecticut Green  
1742 Bank shall develop standards to govern the administration of said  
1743 [authority] bank through rules, policies and procedures that specify  
1744 borrower eligibility, terms and conditions of support, and other  
1745 relevant criteria, standards or procedures.

1746 (C) Funding sources specifically authorized include, but are not  
1747 limited to:

1748 (i) Funds repurposed from existing programs providing financing  
1749 support for clean energy projects, provided any transfer of funds from  
1750 such existing programs shall be subject to approval by the General  
1751 Assembly and shall be used for expenses of financing, grants and  
1752 loans;

1753 (ii) Any federal funds that can be used for the purposes specified in  
1754 subsection (c) of this section;

1755 (iii) Charitable gifts, grants, contributions as well as loans from  
1756 individuals, corporations, university endowments and philanthropic  
1757 foundations;

1758 (iv) Earnings and interest derived from financing support activities  
1759 for clean energy projects backed by the [Clean Energy Finance and  
1760 Investment Authority] Connecticut Green Bank;

1761 (v) If and to the extent that the [Clean Energy Finance and  
1762 Investment Authority] Connecticut Green Bank qualifies as a  
1763 Community Development Financial Institution under Section 4702 of  
1764 the United States Code, funding from the Community Development  
1765 Financial Institution Fund administered by the United States

1766 Department of Treasury, as well as loans from and investments by  
1767 depository institutions seeking to comply with their obligations under  
1768 the United States Community Reinvestment Act of 1977; and

1769 (vi) The [Clean Energy Finance and Investment Authority]  
1770 Connecticut Green Bank may enter into contracts with private sources  
1771 to raise capital. The average rate of return on such debt or equity shall  
1772 be set by the board of directors of said [authority] bank.

1773 (D) The [Clean Energy Finance and Investment Authority]  
1774 Connecticut Green Bank may provide financing support under this  
1775 subsection if said [authority] bank determines that the amount to be  
1776 financed by said [authority] bank and other nonequity financing  
1777 sources do not exceed eighty per cent of the cost to develop and  
1778 deploy a clean energy project or up to one hundred per cent of the cost  
1779 of financing an energy efficiency project.

1780 (E) The [Clean Energy Finance and Investment Authority]  
1781 Connecticut Green Bank may assess reasonable fees on its financing  
1782 activities to cover its reasonable costs and expenses, as determined by  
1783 the board.

1784 (F) The [Clean Energy Finance and Investment Authority]  
1785 Connecticut Green Bank shall make information regarding the rates,  
1786 terms and conditions for all of its financing support transactions  
1787 available to the public for inspection, including formal annual reviews  
1788 by both a private auditor conducted pursuant to subdivision (2) of  
1789 subsection (f) of this section and the Comptroller, and providing  
1790 details to the public on the Internet, provided public disclosure shall be  
1791 restricted for patentable ideas, trade secrets, proprietary or confidential  
1792 commercial or financial information, disclosure of which may cause  
1793 commercial harm to a nongovernmental recipient of such financing  
1794 support and for other information exempt from public records  
1795 disclosure pursuant to section 1-210.

1796 (3) No director, officer, employee or agent of the [Clean Energy

1797 Finance and Investment Authority] Connecticut Green Bank, while  
1798 acting within the scope of his or her authority, shall be subject to any  
1799 personal liability resulting from exercising or carrying out any of the  
1800 [Clean Energy Finance and Investment Authority's] Connecticut Green  
1801 Bank's purposes or powers.

1802 (e) The powers of the [Clean Energy Finance and Investment  
1803 Authority] Connecticut Green Bank shall be vested in and exercised by  
1804 a board of directors, which shall consist of eleven voting and two  
1805 nonvoting members each with knowledge and expertise in matters  
1806 related to the purpose and activities of said [authority] bank appointed  
1807 as follows: The Treasurer or the Treasurer's designee, the  
1808 Commissioner of Energy and Environmental Protection or the  
1809 commissioner's designee and the Commissioner of Economic and  
1810 Community Development or the commissioner's designee, each  
1811 serving ex officio, one member who shall represent a residential or  
1812 low-income group appointed by the speaker of the House of  
1813 Representatives for a term of four years, one member who shall have  
1814 experience in investment fund management appointed by the minority  
1815 leader of the House of Representatives for a term of three years, one  
1816 member who shall represent an environmental organization appointed  
1817 by the president pro tempore of the Senate for a term of four years,  
1818 and one member who shall have experience in the finance or  
1819 deployment of renewable energy appointed by the minority leader of  
1820 the Senate for a term of four years. Thereafter, such members of the  
1821 General Assembly shall appoint members of the board to succeed such  
1822 appointees whose terms expire and each member so appointed shall  
1823 hold office for a period of four years from the first day of July in the  
1824 year of his or her appointment. The Governor shall appoint four  
1825 members to the board as follows: Two for two years who shall have  
1826 experience in the finance of renewable energy; one for four years who  
1827 shall be a representative of a labor organization; and one who shall  
1828 have experience in research and development or manufacturing of  
1829 clean energy. Thereafter, the Governor shall appoint members of the  
1830 board to succeed such appointees whose terms expire and each

1831 member so appointed shall hold office for a period of four years from  
1832 the first day of July in the year of his or her appointment. The  
1833 president of the [Clean Energy Finance and Investment Authority]  
1834 Connecticut Green Bank shall be elected by the members of the board.  
1835 The president of the [Clean Energy Finance and Investment Authority]  
1836 Connecticut Green Bank and a member of the board of Connecticut  
1837 Innovations, Incorporated, appointed by the chairperson of the  
1838 corporation shall serve on the board in an ex-officio, nonvoting  
1839 capacity. The Governor shall appoint the chairperson of the board. The  
1840 board shall elect from its members a vice chairperson and such other  
1841 officers as it deems necessary and shall adopt such bylaws and  
1842 procedures it deems necessary to carry out its functions. The board  
1843 may establish committees and subcommittees as necessary to conduct  
1844 its business.

1845 (f) (1) The board shall issue annually a report to the Department of  
1846 Energy and Environmental Protection reviewing the activities of the  
1847 [Clean Energy Finance and Investment Authority] Connecticut Green  
1848 Bank in detail and shall provide a copy of such report, in accordance  
1849 with the provisions of section 11-4a, to the joint standing committees of  
1850 the General Assembly having cognizance of matters relating to energy  
1851 and commerce. The report shall include a description of the programs  
1852 and activities undertaken during the reporting period jointly or in  
1853 collaboration with the Energy Conservation and Load Management  
1854 Funds established pursuant to section 16-245m.

1855 (2) The Clean Energy Fund shall be audited annually. Such audits  
1856 shall be conducted with generally accepted auditing standards by  
1857 independent certified public accountants certified by the State Board of  
1858 Accountancy. Such accountants may be the accountants for the [Clean  
1859 Energy Finance and Investment Authority] Connecticut Green Bank.

1860 (3) Any entity that receives financing for a clean energy project from  
1861 the fund shall provide the board an annual statement, certified as  
1862 correct by the chief financial officer of the recipient of such financing,  
1863 setting forth all sources and uses of funds in such detail as may be

1864 required by the [authority of] bank for such project. The [Clean Energy  
1865 Finance and Investment Authority] Connecticut Green Bank shall  
1866 maintain any such audits for not less than five years. Residential  
1867 projects for buildings with one to four dwelling units are exempt from  
1868 this and any other annual auditing requirements, except that  
1869 residential projects may be required to grant their utility companies'  
1870 permission to release their usage data to the [Clean Energy Finance  
1871 and Investment Authority] Connecticut Green Bank.

1872 (g) There shall be a joint committee of the Energy Conservation  
1873 Management Board and the [Clean Energy Finance and Investment  
1874 Authority] Connecticut Green Bank board of directors, as provided in  
1875 subdivision (2) of subsection (d) of section 16-245m.

1876 (h) (1) (A) Wherever the term "Clean Energy Finance and  
1877 Investment Authority" is used in the following general statutes, the  
1878 term "Connecticut Green Bank" shall be substituted in lieu thereof: 1-  
1879 79, 1-120, 1-124, 1-125, 7-233z, 16-244c, as amended by this act, 16-  
1880 245m, 16-245aa, 16-245bb, 16-245ee, 16-245ff, 16-245hh, 16-245kk, 16-  
1881 245ll, 16-245mm, 16a-40d to 16a-40g, inclusive, as amended by this act,  
1882 16a-40l, 16a-40m, 22a-200c and 32-141.

1883 (B) Wherever the term "authority" is used in the following general  
1884 statutes, the term "bank" shall be substituted in lieu thereof: 16-245aa,  
1885 16-245ff, 16-245hh, 16-245kk, 16-245ll, 16-245mm and 16a-40e to 16a-  
1886 40g, inclusive, as amended by this act.

1887 (2) Wherever the term "Clean Energy Finance and Investment  
1888 Authority" is used in any public or special act of 2014, the term  
1889 "Connecticut Green Bank" shall be substituted in lieu thereof.

1890 (3) The Legislative Commissioners' Office shall, in codifying the  
1891 provisions of this section, make such technical, grammatical and  
1892 punctuation changes as are necessary to carry out the purposes of this  
1893 section.

1894 Sec. 30. Section 16-50o of the general statutes is repealed and the

1895 following is substituted in lieu thereof (*Effective from passage*):

1896 (a) A record shall be made of the hearing and of all testimony taken  
1897 and the cross-examinations thereon. Every party or group of parties as  
1898 provided in section 16-50n shall have the right to present such oral or  
1899 documentary evidence and to conduct such cross-examination as may  
1900 be required for a full and true disclosure of the facts.

1901 (b) For an application on a facility described in subdivision (1) of  
1902 subsection (a) of section 16-50i, as amended by this act, the council  
1903 shall administratively notice completed and ongoing scientific and  
1904 medical research on electromagnetic fields.

1905 (c) The applicant shall submit into the record the full text of the  
1906 terms of any agreement, and a statement of any consideration therefor,  
1907 if not contained in such agreement, entered into by the applicant and  
1908 any party to the certification proceeding, or any third party, in  
1909 connection with the construction or operation of the facility. This  
1910 provision shall not require the public disclosure of proprietary  
1911 information or trade secrets.

1912 [(d) The results of the evaluation process pursuant to subsection (f)  
1913 of section 16a-7c shall be part of the record, where applicable.]

1914 [(e)] (d) A copy of the record shall be available at all reasonable  
1915 times for examination by the public without cost at the principal office  
1916 of the council. A copy of the transcript of testimony at the hearing shall  
1917 be filed at an appropriate public office, as determined by the council,  
1918 in each county in which the facility or any part thereof is proposed to  
1919 be located.

1920 Sec. 31. Subsection (a) of section 16-243p of the 2014 supplement to  
1921 the general statutes is repealed and the following is substituted in lieu  
1922 thereof (*Effective from passage*):

1923 (a) An electric distribution company may recover its costs and  
1924 investments that have been prudently incurred as well as its revenues

1925 lost resulting from the provisions of sections 16-1, 16-19ff, 16-50k, 16-  
1926 50x, 16-243h to 16-243q, inclusive, 16-244c, as amended by this act, 16-  
1927 244e, 16-244u, 16-245d, 16-245m, 16-245n, as amended by this act, 16-  
1928 245z, [and] 16-262i, 16a-40l and 16a-40m and section 21 of public act  
1929 05-1 of the June special session. The Public Utilities Regulatory  
1930 Authority shall, after a hearing held pursuant to the provisions of  
1931 chapter 54, determine the appropriate mechanism to obtain such  
1932 recovery in a timely manner which mechanism may be one or more of  
1933 the following: (1) Approval of rates as provided in sections 16-19 and  
1934 16-19e; (2) the energy adjustment clause as provided in section 16-19b;  
1935 or (3) the federally mandated congestion charges, as defined in section  
1936 16-1.

1937 Sec. 32. Section 16a-3f of the 2014 supplement to the general statutes  
1938 is repealed and the following is substituted in lieu thereof (*Effective*  
1939 *from passage*):

1940 On or after January 1, 2013, the Commissioner of Energy and  
1941 Environmental Protection, in consultation with the procurement  
1942 manager identified in subsection (l) of section 16-2, the Office of  
1943 Consumer Counsel and the Attorney General, [may] shall, in  
1944 coordination with other states in the region of the regional  
1945 independent system operator, as defined in section 16-1, or on the  
1946 commissioner's own, solicit proposals, in one solicitation or multiple  
1947 solicitations, from providers of Class I renewable energy sources, as  
1948 defined in section 16-1, constructed on or after January 1, 2013. If the  
1949 commissioner finds such proposals to be in the interest of ratepayers  
1950 including, but not limited to, the delivered price of such sources, and  
1951 consistent with the requirements to reduce greenhouse gas emissions  
1952 in accordance with section 22a-200a, and in accordance with the policy  
1953 goals outlined in the Comprehensive Energy Strategy, adopted  
1954 pursuant to section 16a-3d, the commissioner may select proposals  
1955 from such resources to meet up to four per cent of the load distributed  
1956 by the state's electric distribution companies. The commissioner may  
1957 direct the electric distribution companies to enter into power purchase

1958 agreements for energy, capacity and environmental attributes, or any  
1959 combination thereof, for periods of not more than twenty years.  
1960 Certificates issued by the New England Power Pool Generation  
1961 Information System for any Class I renewable energy sources procured  
1962 under this section shall be sold in the New England Power Pool  
1963 Generation Information System renewable energy credit market to be  
1964 used by any electric supplier or electric distribution company to meet  
1965 the requirements of section 16-245a. Any such agreement shall be  
1966 subject to review and approval by the Public Utilities Regulatory  
1967 Authority, which review shall commence upon the filing of the signed  
1968 power purchase agreement with the authority. The authority shall  
1969 issue a decision on such agreement not later than thirty days after such  
1970 filing. In the event the authority does not issue a decision within thirty  
1971 days after such agreement is filed with the authority, the agreement  
1972 shall be deemed approved. The net costs of any such agreement,  
1973 including costs incurred by the electric distribution companies under  
1974 the agreement and reasonable costs incurred by the electric  
1975 distribution companies in connection with the agreement, shall be  
1976 recovered through a fully reconciling component of electric rates for all  
1977 customers of electric distribution companies. [Such costs may include  
1978 reasonable costs incurred by electric distribution companies pursuant  
1979 to this section.]

1980 Sec. 33. Section 16a-3g of the 2014 supplement to the general statutes  
1981 is repealed and the following is substituted in lieu thereof (*Effective*  
1982 *from passage*):

1983 On or after July 1, 2013, the Commissioner of Energy and  
1984 Environmental Protection, in consultation with the procurement  
1985 manager identified in subsection (l) of section 16-2, the Office of  
1986 Consumer Counsel and the Attorney General, may, in coordination  
1987 with other states in the region of the regional independent system  
1988 operator, as defined in section 16-1, or on the commissioner's own,  
1989 solicit proposals, in one solicitation or multiple solicitations, from  
1990 providers of Class I renewable energy sources, as defined in section 16-

1991 1, or verifiable large-scale hydropower, as defined in section 16-1. If  
1992 the commissioner finds such proposals to be in the interest of  
1993 ratepayers, including, but not limited to, the delivered price of such  
1994 sources, and consistent with the requirements to reduce greenhouse  
1995 gas emissions in accordance with section 22a-200a, and in accordance  
1996 with the policy goals outlined in the Comprehensive Energy Strategy,  
1997 adopted pursuant to section 16a-3d, and section 129 of public act 11-80,  
1998 including, but not limited to, base load capacity, peak load shaving  
1999 and promotion of wind, solar and other renewable and low carbon  
2000 energy technologies, the commissioner may select proposals from such  
2001 resources to meet up to five per cent of the load distributed by the  
2002 state's electric distribution companies. The commissioner may on  
2003 behalf of all customers of electric distribution companies, direct the  
2004 electric distribution companies to enter into power purchase  
2005 agreements for energy, capacity and any environmental attributes, or  
2006 any combination thereof, for periods of not more than (1) fifteen years,  
2007 if any such agreement is with a provider of verifiable large-scale  
2008 hydropower, or (2) twenty years, if any such agreement is with a  
2009 provider of a Class I renewable energy source. Certificates issued by  
2010 the New England Power Pool Generation Information System for any  
2011 Class I renewable energy sources procured under this section shall be  
2012 sold in the New England Power Pool Generation Information System  
2013 renewable energy credit market to be used by any electric supplier or  
2014 electric distribution company to meet the requirements of section 16-  
2015 245a. Any such agreement shall be subject to review and approval by  
2016 the Public Utilities Regulatory Authority, which review shall (A)  
2017 include a public hearing, and (B) be completed not later than sixty  
2018 days after the date on which such agreement is filed with the  
2019 authority. The net costs of any such agreement, including costs  
2020 incurred by the electric distribution companies under the agreement  
2021 and reasonable costs incurred by the electric distribution companies in  
2022 connection with the agreement, shall be recovered through a fully  
2023 reconciling component of electric rates for all customers of electric  
2024 distribution companies. [Such costs may include the reasonable costs  
2025 incurred by the electric distribution companies pursuant to this

2026 section.]

2027 Sec. 34. Section 16a-3h of the 2014 supplement to the general statutes  
2028 is repealed and the following is substituted in lieu thereof (*Effective*  
2029 *from passage*):

2030 On or after October 1, 2013, the Commissioner of Energy and  
2031 Environmental Protection, in consultation with the procurement  
2032 manager identified in subsection (l) of section 16-2, the Office of  
2033 Consumer Counsel and the Attorney General, may solicit proposals, in  
2034 one solicitation or multiple solicitations, from providers of run-of-the-  
2035 river hydropower, landfill methane gas or biomass, provided such  
2036 source meets the definition of a Class I renewable energy source  
2037 pursuant to section 16-1. In making any selection of such proposals,  
2038 the commissioner shall consider factors, including, but not limited to  
2039 (1) whether the proposal is in the interest of ratepayers, including, but  
2040 not limited to, the delivered price of such sources, (2) the emissions  
2041 profile of a relevant facility, (3) any investments made by a relevant  
2042 facility to improve the emissions profile of such facility, (4) the length  
2043 of time a relevant facility has received renewable energy credits, (5)  
2044 any positive impacts on the state's economic development, (6) whether  
2045 the proposal is consistent with requirements to reduce greenhouse gas  
2046 emissions in accordance with section 22a-200a, and (7) whether the  
2047 proposal is consistent with the policy goals outlined in the  
2048 Comprehensive Energy Strategy adopted pursuant to section 16a-3d.  
2049 The commissioner may select proposals from such resources to meet  
2050 up to four per cent of the load distributed by the state's electric  
2051 distribution companies. The commissioner may direct the electric  
2052 distribution companies to enter into power purchase agreements for  
2053 energy, capacity and environmental attributes, or any combination  
2054 thereof, for periods of not more than ten years on behalf of all  
2055 customers of the state's electric distribution companies. Certificates  
2056 issued by the New England Power Pool Generation Information  
2057 System for any Class I renewable energy sources procured under this  
2058 section shall be sold in the New England Power Pool Generation

2059 Information System renewable energy credit market to be used by any  
2060 electric supplier or electric distribution company to meet the  
2061 requirements of section 16-245a. Any such agreement shall be subject  
2062 to review and approval by the Public Utilities Regulatory Authority,  
2063 which review shall be completed not later than sixty days after the  
2064 date on which such agreement is filed with the authority. The net costs  
2065 of any such agreement, including costs incurred by the electric  
2066 distribution companies under the agreement and reasonable costs  
2067 incurred by the electric distribution companies in connection with the  
2068 agreement, shall be recovered through a fully reconciling component  
2069 of electric rates for all customers of electric distribution companies.  
2070 [Such costs may include the reasonable costs incurred by the electric  
2071 distribution companies pursuant to this section.]

2072 Sec. 35. Subsection (d) of section 16a-3i of the 2014 supplement to  
2073 the general statutes is repealed and the following is substituted in lieu  
2074 thereof (*Effective from passage*):

2075 (d) In the event there is such a presumption pursuant to subsection  
2076 (a) of this section and the commissioner finds a material shortage of  
2077 Class I renewable energy sources pursuant to subsection (b) of this  
2078 section, and in addition to determining the adequacy pursuant to  
2079 subsection (c) of this section, the commissioner shall, in consultation  
2080 with the procurement manager identified in subsection (l) of section  
2081 16-2, the Office of Consumer Counsel and the Attorney General, solicit  
2082 proposals from providers of Class I renewable energy sources, as  
2083 defined in section 16-1, operational as of the date that such solicitation  
2084 is issued. If the commissioner, in consultation with the procurement  
2085 manager identified in subsection (l) of section 16-2, finds such  
2086 proposals to be in the interest of ratepayers including, but not limited  
2087 to, the delivered price of such sources, and consistent with the  
2088 requirements to reduce greenhouse gas emissions in accordance with  
2089 section 22a-200a, and in accordance with the policy goals outlined in  
2090 the Comprehensive Energy Strategy, adopted pursuant to section 16a-  
2091 3d, the commissioner, in consultation with the procurement manager

2092 identified in subsection (l) of section 16-2, may select proposals from  
2093 such sources to meet up to the amount necessary to ensure an  
2094 adequate incremental supply of Class I renewable energy sources to  
2095 rectify any projected shortage of Class I renewable energy supply  
2096 identified pursuant to subsection (c) of this section. The commissioner  
2097 shall direct the electric distribution companies to enter into power  
2098 purchase agreements for energy, capacity and environmental  
2099 attributes, or any combination thereof, from such selected proposals  
2100 for periods of not more than ten years. Certificates issued by the New  
2101 England Power Pool Generation Information System for any Class I  
2102 renewable energy sources procured under this section shall be sold in  
2103 the New England Power Pool Generation Information System  
2104 renewable energy credit market to be used by any electric supplier or  
2105 electric distribution company to meet the requirements of section 16-  
2106 245a. Any such agreement shall be subject to review and approval by  
2107 the Public Utilities Regulatory Authority, which review shall  
2108 commence upon the filing of the signed power purchase agreement  
2109 with the authority. The authority shall issue a decision on such  
2110 agreement not later than thirty days after such filing. In the event the  
2111 authority does not issue a decision within thirty days after such  
2112 agreement is filed with the authority, the agreement shall be deemed  
2113 approved. The net costs of any such agreement, including costs  
2114 incurred by the electric distribution companies under the agreement  
2115 and reasonable costs incurred by the electric distribution companies in  
2116 connection with the agreement, shall be recovered through a fully  
2117 reconciling component of electric rates for all customers of electric  
2118 distribution companies. [Such costs may include reasonable costs  
2119 incurred by electric distribution companies pursuant to this section.]

2120 Sec. 36. Subsection (a) of section 16-50p of the 2014 supplement to  
2121 the general statutes is repealed and the following is substituted in lieu  
2122 thereof (*Effective from passage*):

2123 (a) (1) In a certification proceeding, the council shall render a  
2124 decision upon the record either granting or denying the application as

2125 filed, or granting it upon such terms, conditions, limitations or  
2126 modifications of the construction or operation of the facility as the  
2127 council may deem appropriate.

2128 (2) The council's decision shall be rendered in accordance with the  
2129 following:

2130 (A) Not later than twelve months after the [deadline for] filing of an  
2131 application [following the request for proposal process] for a facility  
2132 described in subdivision (1) or (2) of subsection (a) of section 16-50i, as  
2133 amended by this act, or subdivision (4) of said subsection (a) if the  
2134 application was incorporated in an application concerning a facility  
2135 described in subdivision (1) of said subsection (a); and

2136 (B) Not later than one hundred eighty days after the [deadline for]  
2137 filing of an application [following the request for proposal process] for  
2138 a facility described in [subdivision (4)] subdivisions (3) to (6), inclusive,  
2139 of subsection (a) of section 16-50i, as amended by this act, [and an  
2140 application concerning a facility described in subdivision (3) of said  
2141 subsection (a),] provided the council may extend such period by not  
2142 more than one hundred eighty days with the consent of the applicant.  
2143 [; and]

2144 [(C) Not later than one hundred eighty days after the filing of an  
2145 application for a facility described in subdivision (5) or (6) of  
2146 subsection (a) of section 16-50i, provided the council may extend such  
2147 period by not more than one hundred eighty days with the consent of  
2148 the applicant.]

2149 (3) The council shall file, with its order, an opinion stating in full its  
2150 reasons for the decision. The council shall not grant a certificate, either  
2151 as proposed or as modified by the council, unless it shall find and  
2152 determine:

2153 (A) Except as provided in subsection (b) or (c) of this section, a  
2154 public need for the facility and the basis of the need;

2155 (B) The nature of the probable environmental impact of the facility  
2156 alone and cumulatively with other existing facilities, including a  
2157 specification of every significant adverse effect, including, but not  
2158 limited to, electromagnetic fields that, whether alone or cumulatively  
2159 with other effects, impact on, and conflict with the policies of the state  
2160 concerning the natural environment, ecological balance, public health  
2161 and safety, scenic, historic and recreational values, forests and parks,  
2162 air and water purity and fish, aquaculture and wildlife;

2163 (C) Why the adverse effects or conflicts referred to in subparagraph  
2164 (B) of this subdivision are not sufficient reason to deny the application;

2165 (D) In the case of an electric transmission line, (i) what part, if any,  
2166 of the facility shall be located overhead, (ii) that the facility conforms to  
2167 a long-range plan for expansion of the electric power grid of the  
2168 electric systems serving the state and interconnected utility systems  
2169 and will serve the interests of electric system economy and reliability,  
2170 and (iii) that the overhead portions, if any, of the facility are cost  
2171 effective and the most appropriate alternative based on a life-cycle cost  
2172 analysis of the facility and underground alternatives to such facility,  
2173 are consistent with the purposes of this chapter, with such regulations  
2174 or standards as the council may adopt pursuant to section 16-50t,  
2175 including, but not limited to, the council's best management practices  
2176 for electric and magnetic fields for electric transmission lines and with  
2177 the Federal Power Commission "Guidelines for the Protection of  
2178 Natural Historic Scenic and Recreational Values in the Design and  
2179 Location of Rights-of-Way and Transmission Facilities" or any  
2180 successor guidelines and any other applicable federal guidelines and  
2181 are to be contained within an area that provides a buffer zone that  
2182 protects the public health and safety, as determined by the council. In  
2183 establishing such buffer zone, the council shall consider, among other  
2184 things, residential areas, private or public schools, licensed child day  
2185 care facilities, licensed youth camps or public playgrounds adjacent to  
2186 the proposed route of the overhead portions and the level of the  
2187 voltage of the overhead portions and any existing overhead

2188 transmission lines on the proposed route. At a minimum, the existing  
2189 right-of-way shall serve as the buffer zone;

2190 (E) In the case of an electric or fuel transmission line, that the  
2191 location of the line will not pose an undue hazard to persons or  
2192 property along the area traversed by the line;

2193 [(F) In the case of an application that was heard under a  
2194 consolidated hearing process with other applications that were  
2195 common to a request for proposal, that the facility proposed in the  
2196 subject application represents the most appropriate alternative among  
2197 such applications based on the findings and determinations pursuant  
2198 to this subsection;]

2199 [(G)] (F) In the case of a facility described in subdivision (6) of  
2200 subsection (a) of section 16-50i, as amended by this act, that is (i)  
2201 proposed to be installed on land under agricultural restriction, as  
2202 provided in section 22-26cc, that the facility will not result in a material  
2203 decrease of acreage and productivity of the arable land, (ii) proposed  
2204 to be installed on land near a building containing a school, as defined  
2205 in section 10-154a, or a commercial child day care center, as described  
2206 in subdivision (1) of subsection (a) of section 19a-77, that the facility  
2207 will not be less than two hundred fifty feet from such school or  
2208 commercial child day care center unless the location is acceptable to  
2209 the chief elected official of the municipality or the council finds that the  
2210 facility will not have a substantial adverse effect on the aesthetics or  
2211 scenic quality of the neighborhood in which such school or commercial  
2212 child day care center is located, or (iii) proposed to be installed on land  
2213 owned by a water company, as defined in section 25-32a, and which  
2214 involves a new ground-mounted telecommunications tower, that such  
2215 land owned by a water company is preferred over any alternative  
2216 telecommunications tower sites provided the council shall, pursuant to  
2217 clause (iii) of this subparagraph, consult with the Department of Public  
2218 Health to determine potential impacts to public drinking water  
2219 supplies in considering all the environmental impacts identified  
2220 pursuant to subparagraph (B) of this subdivision. The council shall not

2221 render any decision pursuant to this subparagraph that is inconsistent  
2222 with federal law or regulations; and

2223 [(H)] (G) That, for a facility described in subdivision (5) or (6) of  
2224 subsection (a) of section 16-50i, as amended by this act, the council has  
2225 considered the manufacturer's recommended safety standards for any  
2226 equipment, machinery or technology for the facility.

2227 Sec. 37. Subsection (a) of section 16-50bb of the 2014 supplement to  
2228 the general statutes is repealed and the following is substituted in lieu  
2229 thereof (*Effective from passage*):

2230 (a) There is established an account to be known as the "municipal  
2231 participation account", within the General Fund, which shall be a  
2232 separate, nonlapsing account. There shall be deposited in the account  
2233 the municipal participation fees received pursuant to [subdivisions (1)  
2234 and (3) of] subsection (a) of section 16-50l, as amended by this act. The  
2235 interest derived from the investment of the account shall be credited to  
2236 the account. Any balance remaining in the account at the end of any  
2237 fiscal year shall be carried forward in the account for the fiscal year  
2238 next succeeding.

2239 Sec. 38. Section 16-345 of the general statutes is repealed and the  
2240 following is substituted in lieu thereof (*Effective October 1, 2015*):

2241 As used in this chapter:

2242 [(a)] (1) "Person" means an individual, partnership, corporation,  
2243 limited liability company or association, including a person engaged as  
2244 a contractor by a public agency but excluding a public agency.

2245 [(b)] (2) "Public agency" means the state or any political subdivision  
2246 thereof, including any governmental agency.

2247 [(c)] (3) "Public utility" means the owner or operator of  
2248 underground facilities for furnishing electric, gas, telephone, telegraph,  
2249 communications, pipeline, sewage, water, community television

2250 antenna, steam, [or] traffic signal, fire signal or similar service,  
2251 including a municipal or other public owner or operator. A public  
2252 utility does not include the owner of facilities for utility service solely  
2253 for such owner's private residence.

2254 [(d)] (4) "Central clearinghouse" means the [group of] organization  
2255 organized and operated by public utilities [formed] pursuant to section  
2256 16-348, as amended by this act, for the purposes of receiving and  
2257 giving notice of excavation, discharge of explosives and demolition  
2258 activity within the state.

2259 [(e)] (5) "Excavation" means an operation for the purposes of  
2260 movement or removal of earth, rock or other materials in or on the  
2261 ground, or otherwise disturbing the subsurface of the earth, by the use  
2262 of powered or mechanized equipment, including but not limited to  
2263 digging, blasting, auguring, back filling, test boring, drilling, pile  
2264 driving, grading, plowing-in, hammering, pulling-in, trenching, [and]  
2265 tunneling, dredging, reclamation processes and milling; excluding [the  
2266 movement of earth by tools manipulated only by human or animal  
2267 power and] the tilling of soil for agricultural purposes. For the  
2268 purposes of this subdivision, dredging does not include dredging  
2269 associated with the production and harvesting of aquaculture crops.

2270 [(f)] (6) "Demolition" means the wrecking, razing, rending, moving  
2271 or removing of any structure.

2272 [(g)] (7) "Damage" includes, but is not limited to, the substantial  
2273 weakening of structural or lateral support of a utility [line] facility such  
2274 that the continued integrity of such utility facility is imperiled,  
2275 penetration or destruction of any utility [line] facility protective  
2276 coating, housing or other protective device or the severance, partial or  
2277 complete, of any utility [line] facility.

2278 [(h "Approximate location of underground facilities")] (8)  
2279 "Approximate location of an underground utility facility" means a strip  
2280 of land not more than three feet wide centered on the actual location of

2281 an underground utility facility or a strip of land extending not more  
2282 than one and one-half feet on either side of the actual location of an  
2283 underground [facilities] utility facility.

2284 Sec. 39. Section 16-346 of the 2014 supplement to the general statutes  
2285 is repealed and the following is substituted in lieu thereof (*Effective*  
2286 *October 1, 2015*):

2287 No person, public agency or public utility shall engage in  
2288 excavation, [or] discharge of explosives [at or near the location of a  
2289 public utility underground facility or demolish a structure located at or  
2290 near or containing a public utility facility] or demolition without  
2291 having first ascertained the location of all underground facilities of  
2292 public utilities in the area of such excavation, discharge or demolition  
2293 in the manner prescribed in this chapter and in such regulations as the  
2294 [authority] Public Utilities Regulatory Authority shall adopt pursuant  
2295 to section 16-357.

2296 Sec. 40. Section 16-347 of the general statutes is repealed and the  
2297 following is substituted in lieu thereof (*Effective October 1, 2015*):

2298 A public utility shall [file] register with the [Public Utilities  
2299 Regulatory Authority the location of its] central clearinghouse the  
2300 geographic areas in which it owns or operates underground facilities,  
2301 [except facilities for storm sewers,] by reference to a standard [grid]  
2302 mapping system, to be established by the [authority] central  
2303 clearinghouse, and the title, address and telephone number of its  
2304 representative designated to receive the notice required by section 16-  
2305 349, as amended by this act.

2306 Sec. 41. Section 16-348 of the general statutes is repealed and the  
2307 following is substituted in lieu thereof (*Effective October 1, 2015*):

2308 The public utilities of the state shall, under the direction of the  
2309 Public Utilities Regulatory Authority, organize and operate a central  
2310 clearinghouse within the state for receiving and giving the notices  
2311 required by section 16-349, as amended by this act. The authority shall

2312 apportion the cost of this service equitably among the public utilities,  
2313 [for those underground facilities registered with the authority, as  
2314 provided in section 16-347, except sanitary sewer or water facilities  
2315 owned or operated by] except a city, town or borough that owns or  
2316 operates only a sanitary sewer or water facilities.

2317 Sec. 42. Section 16-349 of the general statutes is repealed and the  
2318 following is substituted in lieu thereof (*Effective October 1, 2015*):

2319 Except as provided in section 16-352, as amended by this act, a  
2320 person, public agency or public utility responsible for excavating, [or]  
2321 discharging explosives [at or near the location of public utility  
2322 facilities] or demolishing [a structure containing a public utility  
2323 facility] shall notify the central clearinghouse of such proposed  
2324 excavation, discharge or demolition [, orally or in writing, at least two  
2325 full days, excluding Saturdays, Sundays and holidays, but not more  
2326 than thirty days before commencing such excavation, demolition or  
2327 discharge of explosives] in the manner prescribed by regulations  
2328 adopted pursuant to section 16-357. Such notice shall include the  
2329 name, address and telephone number of the [entity giving notice, the  
2330 name of the] person, public agency or public utility performing the  
2331 [work] excavation, discharge of explosives or demolition and the date,  
2332 location and type of excavation, demolition or discharge of explosives.  
2333 The central clearinghouse shall immediately transmit such information  
2334 to the public utilities whose facilities may be affected. In the event the  
2335 proposed excavation, demolition or discharge of explosives has not  
2336 [commenced] been completed within [thirty days] the allotted time  
2337 frame prescribed by regulation of such notification, or the excavation,  
2338 demolition or discharge of explosives will be expanded outside of the  
2339 location originally specified in such notification, the person, public  
2340 agency or public utility responsible for such excavation, demolition or  
2341 discharge of explosives shall again notify the central clearinghouse [at  
2342 least two full days, excluding Saturdays, Sundays and holidays, but  
2343 not more than thirty days before commencing or expanding such  
2344 excavation, demolition or discharge of explosives] in the manner

2345 prescribed by regulations adopted pursuant to section 16-357.

2346 Sec. 43. Section 16-351 of the 2014 supplement to the general statutes  
2347 is repealed and the following is substituted in lieu thereof (*Effective*  
2348 *October 1, 2015*):

2349 A public utility receiving notice pursuant to section 16-349, as  
2350 amended by this act, shall inform the person, public agency or public  
2351 utility proposing to excavate, discharge explosives or demolish [a  
2352 structure] of the approximate location of its underground facilities in  
2353 the area in such manner as will enable such person, public agency or  
2354 public utility to establish the [precise] actual location of the  
2355 underground facilities, and shall provide such other assistance in  
2356 establishing the [precise] actual location of the underground facilities  
2357 as the authority may require by [regulation] regulations adopted  
2358 pursuant to section 16-357. Such person, public agency or public utility  
2359 shall designate the area of the proposed excavation, demolition or  
2360 discharge of explosives as the authority may prescribe by [regulation]  
2361 regulations adopted pursuant to section 16-357. The public utility  
2362 receiving notice shall mark the approximate location of its  
2363 underground facilities in such manner and using such methods,  
2364 including color coding, as the authority may prescribe by [regulation]  
2365 regulations adopted pursuant to section 16-357. If the [precise] actual  
2366 location of the underground facilities cannot be established, the  
2367 person, public agency or public utility shall so notify the public utility  
2368 whose facilities may be affected, which shall provide such further  
2369 assistance as may be needed to determine the [precise] actual location  
2370 of the underground facilities in advance of the proposed excavation,  
2371 discharge of explosives or demolition.

2372 Sec. 44. Section 16-352 of the general statutes is repealed and the  
2373 following is substituted in lieu thereof (*Effective October 1, 2015*):

2374 (a) In case of emergency involving danger to life, health or property  
2375 or which requires immediate correction to continue the operation of a  
2376 major industrial plant, or to assure the continuity of public utility

2377 service, excavation or demolition without explosives may be made  
2378 without [the two day] notice required by section 16-349, as amended  
2379 by this act, provided notice thereof [by telephone] is given as soon as  
2380 reasonably possible.

2381 (b) In case of an emergency involving an immediate and substantial  
2382 danger of death or serious personal injury, explosives may be  
2383 discharged if notice thereof is given at any time before discharge.

2384 Sec. 45. Section 16-354 of the 2014 supplement to the general statutes  
2385 is repealed and the following is substituted in lieu thereof (*Effective*  
2386 *October 1, 2015*):

2387 A person, public agency or public utility responsible for excavating,  
2388 discharging explosives or demolition shall exercise reasonable care  
2389 when working in proximity to the underground facilities of any public  
2390 utility and shall comply with such safety standards and other  
2391 requirements as the authority shall prescribe by [regulation]  
2392 regulations adopted pursuant to section 16-357. If the facilities are  
2393 likely to be exposed, such support shall be provided as may be  
2394 reasonably necessary for protection of the facilities. If [gas facilities are  
2395 likely to be exposed] excavation is within the approximate location of  
2396 facilities containing combustible or hazardous fluids or gases, only  
2397 hand digging or soft digging shall be employed. As used in this  
2398 section, "soft digging" means a nonmechanical and nondestructive  
2399 process used to excavate and evacuate soils at a controlled rate, using  
2400 high pressure water or air jet to break up the soil, often in conjunction  
2401 with a high power vacuum unit to extract the soil without damaging  
2402 the facilities.

2403 Sec. 46. Section 16-355 of the general statutes is repealed and the  
2404 following is substituted in lieu thereof (*Effective October 1, 2015*):

2405 When any contact is made with or any damage is suspected or done  
2406 to any underground facility of a public utility, the person, public  
2407 agency or public utility responsible for the operations causing the

2408 contact, suspected damage or damage shall immediately notify the  
2409 public utility whose facilities have been affected, which shall dispatch  
2410 its own personnel as soon as reasonably possible to inspect the  
2411 underground facility and, if necessary, effect temporary or permanent  
2412 repairs. If a serious electrical short is occurring or if dangerous fluids  
2413 or gas are escaping from a broken line, the person, public agency or  
2414 public utility responsible for the operations causing the damage shall  
2415 alert all persons within the danger area and take all feasible steps to  
2416 insure the public safety pending the arrival of repair personnel. As  
2417 used in this section, "contact" includes, without limitation, the striking,  
2418 scraping or denting, however slight, of any underground utility  
2419 facility, [the structural or lateral support of an underground utility line  
2420 and] including any underground utility [line] facility protective  
2421 coating, housing or other protective device. "Contact" does not include  
2422 damage, as defined in section 16-345, as amended by this act.

2423 Sec. 47. Section 16-356 of the general statutes is repealed and the  
2424 following is substituted in lieu thereof (*Effective October 1, 2015*):

2425 Any person, public agency or public utility which the Public  
2426 Utilities Regulatory Authority determines, after notice and  
2427 opportunity for a hearing as provided in section 16-41, to have failed to  
2428 comply with any provision of this chapter or any regulation adopted  
2429 under section 16-357 shall forfeit and pay to the state a civil penalty of  
2430 not more than forty thousand dollars, provided any violation  
2431 involving the failure of a public utility to mark [the] any approximate  
2432 location of an underground [facilities] utility facility correctly or within  
2433 the timeframes prescribed by regulation, which violation did not result  
2434 in any property damage or personal injury and was not the result of an  
2435 act of gross negligence on the part of the public utility, shall not result  
2436 in a civil penalty of more than one thousand dollars. Notwithstanding  
2437 the provisions contained in subsection (d) of section 16-41, the person,  
2438 public agency or public utility receiving a notice of violation pursuant  
2439 to subsection (c) of section 16-41 shall have thirty days from the date of  
2440 receipt of the notice in which to deliver to the authority a written

2441 application for a hearing.

2442 Sec. 48. Section 16-243m of the 2014 supplement to the general  
2443 statutes is repealed and the following is substituted in lieu thereof  
2444 (*Effective from passage*):

2445 (a) The Public Utilities Regulatory Authority shall, on or before  
2446 November 1, 2005, identify those measures that can reduce federally  
2447 mandated congestion charges, as defined in section 16-1, and that can  
2448 be implemented, in whole or in part, on or before January 1, 2006. Such  
2449 measures may include, but shall not be limited to, demand response  
2450 programs, other distributed resources, and contracts between an  
2451 electric distribution company, as defined in said section 16-1, and an  
2452 owner of generation resources for the capacity of such resources. The  
2453 authority shall order each electric distribution company to implement,  
2454 in whole or in part, on or before January 1, 2006, such measures as the  
2455 authority considers appropriate. The company's costs associated with  
2456 complying with the provisions of this section shall be recoverable  
2457 through federally mandated congestion charges.

2458 (b) The authority shall conduct a contested case, in accordance with  
2459 chapter 54, to establish the principles and standards to be used in  
2460 developing and issuing a request for proposals under this section. The  
2461 authority shall complete such contested case on or before January 1,  
2462 2006.

2463 (c) On or before February 1, 2006, the authority shall conduct a  
2464 proceeding to develop and issue a request for proposals to solicit the  
2465 development of long-term projects designed to reduce federally  
2466 mandated congestion charges for the period commencing on May 1,  
2467 2006, and ending on December 31, 2010, or such later date specified by  
2468 the authority. For purposes of this section, projects shall include (1)  
2469 customer-side distributed resources, (2) grid-side distributed  
2470 resources, (3) new generation facilities, including expanded or  
2471 repowered generation, and (4) contracts for a term of no more than  
2472 fifteen years between a person and an electric distribution company for

2473 the purchase of electric capacity rights. Such request for proposals  
2474 shall encourage responses from a variety of resource types and  
2475 encourage diversity in the fuel mix used in generation. An electric  
2476 distribution company may submit proposals pursuant to this  
2477 subsection on the same basis as other respondents to the solicitation. A  
2478 proposal submitted by an electric distribution company shall include  
2479 its full projected costs such that any project costs recovered from or  
2480 defrayed by ratepayers are included in the projected costs. An electric  
2481 distribution company submitting a bid under this subsection shall  
2482 demonstrate to the satisfaction of the authority that its bid is not  
2483 supported in any form of cross subsidization by affiliated entities. If  
2484 such electric distribution company's proposal is approved pursuant to  
2485 subsection (g) of this section, the costs and revenues of such proposal  
2486 shall not be included in calculating such company's earning for  
2487 purposes of, or in determining whether its rates are just and reasonable  
2488 under, sections 16-19, 16-19a and 16-19e. Electric distribution  
2489 companies may under no circumstances recover more than the full  
2490 costs identified in the proposals, as approved under subsection (g) of  
2491 this section and consistent with subsection (h) of this section. Affiliates  
2492 of the electric distribution company may submit proposals consistent  
2493 with section 16-244h, regulations adopted under section 16-244h and  
2494 other requirements the authority may impose. The authority may  
2495 request from a person submitting a proposal further information that  
2496 the authority determines to be in the public interest to be used in  
2497 evaluating the proposal. The authority shall determine whether costs  
2498 associated with subsection [(l)] (k) of this section shall be considered in  
2499 the evaluation or selection of bids.

2500 (d) The authority shall publish such request for proposals in one or  
2501 more newspapers or periodicals, as selected by the authority, and shall  
2502 post such request for proposals on its web site. The authority may  
2503 retain the services of a third-party entity with expertise in the area of  
2504 energy procurement to oversee the development of the request for  
2505 proposals and to assist the authority in its approval of proposals  
2506 pursuant to this section. The reasonable and proper expenses for

2507 retaining such third-party entity shall be recoverable through federally  
2508 mandated congestion charges, as defined in section 16-1, which  
2509 charges the authority shall allocate to electric distribution companies in  
2510 proportion to their revenue.

2511 (e) Any person, other than an electric distribution company,  
2512 submitting a proposal pursuant to subdivision (2), (3) or (4) of  
2513 subsection (c) of this section shall include with its proposal a draft of a  
2514 contract that includes the transfer to the electric distribution company  
2515 of all the rights to the installed capacity, including, but not limited to,  
2516 forward reserve capacity, locational forward reserve capacity and  
2517 similar rights associated with such proposal, provided such rights shall  
2518 not include energy. No such draft of a contract shall have a term  
2519 exceeding fifteen years. Such draft contract shall include such  
2520 provisions as the Public Utilities Regulatory Authority directs.

2521 (f) Each person submitting a proposal pursuant to this section shall  
2522 agree to forgo or credit reliability must run payments, locational  
2523 installed capacity payments or payments for similar purposes for any  
2524 project approved pursuant to subsection (g) of this section.

2525 (g) The authority shall, on or before May 1, 2006, evaluate such  
2526 proposals received pursuant to subsection (c) of this section and may  
2527 approve one or more of such proposals. The authority shall give  
2528 preference to proposals that (1) result in the greatest aggregate  
2529 reduction of federally mandated congestion charges for the period  
2530 commencing on May 1, 2006, and ending on December 31, 2010, or  
2531 such later date specified by the authority, (2) make efficient use of  
2532 existing sites and supply infrastructure, and (3) serve the long-term  
2533 interests of ratepayers. Projects proposed by persons other than electric  
2534 distribution companies approved pursuant to this subsection may  
2535 enter into long-term contracts pursuant to subsection (i) of this section.  
2536 Projects approved pursuant to this subsection are eligible for expedited  
2537 siting pursuant to subsection (a) of section 16-50k. Customer-side  
2538 distributed resource projects approved pursuant to this subsection  
2539 shall be eligible for the incentives provided pursuant to sections 16-

2540 243j, 16-243l, and 16-243o and this section, but shall not be eligible for  
2541 the programs described in section 16-243i.

2542 (h) If a proposal from an electric distribution company is approved  
2543 pursuant to subsection (g) of this section, such company may develop,  
2544 own and operate such resource, provided such company shall, not  
2545 later than five years after such resource begins commercial operation,  
2546 (1) sell such resource in accordance with section 16-43, or (2) auction  
2547 the power or capacity, or both, associated with such resource pursuant  
2548 to a plan approved by the authority. The authority shall, after notice  
2549 and hearing, waive the requirements of subdivisions (1) and (2) of this  
2550 subsection if it determines that compliance with such requirements  
2551 would be detrimental to retail customers. Such electric distribution  
2552 company shall recover, as federally mandated congestion charges, the  
2553 unrecovered portions of the full projected costs in its proposal made  
2554 under subsection (c) of this section.

2555 (i) An electric distribution company shall negotiate in good faith the  
2556 final terms of the draft contract, submitted under subsection (e) of this  
2557 section and included in a proposal approved under subsection (g) of  
2558 this section, and shall apply to the authority for approval of each such  
2559 contract. After thirty days, either party may request the assistance of  
2560 the authority to resolve any outstanding issues. No such contract may  
2561 become effective without approval of the authority. The authority shall  
2562 hold a hearing that shall be conducted as a contested case, in  
2563 accordance with the provisions of chapter 54, to approve, reject or  
2564 modify an application for approval of a capacity purchase contract. No  
2565 contract shall be approved unless the authority finds that approval of  
2566 such contract would (1) result in the lowest reasonable cost of such  
2567 products and services, (2) increase reliability, and (3) minimize  
2568 federally mandated congestion charges to the state over the life of the  
2569 contract. Such a contract shall contain terms that mitigate the long-  
2570 term risk assumed by ratepayers. No contract approved by the  
2571 authority shall have a term exceeding fifteen years. As determined by  
2572 the authority, the electric distribution company shall either sell into the

2573 capacity markets all or a portion of capacity rights transferred  
2574 pursuant to this section and use all proceeds from such sales to offset  
2575 federally mandated congestion charges incurred by all customers, or  
2576 shall retain such capacity rights to offset electric capacity charges  
2577 associated with transitional standard offer, standard service or service  
2578 as supplier of last resort under section 16-244c, as amended by this act.  
2579 The costs associated with long-term electric capacity contracts shall be  
2580 recovered through federally mandated congestion charges.

2581 [(j)] The provisions of section 16a-7c shall not apply to projects  
2582 approved pursuant to this section.]

2583 [(k)] (j) The authority may order an electric distribution company to  
2584 submit a proposal pursuant to the provisions of this section and may  
2585 approve such a proposal under this section. Nothing in sections 16-1,  
2586 16-32f, 16-50i, as amended by this act, 16-50k, 16-50x, 16-243i to 16-  
2587 243q, inclusive, 16-244c, as amended by this act, 16-244e, 16-245d, 16-  
2588 245m, 16-245n, as amended by this act, and 16-245z and section 21 of  
2589 public act 05-1 of the June special session shall limit the authority's  
2590 ability to conduct requests for proposals, in addition to that in  
2591 subsection (c) of this section, to reduce federally mandated congestion  
2592 charges and to approve such proposals or otherwise to meet its  
2593 responsibility under this title.

2594 [(l)] (k) The authority shall hold a hearing that shall be conducted as  
2595 a contested case, in accordance with the provisions of chapter 54, to  
2596 investigate any impact on the financial condition of electric  
2597 distribution companies of long-term contracts entered into pursuant to  
2598 this section and to establish, before issuing a request for proposals in  
2599 accordance with subsection (c) of this section, the methodology for  
2600 compensating the companies for such impacts. The methodology for  
2601 addressing such impacts shall be included in the request for proposals  
2602 under subsection (c) of this section, if appropriate. If the authority  
2603 determines that entering into such long-term contracts results in  
2604 increased costs incurred by the electric distribution companies, the  
2605 authority, annually, shall allow such costs to be recovered through

2606 rates or in such manner as the authority considers appropriate. The  
2607 authority shall determine whether such costs shall be considered in the  
2608 evaluation or selection of bids under this section.

2609 [(m)] (l) An electric distribution company may not submit a  
2610 proposal under this section on or after February 1, 2011. On or before  
2611 January 1, 2010, the authority shall submit a report, in accordance with  
2612 section 11-4a, to the joint standing committee of the General Assembly  
2613 having cognizance of matters relating to energy with a  
2614 recommendation as to whether the period during which such  
2615 company may submit proposals under this section should be  
2616 extended.

2617 [(n)] (m) For purposes of subdivision (1) of subsection (c) of section  
2618 16-50p, there shall be a rebuttable presumption that there is a public  
2619 benefit in building a facility, as defined in subdivision (1) of subsection  
2620 (a) of section 16-50i, as amended by this act, that has been approved by  
2621 the Public Utilities Regulatory Authority pursuant to this section.

2622 [(o)] (n) The aggregate electric generating capacity for all approved  
2623 proposals by electric distribution companies pursuant to subsections  
2624 (g) and [(k)] (j) of this section may not exceed two hundred fifty  
2625 megawatts of generating capacity state-wide. The authority shall give  
2626 guiding preference in approving the amount of generation capacity in  
2627 proposals from electric distribution companies to the approximate  
2628 proportion of each company's service area load.

2629 [(p)] (o) When the authority selects a bid pursuant to subdivisions  
2630 (2) and (3) of subsection (c) of this section from a person other than an  
2631 electric distribution company, the authority shall grant the electric  
2632 distribution company that serves the area in which the subject grid-  
2633 side distributed resource or new generation facility is to be located a  
2634 one-time, nonrecurring award, for investments necessary to improve  
2635 the electric distribution company's transmission and distribution  
2636 system to accommodate such facilities, in accordance with the  
2637 following: For a grid-side distributed resource or new generation

2638 facility that is operational (1) on or before January 1, 2010, twenty-five  
2639 dollars per kilowatt, (2) on or before January 1, 2011, fifteen dollars per  
2640 kilowatt, and (3) on or before January 1, 2012, five dollars per kilowatt.  
2641 The cost of the award shall be recoverable from federally mandated  
2642 congestion charges. No such award may be made unless the projected  
2643 reduction in federally mandated congestion charges attributed to the  
2644 investment is greater than the amount of the award. Revenues from  
2645 such award shall not be included in calculating the electric distribution  
2646 company's earnings for the purpose of determining whether its rates  
2647 are just and reasonable under sections 16-19, 16-19a and 16-19e.

2648 [(q)] (p) Sixty days after the Public Utilities Regulatory Authority  
2649 issues a final decision approving long-term contracts pursuant to this  
2650 section, the authority shall direct an electric distribution company to  
2651 negotiate, in good faith, long-term contracts for the electric energy  
2652 output of each of the generation projects selected and approved by the  
2653 authority to provide capacity pursuant to this section, provided the  
2654 rates paid for such electric energy output when added to the payments  
2655 made pursuant to such capacity contracts shall be the project's cost of  
2656 service plus a reasonable rate of return. The electric distribution  
2657 company shall apply to the authority for approval of any such energy  
2658 output contract. No such contract shall be effective unless approved by  
2659 the authority. The authority may approve only such contracts it finds  
2660 would reduce and stabilize the cost of electricity to Connecticut  
2661 ratepayers. Such contract may not exceed the term of the capacity  
2662 contract for such generation project.

2663 Sec. 49. Subsection (a) of section 16-245l of the 2014 supplement to  
2664 the general statutes is repealed and the following is substituted in lieu  
2665 thereof (*Effective from passage*):

2666 (a) The Public Utilities Regulatory Authority shall establish and  
2667 each electric distribution company shall collect a systems benefits  
2668 charge to be imposed against all end use customers of each electric  
2669 distribution company beginning January 1, 2000. The authority shall  
2670 hold a hearing that shall be conducted as a contested case in

2671 accordance with chapter 54 to establish the amount of the systems  
2672 benefits charge. The authority may revise the systems benefits charge  
2673 or any element of said charge as the need arises. The systems benefits  
2674 charge shall be used to fund (1) the expenses of the public education  
2675 outreach program developed under section 16-244d other than  
2676 expenses for authority staff, (2) the cost of hardship protection  
2677 measures under sections 16-262c and 16-262d and other hardship  
2678 protections, including, but not limited to, electric service bill payment  
2679 programs, funding and technical support for energy assistance, fuel  
2680 bank and weatherization programs and weatherization services, (3) the  
2681 payment program to offset tax losses described in section 12-94d, (4)  
2682 any sums paid to a resource recovery authority pursuant to subsection  
2683 (b) of section 16-243e, (5) low income conservation programs approved  
2684 by the Public Utilities Regulatory Authority, (6) displaced worker  
2685 protection costs, (7) unfunded storage and disposal costs for spent  
2686 nuclear fuel generated before January 1, 2000, approved by the  
2687 appropriate regulatory agencies, (8) postretirement safe shutdown and  
2688 site protection costs that are incurred in preparation for  
2689 decommissioning, (9) decommissioning fund contributions, (10)  
2690 [operating expenses for the Connecticut Energy Advisory Board, (11)]  
2691 costs associated with the Connecticut electric efficiency partner  
2692 program established pursuant to section 16-243v, [(12)] (11)  
2693 reinvestments and investments in energy efficiency programs and  
2694 technologies pursuant to section 16a-38l, costs associated with the  
2695 electricity conservation incentive program established pursuant to  
2696 section 119 of public act 07-242, [(13)] (12) legal, appraisal and  
2697 purchase costs of a conservation or land use restriction and other  
2698 related costs as the authority in its discretion deems appropriate,  
2699 incurred by a municipality on or before January 1, 2000, to ensure the  
2700 environmental, recreational and scenic preservation of any reservoir  
2701 located within this state created by a pump storage hydroelectric  
2702 generating facility, and [(14)] (13) the residential furnace and boiler  
2703 replacement program pursuant to subsection (k) of section 16-243v. As  
2704 used in this subsection, "displaced worker protection costs" means the  
2705 reasonable costs incurred, prior to January 1, 2008, (A) by an electric

2706 supplier, exempt wholesale generator, electric company, an operator of  
2707 a nuclear power generating facility in this state or a generation entity  
2708 or affiliate arising from the dislocation of any employee other than an  
2709 officer, provided such dislocation is a result of (i) restructuring of the  
2710 electric generation market and such dislocation occurs on or after July  
2711 1, 1998, or (ii) the closing of a Title IV source or an exempt wholesale  
2712 generator, as defined in 15 USC 79z-5a, on or after January 1, 2004, as a  
2713 result of such source's failure to meet requirements imposed as a result  
2714 of sections 22a-197 and 22a-198 and this section or those Regulations of  
2715 Connecticut State Agencies adopted by the Department of Energy and  
2716 Environmental Protection, as amended from time to time, in  
2717 accordance with Executive Order Number 19, issued on May 17, 2000,  
2718 and provided further such costs result from either the execution of  
2719 agreements reached through collective bargaining for union  
2720 employees or from the company's or entity's or affiliate's programs  
2721 and policies for nonunion employees, and (B) by an electric  
2722 distribution company or an exempt wholesale generator arising from  
2723 the retraining of a former employee of an unaffiliated exempt  
2724 wholesale generator, which employee was involuntarily dislocated on  
2725 or after January 1, 2004, from such wholesale generator, except for  
2726 cause. "Displaced worker protection costs" includes costs incurred or  
2727 projected for severance, retraining, early retirement, outplacement,  
2728 coverage for surviving spouse insurance benefits and related expenses.

2729       Sec. 50. (NEW) (*Effective from passage*) The Public Utilities Regulatory  
2730 Authority, in consultation with the Department of Public Health, may,  
2731 upon application of a water company, as defined in section 16-1 of the  
2732 general statutes, order such water company to extend its system to  
2733 serve properties that the authority determines are served by a deficient  
2734 well system, as described in subdivision (2) of subsection (a) of section  
2735 16-262n of the general statutes, as amended by this act, if the authority  
2736 determines that the net costs of extending water service are reasonable.  
2737 The cost recovery, rates and charges of such extension shall be treated  
2738 in the same manner as provided for acquisitions pursuant to section  
2739 16-262o or 16-262s of the general statutes.

2740 Sec. 51. Subsection (d) of section 16-19ww of the 2014 supplement to  
2741 the general statutes is repealed and the following is substituted in lieu  
2742 thereof (*Effective from passage*):

2743 (d) In reviewing the natural gas infrastructure expansion plan  
2744 pursuant to subsection (c) of this section, in order to protect the  
2745 interests of ratepayers and ensure revenue recovery for gas companies,  
2746 and consistent with the recommendations of the Comprehensive  
2747 Energy Strategy, the authority shall, in accordance with section 16-  
2748 19oo, (1) establish a hurdle rate utilizing a twenty-five-year payback  
2749 period to compare the revenue requirement of connecting new  
2750 customers to the gas distribution system to determine the level of new  
2751 business capital expenditures that will be recoverable through rates,  
2752 taking into consideration any nonfirm margin credits pursuant to  
2753 subparagraph (B) of subdivision (4) of this subsection that will offset  
2754 the expansion costs of the gas companies, provided the authority shall  
2755 develop a methodology that reasonably accounts for revenues that  
2756 would be collected from new customers who signaled an intention to  
2757 switch to natural gas over a period of at least three years within a  
2758 common geographic location, (2) establish a new rate for new  
2759 customers added pursuant to the natural gas infrastructure expansion  
2760 plan to offset incremental costs of expanding natural gas infrastructure  
2761 pursuant to such plan, (3) establish a rate mechanism for the gas  
2762 companies to recover prudent investments made pursuant to the  
2763 approved natural gas infrastructure expansion plan in a timely manner  
2764 outside of a rate proceeding, provided such mechanism shall take into  
2765 consideration the additional revenues that the gas companies will  
2766 generate through implementation of such plan, and (4)  
2767 notwithstanding the provisions of section 16-19b, effective for the  
2768 period of the natural gas expansion plan, (A) assign at least half of the  
2769 nonfirm margin credit to [offset the rate base] be credited to ratepayers  
2770 of the gas companies through a purchased gas adjustment clause  
2771 established pursuant to section 16-19b, and (B) assign the lesser of (i)  
2772 an amount equal to half of the nonfirm margin credit, or (ii) an amount  
2773 equal to fifteen million dollars from the nonfirm margin credit

2774 annually for all gas companies in the aggregate, apportioned to each  
2775 gas company in proportion to revenues of [and] the existing and new  
2776 capacity contracted for by each gas company, to offset expansion costs,  
2777 including, but not limited to, the costs of adding new state, municipal,  
2778 residential, commercial and industrial customers. [where such  
2779 additions provide societal benefits, including, but not limited to,  
2780 increased or retained employment, local economic development,  
2781 environmental benefits and transit-oriented development goals.]

2782 Sec. 52. Section 16a-2 of the general statutes is repealed and the  
2783 following is substituted in lieu thereof (*Effective from passage*):

2784 As used in this chapter:

2785 [(a)] (1) "Department" means the Department of Energy and  
2786 Environmental Protection;

2787 [(b)] "Board" means the Connecticut Energy Advisory Board;

2788 [(c)] (2) "Commissioner" means the Commissioner of Energy and  
2789 Environmental Protection;

2790 [(d)] (3) "Energy" means work or heat that is, or may be, produced  
2791 from any fuel or source whatsoever;

2792 [(e)] (4) "Energy emergency" means a situation where the health,  
2793 safety or welfare of the citizens of the state is threatened by an actual  
2794 or impending acute shortage in usable energy resources;

2795 [(f)] (5) "Energy resource" means natural gas, petroleum products,  
2796 coal and coal products, wood fuels, geothermal sources, radioactive  
2797 materials and any other resource yielding energy;

2798 [(g)] (6) "Person" means any individual, firm, partnership,  
2799 association, syndicate, company, trust, corporation, limited liability  
2800 company, municipality, agency or political or administrative  
2801 subdivision of the state, or other legal entity of any kind;

2802 [(h)] (7) "Service area" means any geographic area serviced by the  
2803 same energy-producing public service company, as defined in section  
2804 16-1;

2805 [(i)] (8) "Renewable resource" means solar, wind, water, wood or  
2806 other biomass source of energy and geothermal energy;

2807 [(j)] (9) "Energy-related products" means [(1)] (A) energy systems  
2808 and equipment that utilize renewable resources to provide space  
2809 heating or cooling, water heating, electricity or other useful energy,  
2810 [(2)] (B) insulation materials, and [(3)] (C) equipment designed to  
2811 conserve energy or increase the efficiency of its use, including that  
2812 used for residential, commercial, industrial and transportation  
2813 purposes;

2814 [(k)] (10) "Energy-related services" means [(1)] (A) the design,  
2815 construction, installation, inspection, maintenance, adjustment or  
2816 repair of energy-related products, [(2)] (B) inspection, adjustment,  
2817 maintenance or repair of any conventional energy system, [(3)] (C) the  
2818 performance of energy audits or the provision of energy management  
2819 consulting services, and [(4)] (D) weatherization activities carried out  
2820 under any federal, state or municipal program;

2821 [(l)] (11) "Conventional energy system" means any system for  
2822 supplying space heating or cooling, ventilation or domestic or  
2823 commercial hot water which is not included in [subdivision (1) of  
2824 subsection (j)] subparagraph (A) of subdivision (9) of this section;

2825 [(m)] (12) "Energy supply" means any energy resource capable of  
2826 being used to perform useful work and any form of energy such as  
2827 electricity produced or derived from energy resources which may be  
2828 so used; and

2829 [(n)] (13) "Energy facility" means a structure that generates,  
2830 transmits or stores electricity, natural gas, refined petroleum products,  
2831 renewable fuels, coal and coal products, wood fuels, geothermal  
2832 sources, radioactive material and other resources yielding energy.

2833 Sec. 53. Subsection (a) of section 16-262n of the general statutes is  
2834 repealed and the following is substituted in lieu thereof (*Effective from*  
2835 *passage*):

2836 (a) As used in this section, sections 16-262o to 16-262q, inclusive,  
2837 and section 16-262s, "water company" means either (1) a corporation,  
2838 company, association, joint stock association, partnership,  
2839 municipality, other entity or person, or lessee thereof, owning, leasing,  
2840 maintaining, operating, managing or controlling any pond, lake,  
2841 reservoir, stream, well or distributing plant or system employed for  
2842 the purpose of supplying water to not less than two service  
2843 connections or twenty-five persons, or (2) a deficient well system  
2844 serving existing properties within a defined geographic area with not  
2845 less than twenty-five persons served by private wells that (A) do not  
2846 meet public health standards for potable water, (B) have had funding  
2847 discontinued for filters provided pursuant to subsection (a) of section  
2848 22a-471 to respond to documented groundwater contamination, (C)  
2849 are otherwise unable to serve the existing properties with adequate  
2850 water quality, volume or pressure, or (D) limit the on-site resolution of  
2851 documented wastewater disposal issues in the system.

2852 Sec. 54. (*Effective from passage*) The Public Utilities Regulatory  
2853 Authority shall study the feasibility of allowing a nonprofit entity to  
2854 aggregate electric meters that are billable to such entity. The study  
2855 shall include, but not be limited to, potential costs and benefits to  
2856 electric ratepayers for allowing such aggregation. On or before January  
2857 1, 2015, the authority shall report the findings of such study and any  
2858 recommended statutory changes to the joint standing committee of the  
2859 General Assembly having cognizance of matters relating to energy, in  
2860 accordance with the provisions of section 11-4a of the general statutes.

2861 Sec. 55. Section 16a-7b of the 2014 supplement to the general statutes  
2862 is repealed and the following is substituted in lieu thereof (*Effective*  
2863 *from passage*):

2864 [(a) Not later than December 1, 2004, the Connecticut Energy

2865 Advisory Board shall develop infrastructure criteria guidelines for the  
2866 evaluation process under subsection (f) of section 16a-7c, which  
2867 guidelines shall be consistent with state environmental policy, state  
2868 economic development policy, and the state's policy regarding the  
2869 restructuring of the electric industry, as set forth in section 16-244, and  
2870 shall include, but not be limited to, the following: (1) Environmental  
2871 preference standards; (2) efficiency standards, including, but not  
2872 limited to, efficiency standards for transmission, generation and  
2873 demand-side management; (3) generation preference standards; (4)  
2874 electric capacity, use trends and forecasted resource needs; (5) natural  
2875 gas capacity, use trends and forecasted resource needs; and (6)  
2876 national and regional reliability criteria applicable to the regional bulk  
2877 power grid, as determined in consultation with the regional  
2878 independent system operator, as defined in section 16-1. In developing  
2879 environmental preference standards, the board shall consider the  
2880 recommendations and findings of the task force established pursuant  
2881 to section 25-157a and Executive Order Number 26 of Governor John  
2882 G. Rowland.]

2883 [(b)] No municipality other than a municipality operating a plant  
2884 pursuant to chapter 101 or any special act and acting for purposes  
2885 thereto may take an action to condemn, in whole or in part, or restrict  
2886 the operation of any existing and currently operating energy facility, if  
2887 such facility is first determined by the Public Utilities Regulatory  
2888 Authority, following a contested case proceeding, held in accordance  
2889 with the provisions of chapter 54, to comprise a critical, unique and  
2890 unmovable component of the state's energy infrastructure, unless the  
2891 municipality first receives written approval from the Commissioner of  
2892 Energy and Environmental Protection and the Connecticut Siting  
2893 Council that such taking would not have a detrimental impact on the  
2894 state's or region's ability to provide a particular energy resource to its  
2895 citizens.

2896 Sec. 56. Subparagraph (A) of subdivision (57) of section 12-81 of the  
2897 2014 supplement to the general statutes is repealed and the following

2898 is substituted in lieu thereof (*Effective from passage and applicable to*  
2899 *assessment years commencing on and after October 1, 2014*):

2900 (57) (A) (i) Any Class I renewable energy source, as defined in  
2901 section 16-1, or hydropower facility described in subdivision (27) of  
2902 subsection (a) of section 16-1, installed for the generation of electricity  
2903 for private residential use or on a farm, as defined in subsection (q) of  
2904 section 1-1, provided such installation occurs on or after October 1,  
2905 2007, and further provided such installation is for a single family  
2906 dwelling, a multifamily dwelling consisting of two to four units or a  
2907 farm, [or] (ii) any passive or active solar water or space heating system,  
2908 or (iii) any geothermal energy resource. In the case of clause (ii) or (iii)  
2909 of this subparagraph, such exemption shall apply only to the amount  
2910 by which the assessed valuation of the real property equipped with  
2911 such system or resource exceeds the assessed valuation of such real  
2912 property equipped with the conventional portion of the system or  
2913 resource;

2914 Sec. 57. Subparagraph (D) of subdivision (57) of section 12-81 of the  
2915 2014 supplement to the general statutes is repealed and the following  
2916 is substituted in lieu thereof (*Effective from passage and applicable to*  
2917 *assessment years commencing on and after October 1, 2014*):

2918 (D) For assessment years commencing on and after October 1, 2014,  
2919 any (i) Class I renewable energy source, as defined in section 16-1, (ii)  
2920 hydropower facility described in subdivision (27) of subsection (a) of  
2921 section 16-1, or (iii) solar thermal or geothermal renewable energy  
2922 source, installed for generation or displacement of energy, provided  
2923 [(i)] (I) such installation occurs on or after January 1, 2014, [(ii)] (II) is  
2924 for commercial or industrial purposes, [and (iii)] (III) the nameplate  
2925 capacity of such source or facility does not exceed the load for the  
2926 location where such generation or displacement is located or the  
2927 aggregated load of the beneficial accounts for any Class I renewable  
2928 energy source participating in virtual net metering pursuant to section  
2929 16-244u, and (IV) in the case of clause (iii) of this subparagraph, such  
2930 exemption shall apply only to the amount by which the assessed

2931 valuation of the real property equipped with such source exceeds the  
2932 assessed valuation of such real property equipped with the  
2933 conventional portion of the source;

2934 Sec. 58. Subdivision (2) of subsection (c) of section 16-245d of the  
2935 2014 supplement to the general statutes, as amended by section 1 of  
2936 substitute senate bill 2 of the current session, as amended by Senate  
2937 Amendment Schedule "A", is repealed and the following is substituted  
2938 in lieu thereof (*Effective from passage*):

2939 (2) On or before July 1, 2014, the authority shall initiate a docket to  
2940 redesign (A) the standard billing format for residential customers  
2941 implemented pursuant to subdivision (1) of this subsection to better  
2942 enable such residential customers to compare pricing policies and  
2943 charges among electric suppliers, and (B) the account summary page  
2944 of a residential customer located on the electric distribution company's  
2945 Internet web site. The authority shall issue a final decision on such  
2946 docket not later than six months after its initiation. Such final decision  
2947 shall include the placement of the following items on the first page of  
2948 each [residential customer's bill from an electric distribution company  
2949 pursuant to subdivision (4) of this subsection] bill for each residential  
2950 customer receiving electric generation service from an electric supplier:  
2951 (i) The electric generation service rate; (ii) the term and expiration date  
2952 of such rate; (iii) any change to such rate effective for the next billing  
2953 cycle; (iv) the cancellation fee, if applicable, provided there is such a  
2954 change; (v) notification that such rate is variable, if applicable; (vi) the  
2955 standard service rate; (vii) the term and expiration date of the standard  
2956 service rate; (viii) the dollar amount that would have been billed for  
2957 the electric generation services component had the customer been  
2958 receiving standard service; and (ix) an electronic link or Internet web  
2959 site address to the rate board Internet web site described in section 16-  
2960 244d, as amended by [this act] substitute senate bill 2 of the current  
2961 session, as amended by senate amendment schedule "A", and the toll-  
2962 free telephone number and other information necessary to enable the  
2963 customer to obtain standard service. Such final decision shall also

2964 include the feasibility of (I) an electric distribution company  
2965 transferring a residential customer receiving electric generation service  
2966 from an electric supplier to a different electric supplier in a timely  
2967 manner and ensuring that the electric distribution company and the  
2968 relevant electric suppliers provide timely information to each other to  
2969 facilitate such transfer, and (II) allowing residential customers to  
2970 choose how to receive information related to bill notices, including  
2971 United States mail, electronic mail, text message, an application on a  
2972 cellular telephone or a third-party notification service approved by the  
2973 authority. On or before July 1, 2015, the authority shall implement, or  
2974 cause to be implemented, the redesigned standard billing format and  
2975 Internet web site for a customer's account summary. On or before July  
2976 1, 2020, and every five years thereafter, the authority shall reopen such  
2977 docket to ensure the standard billing format and Internet web site for a  
2978 customer's account summary remains a useful tool for customers to  
2979 compare pricing policies and charges among electric suppliers.

2980 Sec. 59. Subsection (c) of section 16-245d of the 2014 supplement to  
2981 the general statutes, as amended by section 1 of substitute senate bill 2  
2982 of the current session, as amended by Senate Amendment Schedule  
2983 "A", is repealed and the following is substituted in lieu thereof  
2984 (*Effective from passage*):

2985 (c) From the effective date of this section, and until one year after  
2986 the effective date of this section, inclusive, each electric distribution  
2987 company shall, on a quarterly basis, include the following items in a  
2988 bill insert to each residential customer who obtains standard service or  
2989 electric generation service from an electric supplier: (1) The [electric  
2990 generation] standard service rate; (2) the term and expiration date of  
2991 such rate; (3) any change to the standard service rate not later than  
2992 forty-five days [after the standard rate is approved by the authority]  
2993 before the standard service rate is effective; and (4) before any  
2994 reference to the term "standard service", the name of the electric  
2995 distribution company.

2996 Sec. 60. Subsection (g) of section 16-245 of the 2014 supplement to

2997 the general statutes, as amended by section 2 of substitute senate bill 2  
2998 of the current session, as amended by Senate Amendment Schedule  
2999 "A", is repealed and the following is substituted in lieu thereof  
3000 (*Effective July 1, 2014*):

3001 (g) As conditions of continued licensure, in addition to the  
3002 requirements of subsection (c) of this section: (1) The licensee shall  
3003 comply with the National Labor Relations Act and regulations, if  
3004 applicable; (2) the licensee shall comply with the Connecticut Unfair  
3005 Trade Practices Act and applicable regulations; (3) each generating  
3006 facility operated by or under long-term contract to the licensee shall  
3007 comply with regulations adopted by the Commissioner of Energy and  
3008 Environmental Protection, pursuant to section 22a-174j; (4) the licensee  
3009 shall comply with the portfolio standards, pursuant to section 16-245a;  
3010 (5) the licensee shall be a member of the New England Power Pool or  
3011 its successor or have a contractual relationship with one or more  
3012 entities who are members of the New England Power Pool or its  
3013 successor and the licensee shall comply with the rules of the regional  
3014 independent system operator and standards and any other reliability  
3015 guidelines of the regional independent systems operator; (6) the  
3016 licensee shall agree to cooperate with the authority and other electric  
3017 suppliers in the event of an emergency condition that may jeopardize  
3018 the safety and reliability of electric service; (7) the licensee shall comply  
3019 with the code of conduct established pursuant to section 16-244h; (8)  
3020 for a license to a participating municipal electric utility, the licensee  
3021 shall provide open and nondiscriminatory access to its distribution  
3022 facilities to other licensed electric suppliers; (9) the licensee or the  
3023 entity or entities with whom the licensee has a contractual relationship  
3024 to purchase power shall be in compliance with all applicable licensing  
3025 requirements of the Federal Energy Regulatory Commission; (10) each  
3026 generating facility operated by or under long-term contract to the  
3027 licensee shall be in compliance with chapter 277a and state  
3028 environmental laws and regulations; (11) the licensee shall comply  
3029 with the renewable portfolio standards established in section 16-245a;  
3030 (12) the licensee shall offer a time-of-use price option to customers.

3031 Such option shall include a two-part price that is designed to achieve  
3032 an overall minimization of customer bills by encouraging the  
3033 reduction of consumption during the most energy intense hours of the  
3034 day. The licensee shall file its time-of-use rates with the Public Utilities  
3035 Regulatory Authority; (13) the licensee shall acknowledge that it is  
3036 subject to chapters 208, 212, 212a and 219, as applicable, and the  
3037 licensee shall pay all taxes it is subject to in this state; (14) the licensee  
3038 shall make available to the authority for posting on the authority's  
3039 Internet web site and shall list on the licensee's own Internet web site,  
3040 on a monthly basis, the highest and lowest electric generation service  
3041 rate charged by the licensee as part of a variable rate offer in each of  
3042 the preceding twelve months to any customer [eligible for standard  
3043 service] with a peak demand of less than fifty kilowatts, cumulated of  
3044 all such customer's meters, during a twelve-month period; and (15)  
3045 any contract between a licensee and a residential customer eligible for  
3046 standard service entered into on and after the effective date of this  
3047 section shall provide for the same electric generation service rate that  
3048 may not be exceeded for at least the first three billing cycles of the  
3049 contract, provided the licensee may decrease such rate at any time.  
3050 Also as a condition of licensure, the authority shall prohibit each  
3051 licensee from declining to provide service to customers for the reason  
3052 that the customers are located in economically distressed areas. The  
3053 authority may establish additional reasonable conditions to assure that  
3054 all retail customers will continue to have access to electric generation  
3055 services.

3056 Sec. 61. Subdivision (1) of subsection (f) of section 16-245o of the  
3057 2014 supplement to the general statutes, as amended by section 4 of  
3058 substitute senate bill 2, as amended by Senate Amendment Schedule  
3059 "A", is repealed and the following is substituted in lieu thereof  
3060 (*Effective from passage*):

3061 (f) (1) Until [January 1, 2015] the standard summary form described  
3062 in subsection (e) of this section is developed, each electric supplier  
3063 shall, prior to the initiation of electric generation services, provide the

3064 potential residential customer with a written notice describing the  
3065 rates, information on air emissions and resource mix of generation  
3066 facilities operated by and under long-term contract to the supplier,  
3067 terms and conditions of the service, and a notice describing the  
3068 customer's right to cancel the service, as provided in this section. [On  
3069 and after January 1, 2015] After development of such standard  
3070 summary form, each electric supplier shall, prior to initiation of electric  
3071 generation services, provide the potential residential customer with a  
3072 completed standard summary form. [developed pursuant to  
3073 subsection (e) of this section.] Each electric supplier shall, prior to the  
3074 initiation of electric generation services, provide the potential  
3075 commercial or industrial customer with a written notice describing the  
3076 rates, information on air emissions and resource mix of generation  
3077 facilities operated by and under long-term contract to the supplier,  
3078 terms and conditions of the service, and a notice describing the  
3079 customer's right to cancel the service, as provided in this section.

3080 Sec. 62. Subdivision (3) of subsection (g) of section 16-245o of the  
3081 2014 supplement to the general statutes, as amended by section 4 of  
3082 substitute senate bill 2 of the current session, as amended by Senate  
3083 Amendment Schedule "A", is repealed and the following is substituted  
3084 in lieu thereof (*Effective from passage*):

3085 (3) No electric supplier shall charge an electric generation service  
3086 rate to a residential customer that is twenty-five per cent more than  
3087 [(A)] the original contract price [, or (B) the last rate notification  
3088 provided by the electric supplier,] of a contract entered into after the  
3089 effective date of this section without [disclosing] notifying such  
3090 customer of the rate change [described in subparagraphs (A) or (B) of  
3091 this subdivision] fifteen days before it takes effect, provided such  
3092 notice shall only be required for the first instance such rate is twenty-  
3093 five per cent more than the original contract price. After such one-time  
3094 notice, no electric supplier shall charge an electric generation service  
3095 rate to a residential customer that is twenty-five per cent more than the  
3096 most recent notice of the rate change without notifying such customer

3097 of the rate change fifteen days before it takes effect. [The] Any  
3098 notification described in this subdivision shall be provided pursuant to  
3099 the method agreed to by the customer in the contract and may include  
3100 written notice through United States mail, electronic mail, text  
3101 message, an application on a cellular telephone, or third-party  
3102 notification service approved by the authority.

3103 Sec. 63. Subsection (c) of section 32-80a of the 2014 supplement to  
3104 the general statutes is repealed and the following is substituted in lieu  
3105 thereof (*Effective from passage*):

3106 (c) An energy improvement district board shall fund energy  
3107 improvement district distributed resources in its district consistent  
3108 with a comprehensive plan prepared for the district by said board for  
3109 the development and financing of such resources, except on state or  
3110 federally owned properties, with a view to increasing efficiency and  
3111 reliability and the furtherance of commerce and industry in the energy  
3112 improvement district, provided such district's plan shall be consistent  
3113 with the [state-wide procurement and deployment plan prepared and  
3114 approved pursuant to section 16a-7c and the] siting determinations of  
3115 the Connecticut Siting Council. The board may lease or acquire office  
3116 space and equip the same with suitable furniture and supplies for the  
3117 performance of work of the board and may employ such personnel as  
3118 may be necessary for such performance. The board also shall have  
3119 power to:

3120 (1) Sue and be sued;

3121 (2) Have a seal and alter the same;

3122 (3) Confer with any body or official having to do with electric power  
3123 distribution facilities within and without the district and hold public  
3124 hearings as to such facilities;

3125 (4) Confer with electric distribution companies with reference to the  
3126 development of electric distribution facilities in such district and the  
3127 coordination of the same;

3128 (5) Determine the location, type, size and construction of energy  
3129 improvement district distributed resources, subject to the approval of  
3130 any department, commission or official of the United States, the state  
3131 or the municipality where federal, state or municipal statute or  
3132 regulation requires it;

3133 (6) Make surveys, maps and plans for, and estimates of the cost of,  
3134 the development and operation of requisite energy improvement  
3135 district distributed resources and for the coordination of such facilities  
3136 with existing agencies, both public and private, with the view of  
3137 increasing the efficiency of the electric distribution system in the  
3138 district and in the furtherance of commerce and industry in the district;

3139 (7) Enter into contracts and leases, make loans and execute all  
3140 instruments necessary to carry out their duties pursuant to this  
3141 subsection and subsection (d) of this section, including the lending of  
3142 proceeds of bonds to owners, lessees or occupants of facilities in the  
3143 energy improvement district;

3144 (8) Fix fees, rates, rentals or other charges for the purpose of all  
3145 energy improvement district distributed resources owned by the  
3146 energy improvement district board and collect such fees, rates, rentals  
3147 and other charges for such facilities owned by the board, which fees,  
3148 rates, rentals or other charges shall be sufficient to comply with all  
3149 covenants and agreements with the holders of any bonds issued  
3150 pursuant to subsection (b) of this section;

3151 (9) Operate and maintain all energy improvement district  
3152 distributed resources owned or leased by the board and use the  
3153 revenues from such resources for the corporate purposes of the board  
3154 in accordance with any covenants or agreements contained in the  
3155 proceedings authorizing the issuance of bonds pursuant to subsection  
3156 (b) of this section;

3157 (10) Accept gifts, grants, loans or contributions from the United  
3158 States, the state or any agency or instrumentality of either, or a person

3159 or corporation, by conveyance, bequest or otherwise, and expend the  
3160 proceeds for any purpose of the board and, as necessary, contract with  
3161 the United States, the state or any agency or instrumentality of either  
3162 to accept gifts, grants, loans or contributions on such terms and  
3163 conditions as may be provided by the law authorizing the same;

3164 (11) Maintain staff to promote and develop the movement of  
3165 commerce through the energy improvement district; and

3166 (12) Use the officers, employees, facilities and equipment of the  
3167 municipality, with the consent of the municipality, and pay a proper  
3168 portion of the compensation or cost.

3169 Sec. 64. Section 8-31c of the 2014 supplement to the general statutes  
3170 is repealed and the following is substituted in lieu thereof (*Effective*  
3171 *January 1, 2015*):

3172 (a) (1) Wherever the term "regional planning agency" is used in the  
3173 following general statutes, the term "regional council of governments"  
3174 shall be substituted in lieu thereof; and (2) wherever the term "regional  
3175 planning agencies" is used in the following general statutes, the term  
3176 "regional councils of governments" shall be substituted in lieu thereof:  
3177 8-35b, 8-35c, 8-164, 8-166, 8-189, 8-336f, 8-384, 13b-38a, 13b-79ll, 16-32f,  
3178 16-50l, as amended by this act, 16-358, 16a-28, 16a-35c, 22-26dd, 22a-  
3179 102, 22a-118, 22a-137, 22a-207, [22a-211,] 22a-352, 23-8, 25-33e to 25-  
3180 33h, inclusive, 25-68d, 25-102qq and 25-233.

3181 (b) The Legislative Commissioners' Office shall, in codifying the  
3182 provisions of this section, make such technical, grammatical and  
3183 punctuation changes as are necessary to carry out the purposes of this  
3184 section.

3185 Sec. 65. Section 22a-260 of the general statutes is repealed and the  
3186 following is substituted in lieu thereof (*Effective from passage*):

3187 The following terms, as used in this chapter and chapter 103b,  
3188 [shall] have the indicated meanings unless the context in which they

3189 are used demands a different meaning and intent:

3190 (1) "Authority" means the Connecticut Resources Recovery  
3191 Authority created and established pursuant to this chapter or any  
3192 board, body, commission, department, officer, agency or other  
3193 successor thereto;

3194 (2) ["State solid waste management plan"] "State-wide solid waste  
3195 management plan" means the administrative and financial plan  
3196 developed by the Commissioner of Energy and Environmental  
3197 Protection for solid waste disposal and resources recovery, pursuant to  
3198 section [22a-211] 22a-228;

3199 (3) "Resources recovery" means the processing of solid wastes to  
3200 reclaim energy therefrom;

3201 (4) "Recycling" means the processing of solid waste to reclaim  
3202 material therefrom;

3203 (5) "Person" means any individual, firm, partnership, association,  
3204 limited liability company or corporation, public or private, organized  
3205 or existing under the laws of the state or any other state, including  
3206 federal corporations, but excluding municipalities, special districts  
3207 having taxing powers or other political subdivisions of the state;

3208 (6) "Waste management services" means actions taken to effectuate  
3209 the receipt, storage, transportation and processing for resources  
3210 recovery, recycling, reuse of recovered materials, or disposal of solid  
3211 wastes, including the sale of products, materials or energy on behalf of  
3212 the state, a region, a municipality or a person by the authority or by  
3213 any person or persons acting under contract with the authority,  
3214 pursuant to the provisions of this chapter;

3215 (7) "Solid waste" means unwanted or discarded solid, liquid,  
3216 semisolid or contained gaseous material, including but not limited to,  
3217 demolition debris, material burned or otherwise processed at a  
3218 resources recovery facility or incinerator, material processed at a

3219 recycling facility and sludges or other residue from a water pollution  
3220 abatement facility, water supply treatment plant or air pollution  
3221 control facility;

3222 (8) "Solid waste facility" means any solid waste disposal area,  
3223 volume reduction plant, transfer station, wood burning facility, or  
3224 biomedical waste treatment facility;

3225 (9) "Solid waste disposal area" means any location, including a  
3226 landfill or other land disposal site, used for the disposal of more than  
3227 ten cubic yards of solid waste;

3228 (10) "Volume reduction plant" means any location or structure,  
3229 whether located on land or water, where more than two thousand  
3230 pounds per hour of solid waste generated elsewhere may be reduced  
3231 in volume, including but not limited to, resources recovery facilities  
3232 and other incinerators, recycling facilities, pulverizers, compactors,  
3233 shredders, balers and composting facilities;

3234 (11) "Resources recovery facility" means a facility utilizing processes  
3235 aimed at reclaiming the material or energy values from solid wastes;

3236 (12) "Transfer station" means any location or structure, whether  
3237 located on land or water, where more than ten cubic yards of solid  
3238 waste, generated elsewhere, may be stored for transfer or transferred  
3239 from transportation units and placed in other transportation units for  
3240 movement to another location, whether or not such waste is stored at  
3241 the location prior to transfer;

3242 (13) "Recycling facility" or "recycling center" means land and  
3243 appurtenances thereon and structures where recycling is conducted,  
3244 including but not limited to, an intermediate processing center as  
3245 defined in this section;

3246 (14) "Solid waste planning region" means those municipalities or  
3247 parts thereof within or forming an area defined in the [state] state-wide  
3248 solid waste management plan;

3249 (15) "Municipality" means any town, city or borough within the  
3250 state;

3251 (16) "Municipal authority" means the local governing body having  
3252 legal jurisdiction over solid waste management within its corporate  
3253 limits which shall be, in the case of any municipality which adopts a  
3254 charter provision or ordinance pursuant to section 7-273aa, the  
3255 municipal resource recovery authority;

3256 (17) "Region" means two or more municipalities which have joined  
3257 together by creating a district or signing an interlocal agreement or  
3258 signing a mutual contract for a definite period of time concerning solid  
3259 waste management within such municipalities;

3260 (18) "Regional authority" means the administrative body delegated  
3261 the responsibility for solid waste management in a region;

3262 (19) "Bonds" means bonds of the authority issued pursuant to the  
3263 provisions of this chapter and the authorizing resolutions of said  
3264 authority;

3265 (20) "Notes" means notes of the authority issued pursuant to this  
3266 chapter and the resolutions of the authority, either in anticipation of  
3267 and pending the issuance of bonds by [said] the authority or  
3268 otherwise;

3269 (21) "Revenues" means moneys or income received by the authority  
3270 in whatever form, including but not limited to fees, charges, lease  
3271 payments, interest payments on investments, payments due and  
3272 owing on account of any instrument, contract or agreement between  
3273 the authority and any municipality, region, state agency or person,  
3274 gifts, grants, bestowals or any other moneys or payments to which the  
3275 authority is entitled under the provisions of this chapter or any other  
3276 law, or of any agreement, contract or indenture of the authority;

3277 (22) "Waste management project" means any solid waste disposal  
3278 and resources recovery area, plant, works, system, facility or

3279 component of a facility, equipment, machinery or other element of a  
3280 facility which the authority is authorized to plan, design, finance,  
3281 construct, manage, operate or maintain under the provisions of this  
3282 chapter, including real estate and improvements thereto and the  
3283 extension or provision of utilities and other appurtenant facilities  
3284 deemed necessary by the authority for the operation of a project or  
3285 portion of a project, including all property rights, easements and  
3286 interests required;

3287 (23) "Solid waste management system" means that portion of the  
3288 overall [state] state-wide solid waste management plan specifically  
3289 designed to deal with the provision of waste management services and  
3290 to effect resources recovery and recycling by means of a network of  
3291 waste management projects and resources recovery facilities  
3292 developed, established and operated by the authority by contract or  
3293 otherwise, but not embracing or including any regulatory or  
3294 enforcement activities of the Department of Energy and Environmental  
3295 Protection in accordance with applicable provisions of the general  
3296 statutes and as may be referred to in the [state] state-wide solid waste  
3297 management plan as developed and promulgated by the  
3298 Commissioner of Energy and Environmental Protection;

3299 (24) "Costs" means the cost or fair market value, as determined by  
3300 the authority, of construction, lands, property rights, utility extensions,  
3301 disposal facilities, access roads, easements, franchises, financing  
3302 charges, interest, engineering and legal services, plans, specifications,  
3303 surveys, cost estimates, studies, transportation and other expenses  
3304 necessary or incidental to the design, development, construction,  
3305 financing, management and operation and maintenance of a waste  
3306 management project, and such other costs or expenses of the authority,  
3307 including administrative and operating costs, research and  
3308 development, and operating capital, including fees, charges, loans,  
3309 insurances, and the expense of purchasing real and personal property,  
3310 including waste management projects;

3311 (25) "Intermediate processing facility" means a facility where glass,

3312 metals, paper products, batteries, household hazardous waste,  
3313 fertilizers and other items are removed from the waste stream for  
3314 recycling or reuse;

3315 (26) "Composting facility" means land, appurtenances, structures or  
3316 equipment where organic materials originating from another process  
3317 or location that have been separated at the point or source of  
3318 generation from nonorganic material are recovered using a process of  
3319 accelerated biological decomposition of organic material under  
3320 controlled aerobic or anaerobic conditions;

3321 (27) "Source-separated organic material" means organic material,  
3322 including, but not limited to, food scraps, food processing residue and  
3323 soiled or unrecyclable paper that has been separated at the point or  
3324 source of generation from nonorganic material.

3325 Sec. 66. Section 22a-639 of the general statutes is repealed and the  
3326 following is substituted in lieu thereof (*Effective October 1, 2014*):

3327 (a) Not later than October 1, 2010, and every three years thereafter,  
3328 the commissioner shall prepare an electronics recycling plan that  
3329 establishes state-wide per-capita collection and recycling goals and  
3330 identifies any necessary actions to achieve such goals. Such report shall  
3331 be posted on the department's Internet web site, [and a copy of such  
3332 report submitted, in accordance with the provisions of section 11-4a, to  
3333 the joint standing committee of the General Assembly having  
3334 cognizance of matters relating to the environment.]

3335 (b) Not later than October 1, 2010, and annually thereafter, the  
3336 commissioner shall gather information from registrants and prepare a  
3337 report regarding the status of the electronics recycling program. [The  
3338 commissioner shall submit such report to the joint standing committee  
3339 of the General Assembly having cognizance of matters relating to the  
3340 environment, in accordance with the provisions of section 11-4a.] Such  
3341 report shall contain: (1) Sufficient data, as determined by the  
3342 commissioner, and analysis of such data to evaluate the effectiveness

3343 of the state-wide recycling program and the components of such  
3344 program, and (2) if at any time the federal government establishes a  
3345 national program for the collection and recycling of electronic devices  
3346 and the department determines that the federal law substantially  
3347 meets or exceeds the requirements of sections 22a-629 to 22a-640,  
3348 inclusive, information on the federal law. Such report shall be posted  
3349 on the department's Internet web site.

3350 Sec. 67. Section 25-201 of the 2014 supplement to the general statutes  
3351 is repealed and the following is substituted in lieu thereof (*Effective*  
3352 *from passage*):

3353 For the purposes of sections 25-200 to 25-210, inclusive:

3354 (1) "Approved map" means a map approved by the commissioner  
3355 pursuant to section 25-205;

3356 (2) "Approved river corridor protection plan" means a river corridor  
3357 protection plan approved by the commissioner pursuant to section 25-  
3358 205;

3359 (3) "Clear cutting" means removal of all standing woody vegetation  
3360 greater than one inch diameter at breast height within a designated  
3361 river corridor;

3362 (4) "Commissioner" means the Commissioner of Energy and  
3363 Environmental Protection or his agent;

3364 (5) "Designation" means designation, by act of the General  
3365 Assembly, of a river corridor for protection and preservation in  
3366 accordance with an approved river corridor protection plan and the  
3367 provisions of sections 25-200 to 25-210, inclusive;

3368 (6) "Designated river corridor" means that portion of a river corridor  
3369 defined on a map prepared in accordance with section 25-204 and  
3370 which has been designated by the General Assembly pursuant to  
3371 sections 25-200 to 25-210, inclusive;

3372 (7) "Eligible river corridor" means a river corridor which is included  
3373 on the list adopted by the commissioner pursuant to section 25-202;

3374 (8) "Local drainage basin" means a local drainage basin referenced  
3375 on a map entitled "Natural Drainage Basins of Connecticut", published  
3376 by the Department of Energy and Environmental Protection, 1981;

3377 (9) "Member municipality" means a municipality which is a member  
3378 of a river committee established pursuant to section 25-203;

3379 (10) "Major state plan" means the plan for development of outdoor  
3380 recreation adopted pursuant to section 22a-21, the state-wide solid  
3381 waste management plan adopted pursuant to section [22a-211] 22a-  
3382 228, the state-wide plan for the management of water resources  
3383 adopted pursuant to section 22a-352, the state-wide environmental  
3384 plan adopted pursuant to section 22a-8, the plan for the disposal of  
3385 dredged material for Long Island Sound, the historic preservation plan  
3386 adopted under the National Historic Preservation Act, as amended, the  
3387 state-wide facility and capital plan adopted pursuant to section 4b-23,  
3388 the water quality management plan adopted under the federal Clean  
3389 Water Act, the marine resources management plan, the plan for  
3390 managing forest resources, the wildlife management plans and the  
3391 salmon restoration plan;

3392 (11) "Person" means "person" as defined in section 22a-2;

3393 (12) "River corridor" means any river, river segment or river system,  
3394 together with its floodplains, wetlands and uplands, contributing  
3395 overland runoff to such river, river segment or river system;

3396 (13) "River committee" means a river committee established  
3397 pursuant to section 25-203;

3398 (14) "River system" means a river, its tributaries and any lands  
3399 draining into such river or its tributaries;

3400 (15) "Secretary" means the Secretary of the Office of Policy and

3401 Management or his agent;

3402 (16) "State rivers assessment data base" means the state-wide  
3403 assessment of the state's rivers prepared by the commissioner pursuant  
3404 to subdivision (3) of subsection (c) of section 25-102qq;

3405 (17) "State plan for conservation and development" means the state  
3406 plan for conservation and development prepared pursuant to part I of  
3407 chapter 297;

3408 (18) "Subregional drainage basin" means a subregional drainage  
3409 basin as depicted on a map entitled "Natural Drainage Basins of  
3410 Connecticut", published by the Department of Energy and  
3411 Environmental Protection, 1981; and

3412 (19) "Water-dependent use" means a use which, by its nature or  
3413 function, requires direct access to, or location in or immediately  
3414 adjacent to, water and which therefore cannot be located upland and  
3415 shall include such recreational uses as riverside trails and bicycle  
3416 paths.

3417 Sec. 68. Section 25-231 of the 2014 supplement to the general statutes  
3418 is repealed and the following is substituted in lieu thereof (*Effective*  
3419 *from passage*):

3420 As used in sections 25-230 to 25-238, inclusive:

3421 (1) "Approved river corridor management plan" means a river  
3422 corridor management plan approved by the commissioner pursuant to  
3423 section 25-235;

3424 (2) "Commissioner" means the Commissioner of Energy and  
3425 Environmental Protection or his agent;

3426 (3) "Local drainage basin" means a local drainage basin as  
3427 referenced on a map entitled "Natural Drainage Basins of Connecticut",  
3428 published by the Department of Energy and Environmental Protection,

3429 1981;

3430 (4) "Major state plan" means any of the following: The plan for  
3431 development of outdoor recreation adopted pursuant to section 22a-21,  
3432 the state-wide solid waste management plan adopted pursuant to  
3433 section [22a-211] 22a-228, the state-wide plan for the management of  
3434 water resources adopted pursuant to section 22a-352, the state-wide  
3435 environmental plan adopted pursuant to section 22a-8, the historic  
3436 preservation plan adopted under the National Historic Preservation  
3437 Act, 16 USC 470 et seq., the state-wide facility and capital plan adopted  
3438 pursuant to section 4b-23, the state's consolidated plan for housing and  
3439 community development prepared pursuant to section 8-37t, the water  
3440 quality management plan adopted under the federal Clean Water Act,  
3441 33 USC 1251 et seq., any plans for managing forest resources adopted  
3442 pursuant to section 23-20 and the Connecticut River Atlantic Salmon  
3443 Compact adopted pursuant to section 26-302;

3444 (5) "Member municipality" means a municipality which is a member  
3445 of a river commission established pursuant to section 25-232;

3446 (6) "Person" means person, as defined in section 22a-2;

3447 (7) "River advisory board" means any of the following: The Five  
3448 Mile River Commission established pursuant to section 15-26a, the  
3449 Connecticut River Gateway Commission established pursuant to  
3450 section 25-102e, the Connecticut River Assembly established pursuant  
3451 to section 25-102dd, the Bi-State Pawcatuck River Commission  
3452 established pursuant to section 25-161, the Niantic River Gateway  
3453 Commission established pursuant to section 25-109e, the Housatonic  
3454 Estuary Commission established pursuant to section 25-170, the  
3455 Farmington River Coordinating Committee established pursuant to the  
3456 National Wild and Scenic Rivers Act, 16 USC 1274 et seq., the Shepaug-  
3457 Bantam River Board or a river committee established pursuant to  
3458 section 25-203;

3459 (8) "River corridor" means any river, river segment or river system,

3460 together with its floodplains, wetlands and uplands, contributing  
3461 overland runoff to such river, river segment or river system;

3462 (9) "River commission" means a river commission established  
3463 pursuant to section 25-232;

3464 (10) "River system" means a river, its tributaries and any lands  
3465 draining into such river or its tributaries;

3466 (11) "Secretary" means the Secretary of the Office of Policy and  
3467 Management or his agent;

3468 (12) "State rivers assessment database" means the state-wide  
3469 assessment of the state's rivers prepared by the commissioner pursuant  
3470 to subdivision (3) of subsection (c) of section 25-102qq;

3471 (13) "State plan for conservation and development" means the state  
3472 plan for conservation and development prepared pursuant to part I of  
3473 chapter 297;

3474 (14) "Subregional drainage basin" means a subregional drainage  
3475 basin as referenced on a map entitled "Natural Drainage Basins of  
3476 Connecticut", published by the Department of Energy and  
3477 Environmental Protection, 1981;

3478 (15) "Water-dependent use" means a use which, by its nature or  
3479 function, requires direct access to, or location in or immediately  
3480 adjacent to, water and which therefore cannot be located upland, and  
3481 includes such recreational uses as riverside trails and bicycle paths;

3482 (16) "Use" means agriculture, public and private water supply,  
3483 power generation, waste assimilation, transportation, recreation,  
3484 including, but not limited to, boating, swimming, fishing, camping and  
3485 hiking and residential, commercial, industrial and other water-  
3486 dependent uses; and

3487 (17) "Resource" means any riparian waters of the state, related

3488 fisheries and wildlife habitat and adjacent shorelands, both developed  
3489 and undeveloped; any vegetation, fish and wildlife; endangered and  
3490 threatened species, species of special concern and essential habitat  
3491 identified by the commissioner pursuant to chapter 495; tidal and  
3492 inland wetlands; unique geologic features; scenic areas; forest lands, as  
3493 defined in section 23-65f; agricultural lands, as defined in section 22-  
3494 26bb; and archaeological and other historical resources.

3495 Sec. 69. Subsection (j) of section 22a-208a of the general statutes is  
3496 repealed and the following is substituted in lieu thereof (*Effective from*  
3497 *passage*):

3498 (j) The Commissioner of Energy and Environmental Protection may  
3499 issue an approval for a demonstration project for any activity  
3500 regulated by the commissioner under this chapter provided the  
3501 commissioner determines that such demonstration project (1) is  
3502 necessary to research, develop or promote methods and technologies  
3503 of solid waste management which are consistent with the goals of the  
3504 [state] state-wide solid waste management plan; (2) does not pose a  
3505 significant risk to human health or the environment; and (3) is not  
3506 inconsistent with the federal Water Pollution Control Act, the federal  
3507 Rivers and Harbors Act, the federal Clean Air Act or the federal  
3508 Resource Conservation and Recovery Act. An application for such  
3509 approval shall be on a form prescribed by the commissioner, be  
3510 accompanied by a fee of one thousand dollars and shall provide such  
3511 information as the commissioner deems necessary. Any person  
3512 applying for such approval shall not commence the project prior to the  
3513 commissioner's written approval. The commissioner may impose  
3514 conditions upon such approval as deemed necessary to adequately  
3515 protect human health and the environment or to ensure project success  
3516 and such approval shall be valid for a period of not more than two  
3517 years. The commissioner may renew such approval provided the total  
3518 period of approval does not exceed five years. The commissioner may  
3519 order summary suspension of any such approval in accordance with  
3520 subsection (c) of section 4-182. Notwithstanding the renewal process,

3521 any person may seek, or the commissioner may require, that the  
3522 project obtain a general or individual permit pursuant to this chapter.

3523 Sec. 70. Subsection (b) of section 22a-219b of the general statutes is  
3524 repealed and the following is substituted in lieu thereof (*Effective from*  
3525 *passage*):

3526 (b) No grant shall be made under this section to a municipality  
3527 unless the solid waste generated within such municipality is delivered  
3528 to a facility that has been approved by the Commissioner of Energy  
3529 and Environmental Protection for consistency with the [state] state-  
3530 wide solid waste management plan and has not less than seventy-five  
3531 per cent of its design capacity committed under long-term contractual  
3532 agreements on the date of commercial operation. No grant shall be  
3533 made unless the municipality has executed, on or before the date of  
3534 commercial operation of such facility or system, a long-term  
3535 contractual agreement to participate in the facility.

3536 Sec. 71. Subsection (f) of section 22a-220 of the general statutes is  
3537 repealed and the following is substituted in lieu thereof (*Effective from*  
3538 *passage*):

3539 (f) On and after January 1, 1991, each municipality shall, consistent  
3540 with the requirements of section 22a-241b, make provisions for the  
3541 separation, collection, processing and marketing of items generated  
3542 within its boundaries as solid waste and designated for recycling by  
3543 the commissioner pursuant to subsection (a) of section 22a-241b. It  
3544 shall be the goal to recycle twenty-five per cent of the solid waste  
3545 generated in each municipality provided it shall be the goal to reduce  
3546 the weight of such waste by January 1, 2000, by an additional fifteen  
3547 per cent by source reduction as determined by reference to the [state]  
3548 state-wide solid waste management plan established in 1991, or by  
3549 recycling such additional percentage of waste generated, or both. The  
3550 provisions of this subsection shall not be construed to require  
3551 municipalities to enforce reduction in the quantity of solid waste. On  
3552 or before January 1, 1991, each municipality shall: (1) Adopt an

3553 ordinance or other enforceable legal instrument setting forth measures  
3554 to assure the compliance of persons within its boundaries with the  
3555 requirements of subsection (c) of section 22a-241b and to assure  
3556 compliance of collectors with the requirements of subsection (a) of  
3557 section 22a-220c, and (2) provide the Commissioner of Energy and  
3558 Environmental Protection with the name, address and telephone  
3559 number of a person to receive information and respond to questions  
3560 regarding recycling from the department on behalf of the municipality.  
3561 The municipality shall notify the commissioner within thirty days of  
3562 its designation of a new representative to undertake such  
3563 responsibilities. A municipality may by ordinance or other enforceable  
3564 legal instrument provide for and require the separation and recycling  
3565 of other items in addition to those designated pursuant to subsection  
3566 (a) of section 22a-241b.

3567 Sec. 72. Subsection (a) of section 22a-222 of the general statutes is  
3568 repealed and the following is substituted in lieu thereof (*Effective from*  
3569 *passage*):

3570 (a) The Commissioner of Energy and Environmental Protection  
3571 shall make a grant for financial assistance to any resources recovery  
3572 authority from the proceeds of the sale of any bonds authorized for  
3573 such purpose for feasibility studies and development expenses as are  
3574 determined to be appropriate by said commissioner which are  
3575 incurred prior to permanent financing of a resource recovery system or  
3576 an incinerator. Eligible activities shall include, but not be limited to,  
3577 the costs of the preparation of financial, technical, legal and  
3578 engineering information for the system or incinerator and analysis of  
3579 the impact of recycling on such system or incinerator. To be eligible for  
3580 a grant, the system or incinerator shall be under study or proposed for  
3581 a study and shall be consistent with the [state] state-wide solid waste  
3582 management plan.

3583 Sec. 73. Section 22a-259 of the general statutes is repealed and the  
3584 following is substituted in lieu thereof (*Effective from passage*):

3585 The following are declared to be policies of the state of Connecticut:  
3586 (1) That maximum resources recovery from solid waste and maximum  
3587 recycling and reuse of such resources in order to protect, preserve and  
3588 enhance the environment of the state shall be considered  
3589 environmental goals of the state; (2) that solid waste disposal and  
3590 resources recovery facilities and projects are to be implemented either  
3591 by the state of Connecticut or under state auspices, in furtherance of  
3592 these goals; (3) that appropriate governmental structure, processes and  
3593 support are to be provided so that effective state systems and facilities  
3594 for solid waste management and large-scale resources recovery may be  
3595 developed, financed, planned, designed, constructed and operated for  
3596 the benefit of the people and municipalities of the state; (4) that private  
3597 industry is to be utilized to the maximum extent feasible to perform  
3598 planning, design, management, construction, operation,  
3599 manufacturing and marketing functions related to solid waste disposal  
3600 and resources recovery and to assist in the development of industrial  
3601 enterprise based upon resources recovery, recycling and reuse; (5) that  
3602 long-term negotiated contracts between the state and private persons  
3603 and industries may be utilized as an incentive for the development of  
3604 industrial and commercial enterprise based on resources recovery  
3605 within the state; (6) that solid waste disposal services shall be provided  
3606 for municipal and regional authorities and private persons in the state,  
3607 at reasonable cost, by state systems and facilities where such services  
3608 are considered necessary and desirable in accordance with the state-  
3609 wide solid waste management plan and that any revenues received  
3610 from the payment of the costs of such services otherwise from the  
3611 operation of state systems and facilities shall be redistributed to the  
3612 users of such services provided that the authority has determined that  
3613 all contractual obligations related to such systems and facilities have  
3614 been met and that such revenues are surplus and not needed to  
3615 provide necessary support for such systems and facilities; (7) that  
3616 provision shall be made for planning, research and development, and  
3617 appropriate innovation in the design, management and operation of  
3618 the state's systems and facilities for solid waste management, in order  
3619 to permit continuing improvement and provide adequate incentives

3620 and processes for lowering operating and other costs; (8) that the  
3621 authority established pursuant to this chapter shall have responsibility  
3622 for implementing solid waste disposal and resources recovery systems  
3623 and facilities and solid waste management services where necessary  
3624 and desirable throughout the state in accordance with the [state] state-  
3625 wide solid waste management plan and applicable statutes and  
3626 regulations; (9) that actions and activities performed or carried out by  
3627 the authority or its contractors in accordance with the provisions of  
3628 this chapter shall be in conformity with the [state] state-wide solid  
3629 waste management plan and with other applicable policies and  
3630 regulations of the state, as promulgated from time to time in law and  
3631 by action of the Department of Energy and Environmental Protection  
3632 and Connecticut Innovations, Incorporated; (10) that it being to the  
3633 best interest of the state, municipalities, individual citizens and the  
3634 environment to minimize the quantity of materials entering the waste  
3635 stream that would require collection, transportation, processing, or  
3636 disposal by any level of government, it is the intent of this legislation  
3637 to promote the presegregation of recoverable or recyclable materials  
3638 before they become mixed and included in the waste stream; and that  
3639 this intent shall be reflected in the policy of the resources recovery  
3640 authority and that no provision of this chapter or action of this  
3641 authority shall either discourage or prohibit either voluntary or locally  
3642 ordained solid waste segregation programs or the sale of such  
3643 segregated materials to private persons, unless the authority has  
3644 determined based upon a feasibility report filed with the applicable  
3645 municipal authority that the reduced user fees charged to it should  
3646 result in its total cost of solid waste management including user fees  
3647 paid to the authority to be less without presegregation than with it;  
3648 and (11) that these policies and purposes are hereby declared to be in  
3649 the public interest and the provisions of this chapter to be necessary  
3650 and for the public benefit, as a matter of legislative determination.

3651 Sec. 74. Section 22a-262 of the general statutes is repealed and the  
3652 following is substituted in lieu thereof (*Effective from passage*):

3653 (a) The purposes of the authority shall be:

3654 (1) The planning, design, construction, financing, management,  
3655 ownership, operation and maintenance of solid waste disposal, volume  
3656 reduction, recycling, intermediate processing and resources recovery  
3657 facilities and all related solid waste reception, storage, transportation  
3658 and waste-handling and general support facilities considered by the  
3659 authority to be necessary, desirable, convenient or appropriate in  
3660 carrying out the provisions of the [state] state-wide solid waste  
3661 management plan and in establishing, managing and operating solid  
3662 waste disposal and resources recovery systems and their component  
3663 waste-processing facilities and equipment;

3664 (2) The provision of solid waste management services to  
3665 municipalities, regions and persons within the state by receiving solid  
3666 wastes at authority facilities, pursuant to contracts between the  
3667 authority and such municipalities, regions and persons; the recovery of  
3668 resources and resource values from such solid wastes; and the  
3669 production from such services and resources recovery operations of  
3670 revenues sufficient to provide for the support of the authority and its  
3671 operations on a self-sustaining basis, with due allowance for the  
3672 redistribution of any surplus revenues to reduce the costs of authority  
3673 services to the users thereof provided such surplus revenues shall  
3674 include any net revenue from activities undertaken pursuant to  
3675 subdivisions (18) and (19) of subsection (a) of section 22a-266 and  
3676 subdivision (8) of section 22a-267;

3677 (3) The utilization, through contractual arrangements, of private  
3678 industry for implementation of some or all of the requirements of the  
3679 [state] state-wide solid waste management plan and for such other  
3680 activities as may be considered necessary, desirable or convenient by  
3681 the authority;

3682 (4) Assistance with and coordination of efforts directed toward  
3683 source separation for recycling purposes; and

3684 (5) Assistance in the development of industries, technologies and  
3685 commercial enterprises within the state of Connecticut based upon  
3686 resources recovery, recycling, reuse and treatment or processing of  
3687 solid waste.

3688 (b) These purposes shall be considered to be operating  
3689 responsibilities of the authority, in accordance with the [state] state-  
3690 wide solid waste management plan, and are to be considered in all  
3691 respects public purposes. It is the intention of this chapter that the  
3692 authority shall be granted all powers necessary to fulfill these  
3693 purposes and to carry out its assigned responsibilities and that the  
3694 provisions of this chapter, itself, are to be construed liberally in  
3695 furtherance of this intention.

3696 Sec. 75. Section 22a-264 of the general statutes is repealed and the  
3697 following is substituted in lieu thereof (*Effective from passage*):

3698 The activities of the authority in providing or contracting to provide  
3699 solid waste management services to the state, regions, municipalities  
3700 and persons, in implementing the state resources recovery system and  
3701 in planning, designing, financing, constructing, managing or operating  
3702 solid waste facilities, including their location, size and capabilities,  
3703 shall be in conformity with applicable statutes and regulations and  
3704 with the [state] state-wide solid waste management plan as  
3705 promulgated by the Commissioner of Energy and Environmental  
3706 Protection. The authority shall have power to assist in the preparation,  
3707 revision, extension or amendment of the [state] state-wide solid waste  
3708 management plan, and the Department of Energy and Environmental  
3709 Protection is hereby authorized to utilize, by contract or other  
3710 agreement, the capabilities of the authority for the carrying out of such  
3711 planning functions. The authority shall have power to revise and  
3712 update, as may be necessary to carry out the purposes of this chapter,  
3713 that portion of the [state] state-wide solid waste management plan  
3714 defined as the "solid waste management system". To effect such  
3715 revision and updating, the authority shall prepare an annual plan of  
3716 operations which shall be reviewed by the Commissioner of Energy

3717 and Environmental Protection for consistency with the [state] state-  
3718 wide solid waste management plan. Upon approval by the  
3719 Commissioner of Energy and Environmental Protection and by a two-  
3720 thirds vote of the authority's full board of directors, the annual plan of  
3721 operations shall be promulgated. Any activities of the authority carried  
3722 out to assist in the development of industry and commerce based upon  
3723 the availability of recovered resources for recycling and reuse shall be  
3724 coordinated to the extent practicable with plans and activities of  
3725 Connecticut Innovations, Incorporated with due consideration given to  
3726 the secondary materials industries operating within the state of  
3727 Connecticut.

3728 Sec. 76. Subdivision (12) of section 22a-265 of the general statutes is  
3729 repealed and the following is substituted in lieu thereof (*Effective from*  
3730 *passage*):

3731 (12) Otherwise, do all things necessary for the performance of its  
3732 duties, the fulfillment of its obligations, the conduct of its operations,  
3733 the maintenance of its working relationships with municipalities,  
3734 regions and persons, and the conduct of a comprehensive program for  
3735 solid waste disposal and resources recovery, and for solid waste  
3736 management services, in accordance with the provisions of the [state]  
3737 state-wide solid waste management plan, applicable statutes and  
3738 regulations and the requirements of this chapter;

3739 Sec. 77. Subdivision (6) of section 22a-267 of the general statutes is  
3740 repealed and the following is substituted in lieu thereof (*Effective from*  
3741 *passage*):

3742 (6) The directors of the authority may by resolution, in accordance  
3743 with the provisions and stipulations of this chapter and the authority's  
3744 general and other bond resolutions, authorize both the segregation of  
3745 such authority revenues as may at any time be adjudged by said  
3746 directors to be surplus to the needs of the authority to meet its  
3747 contractual and other obligations and to provide for its operations or  
3748 other business purposes, and the equitable redistribution of such

3749 segregated surplus revenues to some or all of the users of the system in  
3750 accordance with applicable provisions of the [state] state-wide solid  
3751 waste management plan;

3752 Sec. 78. Section 22a-275 of the general statutes is repealed and the  
3753 following is substituted in lieu thereof (*Effective from passage*):

3754 (a) The authority shall have the power to purchase, in accordance  
3755 with the requirements of the [state] state-wide solid waste  
3756 management plan, at such costs or prices as are mutually deemed  
3757 agreeable by the authority and the seller, any solid waste disposal  
3758 facility, volume reduction plant or solid waste disposal areas owned  
3759 by a municipality or regional authority or by a person and to own and  
3760 operate such facilities and plants when and as deemed necessary,  
3761 convenient or desirable, by the authority, and in accordance with the  
3762 state plan, to carry out its purposes in accordance with this chapter; it  
3763 may alter, reconstruct, improve, enlarge or extend any such facility,  
3764 plant or disposal area at its own discretion to carry out the  
3765 requirements of the [state] state-wide solid waste management plan; it  
3766 may contract to plan, design, finance, construct and operate and  
3767 maintain any solid waste management project, processing facility or  
3768 disposal area on behalf of a municipal or regional authority, in  
3769 accordance with such state plans; and may otherwise make the waste  
3770 management services and capabilities of authority projects available by  
3771 contract to any municipal or regional authority or private person or  
3772 institution at reasonable fees or charges to be established by the  
3773 authority for such services.

3774 (b) Any municipal or regional authority having a solid waste  
3775 management plan that is required, pursuant to the provisions of  
3776 chapter 446b, to be in conformity with the [state] state-wide solid  
3777 waste management plan, and which municipal or regional plan  
3778 provides that the disposition of the solid wastes of said municipality or  
3779 region shall be accomplished through the use of state or regional  
3780 facilities providing adequate resources recovery and large-scale waste  
3781 disposal processing, is hereby authorized to enter into a long-term

3782 contract for such services with the authority, to pay any reasonable  
3783 fees and charges established by the authority for such services, and,  
3784 further, to pledge the full faith and credit of the municipal or regional  
3785 authority for the payment of such fees and charges.

3786 (c) Prior to negotiating any such contract with a municipal or  
3787 regional authority, the authority shall adopt procedures governing  
3788 such contract negotiations and contracting processes in accordance  
3789 with subsection (d) of this section. Such procedures shall include but  
3790 not be limited to (1) specific procedures for resolving impasses,  
3791 disputes or other controversies that may arise during contract  
3792 negotiations, and (2) such other information, standards, analyses and  
3793 procedures as will facilitate the negotiation and establishment of  
3794 equitable contracts.

3795 (d) Prior to the adoption, amendment or repeal of any procedure  
3796 prescribed in subsection (c) of this section, or of any procedure that  
3797 would adversely affect the operations or affairs of any municipality or  
3798 municipal or regional authority, the authority shall provide notice of  
3799 and opportunity for a hearing on such intended action in accordance  
3800 with subsection (e) of this section. Any municipality or municipal or  
3801 regional authority may petition the authority with respect to the  
3802 promulgation, amendment or repeal of such procedure, in accordance  
3803 with a form and procedure prescribed by the authority for the  
3804 submission, consideration and disposition of such petition, including  
3805 adequate provision for notice and hearing. Within thirty days after the  
3806 submission of such a petition the directors of the authority shall either  
3807 deny said petition in writing, stating the reasons for such denial, or  
3808 shall order the initiation of proceedings in accordance with subsection  
3809 (e) of this section.

3810 (e) In adopting, amending or repealing any procedure referred to in  
3811 this section, the directors of the authority shall, at least sixty days prior  
3812 to the effective date of such action, pass a resolution expressing their  
3813 intent to adopt, amend or repeal such procedure, and shall within ten  
3814 days cause a copy of such resolution to be printed in one daily and one

3815 weekly newspaper published within the state and the Connecticut Law  
3816 Journal. Thereupon, any interested party so desiring may, within thirty  
3817 days, petition the directors with respect to such action and offer  
3818 evidence in support of such petition before a referee appointed by the  
3819 chairman. Said referee shall not be an employee of the authority, and  
3820 shall report his findings with respect to such petition and evidence to  
3821 the directors at least ten days prior to the date established by the  
3822 directors as the effective date of their action. Due consideration shall  
3823 be given to such findings by the directors in determining their final  
3824 action with respect to such procedural adoption, amendment or repeal.

3825 (f) Any municipal or regional authority is also authorized [hereby]  
3826 under this section to borrow from the authority such sums of money as  
3827 may be necessary to establish a solid waste management project or  
3828 projects, or a disposal facility, volume reduction plant or disposal area  
3829 whenever such municipal or regional authority, in accordance with its  
3830 approved local plan conforming to the [state] state-wide solid waste  
3831 management plan, is not required to utilize the services of a state or  
3832 regional waste management project for the disposal of its wastes. Any  
3833 such loan may be made on the basis of a long-term loan agreement or  
3834 service contract between such municipal or regional authority and the  
3835 solid waste authority, and as collateral for such loan a municipal or  
3836 regional authority may pledge its full faith and credit, or an applicable  
3837 portion of the charges levied or revenues received for municipal or  
3838 regional waste disposal, or both. Any municipal or regional authority  
3839 is also [hereby] under this section authorized to contract with the  
3840 authority for planning, design, financing, construction and operation  
3841 and maintenance services by the authority or by any person under  
3842 contract with the authority, of a waste management project, facility or  
3843 disposal area to be used to provide for the disposal of wastes and the  
3844 recovery of resources within said municipality or region and to  
3845 contract for any payment in lieu of taxes to be made with respect to  
3846 such project, facility or disposal area in accordance with the intentions  
3847 and provisions of this chapter and the [state] state-wide solid waste  
3848 management plan. All required payments of fees and charges, interest

3849 on loans, principal of loans and necessary fees and assessments related  
3850 thereto required under any contract or agreement entered into  
3851 pursuant to the provisions of this section, are considered expenditures  
3852 for public purposes by a municipal or regional authority and,  
3853 notwithstanding the provisions of any other law, any necessary  
3854 general or special taxes or cost-sharing or other assessments may be  
3855 levied or collected by [said] such municipal or regional authority for  
3856 the purpose of making such required payments.

3857 (g) Whenever the authority, by resolution of its board of directors,  
3858 distributes surplus revenues of the authority to any municipal or  
3859 regional authority or person who by virtue of the provisions of the  
3860 [state] state-wide solid waste management plan or any contract or  
3861 agreement with the authority may be entitled to participate in such  
3862 distribution, such municipal or regional authority or person is entitled  
3863 to receive and to have and to hold the proceeds of such distribution  
3864 and to use the same for any lawful purpose, including but not limited  
3865 to the reduction of local taxes or assessments levied or to be levied for  
3866 the purpose of raising revenues to pay authority fees or service  
3867 charges.

3868 (h) The authority, when performing services on behalf of or  
3869 providing a waste management project for any municipal or regional  
3870 authority pursuant to this section, shall be considered eligible to  
3871 receive on behalf of such municipal or regional authority any state  
3872 grants for which [said] such municipal or regional authority may be  
3873 ordinarily eligible under chapter 446d, or any other law, rule or  
3874 regulation of the state. The proceeds of any such grant shall be applied  
3875 by the authority to reduce the costs of the services or project being  
3876 provided.

3877 (i) When performing work at the direction of the Department of  
3878 Energy and Environmental Protection, in furtherance of the objectives  
3879 of the [state] state-wide solid waste management plan and pursuant  
3880 [thereto] to such plan, the authority shall be entitled to receive any  
3881 state grants or other assistance to which a municipal or regional

3882 authority would be entitled had the work been performed by such  
3883 municipal or regional authority.

3884 (j) Notwithstanding the provisions of any local law, ordinance or  
3885 regulation, the authority, in carrying out its purposes according to this  
3886 chapter and in fulfilling the requirements of the state plan, shall have  
3887 power to transport or to provide for the transportation of solid wastes  
3888 and recovered resources anywhere within the state.

3889 (k) Nothing in this chapter shall be deemed or interpreted to  
3890 preclude or prohibit state financial assistance to municipal and  
3891 regional authorities according to the provisions of chapter 446d, or of  
3892 any other law, rule or regulation of the state relating to solid waste  
3893 management planning, solid waste reduction and disposal operations,  
3894 approved solid waste disposal facilities and equipment, per capita  
3895 grants and the distribution of federal funds for the acquisition and  
3896 development of lands by municipalities. Such assistance shall be  
3897 provided to any municipal or regional authority having a solid waste  
3898 management plan which has been adopted and approved pursuant to  
3899 chapter 446d, and is in conformity with the [state] state-wide solid  
3900 waste management plan, until such time as such municipal or regional  
3901 authority contracts with the authority for and receives resource  
3902 recovery or solid waste processing services.

3903 Sec. 79. Section 22a-212 of the general statutes is repealed and the  
3904 following is substituted in lieu thereof (*Effective from passage*):

3905 The commissioner shall make grants for providing financial  
3906 assistance to municipal and regional authorities for the preparation of  
3907 solid waste management [plan] plans. The grant to each municipal  
3908 authority shall equal ten per cent of the nonfederal portion of the cost  
3909 of preparing the plans. An additional ten per cent shall be paid for  
3910 each additional municipality included in the plan, but not more than  
3911 seventy per cent of the total cost of the nonfederal portion being  
3912 granted by the commissioner to a regional authority.

3913 Sec. 80. Subdivision (12) of subsection (a) of section 7-273bb of the  
3914 general statutes is repealed and the following is substituted in lieu  
3915 thereof (*Effective from passage*):

3916 (12) Otherwise, do all things necessary for the performance of its  
3917 duties, the fulfillment of its obligations, the conduct of its operations,  
3918 the maintenance of its working relationships with the state, other  
3919 municipalities, regions and persons, and the conduct of a  
3920 comprehensive program for solid waste disposal and resources  
3921 recovery, and for solid waste management services, in accordance with  
3922 the provisions of the [state] state-wide or local solid waste  
3923 management plan, applicable statutes and regulations and the  
3924 requirements of this chapter;

3925 Sec. 81. Subdivision (15) of subsection (a) of section 7-273bb of the  
3926 general statutes is repealed and the following is substituted in lieu  
3927 thereof (*Effective from passage*):

3928 (15) Purchase, receive by gift or otherwise, lease, exchange, or  
3929 otherwise acquire and construct, reconstruct, improve, maintain, equip  
3930 and furnish such waste management projects of the authority as are  
3931 called for by the [state] state-wide or local solid waste management  
3932 plan;

3933 Sec. 82. Sections 16a-3, 16a-7c, 16a-8, 22a-208h and 22a-211 and 22a  
3934 285 to 22a-285k, inclusive, of the general statutes are repealed. (*Effective*  
3935 *from passage*)"

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section
Sec. 2	<i>from passage</i>	22a-241a
Sec. 3	<i>from passage</i>	New section
Sec. 4	<i>from passage</i>	New section
Sec. 5	<i>from passage</i>	22a-262
Sec. 6	<i>from passage</i>	22a-264

Sec. 7	<i>January 1, 2015</i>	22a-265
Sec. 8	<i>from passage</i>	22a-265a
Sec. 9	<i>from passage</i>	16a-14e
Sec. 10	<i>from passage</i>	1-2b
Sec. 11	<i>from passage</i>	16-50j
Sec. 12	<i>from passage</i>	22a-208b
Sec. 13	<i>from passage</i>	51-344a
Sec. 14	<i>January 1, 2015</i>	51-344a(a)
Sec. 15	<i>from passage</i>	22a-266(a)
Sec. 16	<i>from passage</i>	22a-208a(d)
Sec. 17	<i>from passage</i>	22a-261(c)
Sec. 18	<i>October 1, 2014</i>	16a-48(g)
Sec. 19	<i>October 1, 2014</i>	16a-38k
Sec. 20	<i>from passage</i>	12-268s(a)
Sec. 21	<i>from passage</i>	New section
Sec. 22	<i>from passage</i>	16-50i
Sec. 23	<i>from passage</i>	16a-40g(a)
Sec. 24	<i>from passage</i>	New section
Sec. 25	<i>from passage</i>	16-244c(h)(2)
Sec. 26	<i>from passage</i>	16-50l
Sec. 27	<i>from passage</i>	16-333l(c)
Sec. 28	<i>from passage</i>	16-50m
Sec. 29	<i>from passage</i>	16-245n
Sec. 30	<i>from passage</i>	16-50o
Sec. 31	<i>from passage</i>	16-243p(a)
Sec. 32	<i>from passage</i>	16a-3f
Sec. 33	<i>from passage</i>	16a-3g
Sec. 34	<i>from passage</i>	16a-3h
Sec. 35	<i>from passage</i>	16a-3i(d)
Sec. 36	<i>from passage</i>	16-50p(a)
Sec. 37	<i>from passage</i>	16-50bb(a)
Sec. 38	<i>October 1, 2015</i>	16-345
Sec. 39	<i>October 1, 2015</i>	16-346
Sec. 40	<i>October 1, 2015</i>	16-347
Sec. 41	<i>October 1, 2015</i>	16-348
Sec. 42	<i>October 1, 2015</i>	16-349
Sec. 43	<i>October 1, 2015</i>	16-351
Sec. 44	<i>October 1, 2015</i>	16-352
Sec. 45	<i>October 1, 2015</i>	16-354
Sec. 46	<i>October 1, 2015</i>	16-355

Sec. 47	October 1, 2015	16-356
Sec. 48	from passage	16-243m
Sec. 49	from passage	16-245l(a)
Sec. 50	from passage	New section
Sec. 51	from passage	16-19ww(d)
Sec. 52	from passage	16a-2
Sec. 53	from passage	16-262n(a)
Sec. 54	from passage	New section
Sec. 55	from passage	16a-7b
Sec. 56	from passage and applicable to assessment years commencing on and after October 1, 2014	12-81(57)(A)
Sec. 57	from passage and applicable to assessment years commencing on and after October 1, 2014	12-81(57)(D)
Sec. 58	from passage	16-245d(c)(2)
Sec. 59	from passage	16-245d(c)
Sec. 60	July 1, 2014	16-245(g)
Sec. 61	from passage	16-245o(f)(1)
Sec. 62	from passage	16-245o(g)(3)
Sec. 63	from passage	32-80a(c)
Sec. 64	January 1, 2015	8-31c
Sec. 65	from passage	22a-260
Sec. 66	October 1, 2014	22a-639
Sec. 67	from passage	25-201
Sec. 68	from passage	25-231
Sec. 69	from passage	22a-208a(j)
Sec. 70	from passage	22a-219b(b)
Sec. 71	from passage	22a-220(f)
Sec. 72	from passage	22a-222(a)
Sec. 73	from passage	22a-259
Sec. 74	from passage	22a-262
Sec. 75	from passage	22a-264
Sec. 76	from passage	22a-265(12)
Sec. 77	from passage	22a-267(6)
Sec. 78	from passage	22a-275
Sec. 79	from passage	22a-212
Sec. 80	from passage	7-273bb(a)(12)

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Sec. 81	<i>from passage</i>	7-273bb(a)(15)
Sec. 82	<i>from passage</i>	Repealer section