



General Assembly

**Substitute Bill No. 6021**

January Session, 2015



**AN ACT CONCERNING TEST BED TECHNOLOGIES.**

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

1 Section 1. Section 16a-4d of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective July 1, 2015*):

3 (a) [If, in the exercise of the Commissioner of Energy and  
4 Environmental Protection's powers pursuant to this title, the  
5 commissioner finds that the use of a certain technology, product or  
6 process would promote energy conservation, energy efficiency or  
7 renewable energy technology, the commissioner may direct a state  
8 agency to test such technology, product or process by using it in the  
9 operations of such agency on a trial basis. The purpose of such test  
10 program shall be to validate the effectiveness of such technology,  
11 product or process in reducing energy usage and costs or reducing  
12 dependence on fossil fuels or green house gas emissions.] For the  
13 purposes of this section, "process" means any series of actions or  
14 operations that produce or manufacture a product or that lead to a  
15 particular result.

16 (b) (1) The Commissioner of Administrative Services shall  
17 administer pilot test programs at state agencies for the use of  
18 technologies, products or processes that promote energy conservation,  
19 energy efficiency or renewable energy. The purpose of such test

20 programs shall be to validate the effectiveness of such technologies,  
21 products or processes in reducing energy usage and costs or reducing  
22 dependence on fossil fuels or greenhouse gas emissions.

23 (2) The Commissioner of Administrative Services shall direct a state  
24 agency to test any technology, product or process identified by the  
25 commissioner. Alternatively, the commissioner of a state agency may  
26 file a request with the Commissioner of Administrative Services for  
27 approval to test any such technology, product or process identified by  
28 such state agency commissioner. Not later than thirty days after receipt  
29 of any such request, the Commissioner of Administrative Services shall  
30 evaluate the technology, product or process and approve or  
31 disapprove the state agency commissioner's request. A state agency  
32 that is directed to test, or receives approval to test, any such  
33 technology, product or process shall use it in the operations of such  
34 agency on a trial basis for not fewer than thirty days and not longer  
35 than sixty days.

36 (3) If the Commissioner of Administrative Services finds that using  
37 such technology, product or process would be feasible in the  
38 operations of a state agency and would not have any detrimental effect  
39 on such operations, the commissioner, notwithstanding the  
40 requirements of chapter 58, shall direct a state agency to accept  
41 delivery of such technology, product or process and to undertake such  
42 test program. Any costs associated with the acquisition and use of such  
43 technology, product or process by the testing agency for the test period  
44 shall be borne by the manufacturer, the marketer or any investor or  
45 participant in such business. The acquisition of any technology,  
46 product or process for purposes of the test program established  
47 pursuant to this section shall not be deemed to be a purchase under the  
48 provisions of state procurement law. The manufacturer, the marketer  
49 or any investor or participant in such business shall maintain records  
50 related to such test program, as required by the commissioner. All  
51 proprietary information derived from such test program shall be  
52 exempt from the provisions of subsection (a) of section 1-210.

53       (4) No agency shall undertake such testing of any technology,  
54 product or process unless the business manufacturing or marketing the  
55 technology, product or process demonstrates that [(1)] (A) the use of  
56 such technology, product or process by the state agency will not  
57 adversely affect safety, [(2)] (B) a certified independent third party or  
58 accredited laboratory has found that the technology, product or  
59 process reduces energy consumption and cost, and [(3)] (C) the  
60 technology, product or process is presently available for commercial  
61 sale and distribution or has potential for commercialization not later  
62 than two years following the completion of any test program by a state  
63 agency pursuant to this section.

64       (5) If the commissioner of the state agency testing such technology,  
65 product or process determines that the test program sufficiently  
66 demonstrates that the technology, product or process reduces energy  
67 usage and costs or reduces dependence on fossil fuels or greenhouse  
68 gas emissions, such testing agency may request that the Commissioner  
69 of Administrative Services (A) procure such technology for use by any  
70 or all state agencies, and (B) make such procurement pursuant to  
71 subsection (b) of section 4a-58. The Commissioner of Administrative  
72 Services shall make information regarding the opportunity to procure  
73 such technology, product or process available to all state agencies on  
74 the Department of Administrative Services' Internet web site.

75       [(b) If the commissioner finds that using such technology, product  
76 or process would be feasible in the operations of a state agency and  
77 would not have any detrimental effect on such operations, the  
78 commissioner, notwithstanding the requirements of chapter 58, may  
79 direct a state agency to accept delivery of such technology, product or  
80 process and to undertake such a test program. Any costs associated  
81 with the acquisition and use of such technology, product or process by  
82 the testing agency for the test period shall be borne by the  
83 manufacturer, the marketer or any investor or participant in such  
84 business. The acquisition of any technology, product or process for  
85 purposes of the test program established pursuant to this section shall

86 not be deemed to be a purchase under the provisions of state  
 87 procurement law. The manufacturer, the marketer or any investor or  
 88 participant in such business shall maintain records related to such test  
 89 program, as required by the commissioner. All proprietary  
 90 information derived from such test program shall be exempt from the  
 91 provisions of subsection (a) of section 1-210.

92 (c) If the commissioner determines that the test program sufficiently  
 93 demonstrates that the technology, product or process reduces energy  
 94 usage and costs or reduces dependence on fossil fuels or green house  
 95 gas emissions, the testing agency may request that the Commissioner  
 96 of Administrative Services (1) procure such technology for use by any  
 97 or all state agencies, and (2) make such procurement pursuant to  
 98 subsection (b) of section 4a-58.]

99 (c) The commissioner of a state agency may identify a technology,  
 100 product or process that is procured, installed and tested by a  
 101 municipality that meets the requirements of subsection (b) of this  
 102 section. Such commissioner may file a request with the Commissioner  
 103 of Administrative Services to procure such technology, product or  
 104 process. Not later than thirty days after receipt of such request, the  
 105 Commissioner of Administrative Services shall evaluate such  
 106 technology, product or process and approve or disapprove such  
 107 commissioner's request to (1) procure such technology for use by any  
 108 or all state agencies, and (2) make such procurement pursuant to  
 109 subsection (b) of section 4a-58.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2015	16a-4d

**Statement of Legislative Commissioners:**

Section 1(c) was bracketed, moved to subsection (b), and redesignated as subdivision (3) of subsection (b), Section 1(b)(3) was redesignated as 1(b)(4), Section 1(b)(4) was redesignated as 1(b)(5), and Section 1(d)

was redesignated as 1(c), for clarity and consistency with other provisions of the section.

**ET**      *Joint Favorable Subst.*