



General Assembly

February Session, 2016

Raised Bill No. 334

LCO No. 2196



Referred to Committee on ENERGY AND TECHNOLOGY

Introduced by:
(ET)

AN ACT CONCERNING MINOR REVISIONS TO THE ENERGY AND TECHNOLOGY RELATED STATUTES.

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

1 Section 1. Subdivision (2) of subsection (e) of section 4a-57 of the
2 general statutes is repealed and the following is substituted in lieu
3 thereof (*Effective from passage*):

4 (2) Any purchase of or contract by the department for electric
5 generation services that are subject to competitive bidding and
6 competitive negotiations shall be conducted in cooperation with the
7 [Office of Policy and Management] Department of Energy and
8 Environmental Protection pursuant to section 16a-14e, as amended by
9 this act.

10 Sec. 2. Subsection (a) of section 16-243p of the general statutes is
11 repealed and the following is substituted in lieu thereof (*Effective from*
12 *passage*):

13 (a) An electric distribution company may recover its costs and

14 investments that have been prudently incurred as well as its revenues
15 lost resulting from the provisions of sections 16-1, 16-19ff, 16-50k, 16-
16 50x, 16-243h to 16-243q, inclusive, 16-244c, 16-244u, 16-245d, 16-245m,
17 16-245n, 16-245z, 16-262i, 16a-40l and 16a-40m, section 1 of public act
18 15-113, as amended by this act, and section 21 of public act 05-1 of the
19 June special session. The Public Utilities Regulatory Authority shall,
20 after a hearing held pursuant to the provisions of chapter 54,
21 determine the appropriate mechanism to obtain such recovery in a
22 timely manner which mechanism may be one or more of the following:
23 (1) Approval of rates as provided in sections 16-19 and 16-19e; (2) the
24 energy adjustment clause as provided in section 16-19b; or (3) the
25 federally mandated congestion charges, as defined in section 16-1.

26 Sec. 3. Subsection (c) of section 1 of public act 15-113 is repealed and
27 the following is substituted in lieu thereof (*Effective from passage*):

28 (c) The department shall select, pursuant to the request for
29 proposals process, shared clean energy facility projects as follows: (1)
30 In the service area of an electric distribution company that has a
31 service area of not more than seventeen cities and towns, a project or
32 projects that do not exceed a nameplate capacity rating of two
33 megawatts in the aggregate; and (2) in the service area of an electric
34 distribution company that has a service area of eighteen or more cities
35 and towns, a project or projects that do not exceed a nameplate
36 capacity rating of four megawatts in the aggregate. All projects
37 selected by the department shall not exceed a total nameplate capacity
38 rating of six megawatts in the aggregate. The department shall
39 establish a billing credit for any subscriber of a shared clean energy
40 facility, and consumer protections for subscribers and potential
41 subscribers of such a facility, including, but not limited to, disclosures
42 to be made when selling or reselling a subscription. An electric
43 distribution company shall recover the net costs prudently incurred
44 pursuant to this section, including, but not limited to, the net costs of
45 any agreement with a shared clean energy facility or subscriber,
46 through a fully reconciling component of electric rates for all

47 customers of the electric distribution company.

48 Sec. 4. Section 16a-14e of the general statutes is repealed and the
49 following is substituted in lieu thereof (*Effective from passage*):

50 [(a)] The Department of Energy and Environmental Protection shall
51 operate a purchasing pool for the purchase of electricity for state
52 operations, [and the operations of any municipality in the state that
53 elects to participate in such purchasing pool. In connection with the
54 operation of such purchasing pool, the Commissioner of Energy and
55 Environmental Protection may solicit proposals from electric suppliers
56 and as authorized pursuant to subsection (e) of this section, on behalf
57 of any state agency, municipality or institution of higher education for
58 electric generation services to purchase electricity for state and
59 municipal operations and to meet the state's energy policy goals, as
60 established in the comprehensive energy strategy adopted by the
61 commissioner.] Said department shall provide the opportunity to
62 participate in such purchasing pool to each household that includes an
63 individual who receives means-tested assistance administered by the
64 state or federal government. Any such household shall receive through
65 such purchasing pool the same benefits and rate discounts available
66 for state facilities. The Department of Energy and Environmental
67 Protection shall use federal and state energy assistance funds to
68 leverage the lowest practicable electric rates for households
69 participating in such pool, provided such funds shall not be used for
70 administrative purposes. [The commissioner may make grants
71 available to municipalities that join such pool and commit to achieving
72 the state diversion, recycling and reuse goals in accordance with
73 sections 22a-220 and 22a-241a and the state-wide solid waste
74 management plan adopted and amended pursuant to section 22a-228.]
75 The provisions of section 16-245 shall not apply to the Department of
76 Energy and Environmental Protection for purposes of this section.

77 [(b)] In connection with the operation of the purchasing pool
78 described in subsection (a) of this section, on or before January 1, 2020,

79 the Commissioner of Energy and Environmental Protection shall
80 solicit, on behalf of state agencies and any municipality or institution
81 of higher education that elects to participate in such purchasing pool,
82 in one or more solicitations, proposals from retail electric suppliers and
83 as authorized pursuant to subsection (e) of this section for electric
84 supply, provided at least one solicitation occurs on or before January 1,
85 2015. For any solicitation issued for a purchasing pool of three
86 hundred seventy thousand megawatt hours per year or less, proposals
87 submitted in response to such solicitation shall include not less than
88 sixty per cent of electric generation supplied from Class II renewable
89 energy sources, as defined in section 16-1, that originate from trash-to-
90 energy facilities constructed on or before January 1, 2013, and that are
91 permitted pursuant to section 22a-208a. Selection criteria for such
92 services shall include, but are not limited to: (1) The delivered price of
93 such service, (2) the Class II renewable energy facility's practices in
94 furtherance of the state's diversion, reduction, reuse and recycling
95 goals that are consistent with sections 22a-220 and 22a-241a and the
96 state-wide solid waste management plan adopted and amended
97 pursuant to section 22a-228, (3) the degree to which a proposal
98 includes a greater percentage of trash-to-energy in the fuel mix, and (4)
99 the degree to which a proposal includes a greater number of trash-to-
100 energy facilities. On or before January 1, 2020, the commissioner shall,
101 through one or more solicitations, select the proposals that meet the
102 requirements of this subsection to satisfy, for a total period of not less
103 than five consecutive years, not less than three hundred seventy
104 thousand megawatt hours per year of electric supply, provided such
105 proposals include sixty per cent of electric generation supplied from
106 Class II renewable energy sources, as described in this subsection, and
107 otherwise meet the requirements of this subsection. Any proposals for
108 such electric supply service selected by the commissioner shall be for a
109 period of not more than five years and at a price not higher than one-
110 half cent per kilowatt hour above the price for standard generation
111 service at the time any such solicitation is issued. In the event that no
112 proposals include sixty per cent or more of electric generation supplied

113 from Class II renewable energy sources, as defined in section 16-1, that
114 originate from trash-to-energy facilities constructed on or before
115 January 1, 2013, and that are permitted pursuant to section 22a-208a,
116 the commissioner may select the proposal or proposals with the
117 highest percentage of electric generation supplied from such Class II
118 renewable energy sources, provided the price does not exceed one-half
119 cent per kilowatt hour above the price for standard generation service
120 at the time any such solicitation is issued.

121 (c) In the event that the pool authorized pursuant to subsection (a)
122 of this section exceeds three hundred seventy thousand megawatt
123 hours per year of electric supply, the commissioner may select an
124 amount using the selection criteria contained in subsection (b) of this
125 section, provided the requirement contained in subsection (b) of this
126 section for sixty per cent of such electric generation supplied from
127 Class II renewable energy sources shall not apply to any such amount
128 of such pool that exceeds three hundred seventy thousand megawatt
129 hours per year.

130 (d) For the purposes of subdivisions (17) and (18) of subsection (b)
131 of section 7-233e, the purchasing pool described in subsection (a) of
132 this section and any energy improvement district described in section
133 32-80a shall be deemed to be included in the entities that constitute
134 electric power entities.

135 (e) Notwithstanding the provisions of subsection (g) of section 16-
136 245c, a municipal electric energy cooperative is authorized to and may
137 provide and supply electric generation services to those entities that
138 constitute electric power entities, as described in subsection (d) of this
139 section, provided any such cooperative shall comply with the
140 renewable energy procurement requirements of sections 16-243q and
141 16-245a with respect to the electric generation services supplied to such
142 entities, and further provided all costs directly associated with seeking
143 to provide or providing such electric generation services, and all costs
144 otherwise reasonably allocable to seeking to provide or providing such

145 electric generation services, are excluded from the costs that such
146 electric energy cooperative charges any other electric energy
147 cooperative participant. Any such cooperative shall not be subject to
148 the provisions of section 16-245.]

149 Sec. 5. Subdivision (2) of subsection (a) of section 16a-37x of the
150 general statutes is repealed and the following is substituted in lieu
151 thereof (*Effective from passage*):

152 (2) "Cost effective" means the savings resulting from [an] energy-
153 savings [measure] measures outweigh the costs of such [measure]
154 measures, including, but not limited to, any financing costs, provided
155 the payback period for any financing provided pursuant to this section
156 is less than the functional life of the proposed energy-savings measure
157 and the payback period for the comprehensive package of measures
158 does not exceed [~~fifteen~~] twenty years.

159 Sec. 6. Section 16a-38 of the general statutes is repealed and the
160 following is substituted in lieu thereof (*Effective July 1, 2016*):

161 (a) As used in this section, subsection (e) of section 4b-23, as
162 amended by this act, sections 16a-38a, as amended by this act, and 16a-
163 38b, as amended by this act, unless the context otherwise requires: (1)
164 "Major capital project" means the construction or renovation of a major
165 facility; (2) "major facility" means any building owned by the state or
166 constructed or renovated wholly or partly with state funds, including a
167 state-financed housing project, which is used or intended to be used as
168 a school or which has ten thousand or more gross square feet, or any
169 other building so owned, constructed or renovated which is
170 designated a major facility by the Commissioner of Administrative
171 Services; (3) "renovation" means additions, alterations or repairs to a
172 major facility which the Commissioner of Administrative Services
173 finds will have a substantial effect upon the energy consumption of the
174 facility; (4) "life-cycle cost" means the cost, as determined by the
175 methodology identified in the National Institute of Standards and

176 Technology's special publication 544 and interagency report 80-2040,
177 available as set forth in the Code of Federal Regulations, Title 15, Part
178 230, of a major facility including the initial cost of its construction or
179 renovation, the marginal cost of future energy capacity, the cost of the
180 energy consumed by the facility over its expected useful life or, in the
181 case of a leased facility, over the remaining term of the lease, and the
182 cost of operating and maintaining the facility as such cost affects
183 energy consumption; (5) "energy performance standard" means a rate
184 of energy consumption which is the minimum practically achievable,
185 on a life-cycle cost basis, by adjusting maintenance or operating
186 procedures, modifying a building's equipment or structure and
187 utilizing renewable sources of energy; (6) "energy audit" means an
188 evaluation of, recommendations for and improvements of the energy
189 consumption characteristics of all passive, active and operational
190 energy systems and components by demand and type of energy used
191 including the internal energy load imposed on a building by its
192 occupants, equipment and components, and the external energy load
193 imposed on a building by the climatic conditions at its location; (7)
194 "renewable sources of energy" means energy from direct solar
195 radiation, wind, water, geothermal sources, wood and other forms of
196 biomass; (8) "cost effective" means that savings exceed cost over a ten-
197 year period; (9) "state agency" means any department, board,
198 commission, institution, or other agency of this state; and (10) "covered
199 products" means the consumer products set forth as covered products
200 in the Energy Policy and Conservation Act, 42 USC 6292.

201 [(b) (1) Except as provided in subsection (f) of this section, the
202 Commissioner of Administrative Services and the Commissioner of
203 Energy and Environmental Protection shall jointly establish and
204 publish standards for life-cycle cost analyses required by this section
205 for buildings owned or leased by the state. Such life-cycle cost analyses
206 for buildings shall provide, but shall not be limited to, information on
207 the estimated initial cost of each energy-consuming system being
208 compared and evaluated, annual operating and maintenance costs of

209 all energy-consuming systems over the useful life of the building, cost
210 of energy, salvage value and the estimated replacement cost for each
211 energy-consuming system or component expressed in annual terms for
212 the useful life of the building.

213 (2) Except as provided in subsection (f) of this section, the
214 Commissioner of Administrative Services and the Commissioner of
215 Energy and Environmental Protection may jointly establish and
216 publish standards for life-cycle cost analyses required by this section
217 for equipment and appliances owned or leased by the state which are
218 not covered products, and for such equipment and appliances which
219 are covered products. In establishing such standards, the
220 commissioners shall consider the criteria set forth in subsection (j) of
221 this section.

222 (c) No state agency shall obtain preliminary design approval for a
223 major capital project unless the Commissioner of Administrative
224 Services makes a written determination that the design is cost effective
225 on a life-cycle cost basis. To make such a determination, the
226 commissioner (1) shall require documentation that the design meets or
227 exceeds the standards set forth in the National Bureau of Standards
228 Handbook 135, or subsequent corresponding handbook of the United
229 States Department of Commerce and the State Building Code, and (2)
230 may require additional documentation, including, but not limited to, a
231 life-cycle cost analysis that complies with the standards established
232 pursuant to subdivision (1) of subsection (b) of this section.

233 (d) All design proposals for major capital projects shall include at
234 least two differing energy systems for space heating, cooling and hot
235 water to supplement the passive features designed into the building.
236 Such proposals may include computer or other analytical modeling or
237 simulation but shall not be construed to require the development of
238 architectural or mechanical design plans for each such system. All cost
239 evaluations of the competing energy systems shall be based on life-
240 cycle costs. A life-cycle cost analysis for each competing energy system

241 determined by the Commissioner of Administrative Services to meet
242 the standards of subsection (b) of this section shall be included as part
243 of the design proposal for all projects. No major capital project shall be
244 approved by the Commissioner of Administrative Services or by the
245 State Properties Review Board pursuant to section 4b-23, after June 30,
246 1980, unless the proposed project achieves to the maximum extent
247 practicable the energy performance standards established in
248 accordance with subsection (b) or (g) of this section.

249 (e) All applications for state funding of major capital projects shall
250 be accompanied by a life-cycle cost analysis which the Commissioner
251 of Administrative Services has determined complies with the
252 standards established pursuant to subsection (b) of this section. The
253 Commissioner of Administrative Services or the Commissioner of
254 Energy and Environmental Protection may require such a life-cycle
255 cost analysis for projects other than major capital projects.]

256 [(f)] (b) The Commissioner of Economic and Community
257 Development and the Commissioner of Energy and Environmental
258 Protection shall jointly establish and publish energy performance
259 standards for buildings constructed as part of state-owned and state-
260 financed housing projects and establish standards for life-cycle cost
261 analyses for such projects. In establishing such standards, the
262 commissioners shall consider (1) the coordination, positioning and
263 solar orientation of the project on its situs, (2) the amount of glazing,
264 degree of sun shading and direction of exposure, (3) the levels of
265 insulation incorporated into the design, (4) the variable occupancy and
266 operating conditions of the facility, (5) all architectural features which
267 affect energy consumption, and (6) the design and location of all
268 heating, cooling, hot water and electrical systems.

269 [(g)] (c) [Notwithstanding any provision in this section concerning
270 the review of life-cycle cost analyses by the Commissioner of
271 Administrative Services, a] A life-cycle cost analysis of a major capital
272 project prepared for the Department of Housing shall be reviewed by

273 the Commissioner of Economic and Community Development and the
274 Commissioner of Energy and Environmental Protection to determine if
275 such analysis is in compliance with the life-cycle cost analyses
276 standards established for such project under subsection [(f)] (b) of this
277 section.

278 [(h)] (d) Each state agency preparing a life-cycle cost analysis under
279 this section shall submit a summary of the analysis to the
280 Commissioner of Energy and Environmental Protection.

281 [(i) Except as provided in subsection (f) of this section, the
282 Commissioner of Administrative Services and the Commissioner of
283 Energy and Environmental Protection shall jointly establish and
284 publish energy performance standards for existing and new buildings
285 owned or leased by the state. Such standards shall require maximum
286 efficiency in energy use in all such buildings and maximum practicable
287 use of renewable sources of energy in all such buildings. In
288 establishing such standards, the commissioners shall consider (1) the
289 coordination, positioning and solar orientation of the project on its
290 situs, (2) the amount of glazing, degree of sun shading and direction of
291 exposure, (3) the levels of insulation incorporated into the design, (4)
292 the variable occupancy and operating conditions of the facility, (5) all
293 architectural features which affect energy consumption, and (6) the
294 design and location of all heating, cooling, hot water and electrical
295 systems.

296 (j) Except as provided in subsection (f) of this section, the
297 Commissioner of Administrative Services and the Commissioner of
298 Energy and Environmental Protection may jointly establish and
299 publish energy performance standards for equipment and appliances
300 owned or leased by the state which are not covered products, and for
301 such equipment and appliances which are covered products. Any such
302 standards shall require maximum energy efficiency for all such
303 equipment and appliances and, for equipment and appliances owned
304 or leased by the state which are covered products, shall be more

305 stringent than the corresponding federal energy conservation
306 standards set forth in the Energy Policy and Conservation Act, 42 USC
307 6295, or federal regulations adopted thereunder. In establishing such
308 standards, the commissioners shall consider, without limitation, (1) the
309 initial cost of the equipment or appliance, (2) the projected useful
310 lifetime of the equipment or appliance, (3) the projected cost of the
311 energy that the equipment or appliance will consume over its
312 projected useful lifetime, (4) the estimated operating costs for
313 maintenance and repair, over the projected useful lifetime of the
314 equipment or appliance, and (5) the positive or negative salvage value
315 of the equipment or appliance upon disposal at the conclusion of its
316 projected useful lifetime.

317 (k) Any life-cycle cost analysis standards established pursuant to
318 subdivision (2) of subsection (b) of this section and any energy
319 performance standards established pursuant to subsection (j) of this
320 section shall be implemented in accordance with the purchasing
321 requirements set forth in chapter 58, and any regulations adopted
322 thereunder, and the provisions of this section and section 16a-38j.]

323 Sec. 7. Section 4a-56 of the general statutes is repealed and the
324 following is substituted in lieu thereof (*Effective July 1, 2016*):

325 The Commissioner of Administrative Services or his designee may
326 classify the requirements of the state government for supplies,
327 materials and equipment which may be purchased by the state and
328 may adopt as standards the minimum number of qualities, sizes and
329 varieties of such supplies, materials and equipment consistent with the
330 successful operation of the state government. If the commissioner
331 adopts any such standards, the commissioner shall prepare, adopt and
332 promulgate written specifications describing such standards, provided
333 specifications shall not be required for any supplies, materials or
334 equipment for which the commissioner determines that the cost of
335 preparing specifications would outweigh the benefits. In the
336 preparation and revision of any such standard specification, the

337 commissioner or his designee may seek the advice, assistance and
338 cooperation of the state agencies concerned in order to ascertain their
339 precise requirements. Each specification adopted for any commodity
340 shall satisfy the requirements of the state departments, agencies and
341 institutions which are to make use of the same, unless the
342 commissioner approves a waiver of the specification and states the
343 reason for the waiver in writing. In developing specifications for the
344 purchase of motor vehicles, the commissioner or his designee shall
345 consider motor vehicles using alternative fuels. The commissioner may
346 adopt [the] energy performance standards. [established pursuant to
347 subsection (j) of section 16a-38.]

348 Sec. 8. Section 4a-67c of the general statutes is repealed and the
349 following is substituted in lieu thereof (*Effective July 1, 2016*):

350 The Department of Administrative Services and each other
351 budgeted agency, as defined in section 4-69, exercising procurement
352 authority shall procure equipment and appliances for state use that
353 meet or exceed the federal energy conservation standards set forth in
354 the Energy Policy and Conservation Act, 42 USC 6295, any federal
355 regulations adopted thereunder, any applicable energy performance
356 standards [established in accordance with subsection (j) of section 16a-
357 38] and meet or exceed the federal Energy Star standards. Purchases of
358 equipment and appliances for which energy performance standards
359 have been established [pursuant to subsection (j) of section 16a-38]
360 shall be (1) made from among those specific models of equipment and
361 appliances which meet such standards, and (2) based, when possible,
362 on competitive bids. Such bids shall be evaluated on the basis of the
363 life-cycle cost standards, if any. [, established pursuant to subsection
364 (b) of section 16a-38.]

365 Sec. 9. Subsection (a) of section 4b-23 of the general statutes is
366 repealed and the following is substituted in lieu thereof (*Effective July*
367 *1, 2016*):

368 (a) As used in this section, "facility" means buildings and real
369 property owned or leased by the state. The Secretary of the Office of
370 Policy and Management shall establish guidelines which further define
371 such term. All agencies and departments of the state shall notify the
372 Secretary of the Office of Policy and Management of their facility needs
373 including, but not limited to, the types of such facilities and the
374 municipalities or general location for the facilities. Each agency and
375 department shall continue long-range planning for facility needs,
376 establish a plan for its long-range facility needs and submit such plan
377 and related facility project requests to the Secretary of the Office of
378 Policy and Management, and a copy thereof to the Commissioner of
379 Administrative Services, on or before September first of each even-
380 numbered year. Each such request shall be accompanied by a capital
381 development impact statement, as required by section 4-66b, and a
382 colocation statement, as required by section 4b-31, if the secretary so
383 requires. Each agency and department shall base its long-term
384 planning for facility needs on a program plan. The secretary shall
385 establish a content guide and schedule for such plans. Each agency and
386 department shall prepare its program plan in accordance with such
387 guide and file it with the secretary pursuant to such schedule. Facility
388 plans shall include, but not be limited to: Identification of (1) long-term
389 and short-term facility needs, (2) opportunities for the substitution of
390 state-owned space for leased space, (3) facilities proposed for
391 demolition or abandonment which have potential for other uses, (4)
392 space modifications or relocations that could result in cost or energy
393 savings, and (5) facilities known to be brownfields. Each agency or
394 department program plan and facility plan and its facility project
395 requests shall cover a period of at least five years. The secretary shall
396 provide agencies and departments with instructions for preparing
397 program plans, long-term facility plans and facility project requests
398 and shall provide appropriate programmatic planning assistance. The
399 Commissioner of Administrative Services shall assist agencies and
400 departments with long-term facilities planning and the preparation of
401 cost estimates for such plans and requests. The Secretary of the Office

402 of Policy and Management shall review such plans and prepare an
403 integrated state facility plan which meets the aggregate facility needs
404 of the state. The secretary shall review the cost effective retrofit
405 measures recommended to the secretary by the Commissioner of
406 Administrative Services [under subsection (b) of section 16a-38a,] and
407 include in the plan those measures which would best attain [the] any
408 applicable energy performance standards. [established under
409 subdivision (1) of subsection (b) of section 16a-38.]

410 Sec. 10. Subsection (e) of section 4b-23 of the general statutes is
411 repealed and the following is substituted in lieu thereof (*Effective July*
412 *1, 2016*):

413 (e) Implementation of the state facility plan shall be the
414 responsibility of the Commissioner of Administrative Services who
415 shall conduct a study of each proposed facility in the plan to
416 determine: (1) The method of choice for satisfying each such facility
417 need, (2) the geographical areas best suited to such need, (3) the
418 feasibility and cost of such acquisition using a life-cycle cost analysis,
419 [as established by subdivision (2) of subsection (b) of section 16a-38,]
420 (4) the degree to which the plan promotes the goals addressed in
421 subsection (e) of section 4b-31, and (5) any other relevant factors. Said
422 commissioner shall review and approve each facility plan
423 implementation action and shall submit to the Properties Review
424 Board a list of each such action approved and the method and plan by
425 which it shall be accomplished. Said commissioner shall endeavor to
426 locate human services agencies in the same buildings as municipal and
427 private agencies that provide human services. The results of said
428 commissioner's study along with all supportive materials shall be
429 immediately sent to the Properties Review Board. The board shall meet
430 to review the decision of the commissioner and may request the
431 commissioner or any member of the commissioner's department, and
432 the head of the requesting agency or any of his or her employees to
433 appear for the purpose of supplying pertinent information. Said board
434 shall call a meeting not later than two weeks after the receipt of the

435 commissioner's decision, and may meet as often as necessary, to
436 review said decision. The board, not later than ninety days after the
437 receipt of the decision of the Commissioner of Administrative Services,
438 shall either accept, reject or request modification of such decision,
439 except that when more time is required, the board may have a ninety-
440 day extension of time, provided the board shall advise the
441 Commissioner of Administrative Services in writing as to the reasons
442 for such extension of time. If such decision is disapproved by the
443 board, it shall so inform the commissioner along with its reasons
444 therefor, and the commissioner shall inform the head of the requesting
445 agency and the Secretary of the Office of Policy and Management that
446 its request has been rejected. If such decision is approved by the board
447 it shall inform the commissioner of such approval and the
448 commissioner shall immediately communicate his decision to the head
449 or acting head of such governmental unit and to the Secretary of the
450 Office of Policy and Management and shall set forth the procedures to
451 be taken to accomplish the results of such decision. The decision to
452 make public such decision shall rest solely with the Commissioner of
453 Administrative Services both as to time and manner of disclosure, but
454 in no event shall such period exceed one year. The commissioner shall,
455 when he or she deems it to be in the public interest, authorize the
456 disclosure of such information; however, in the absence of such
457 authorization, any unauthorized disclosure shall be subject to the
458 criminal provisions of section 4b-27. All decisions made by the
459 commissioner under the provisions of this section shall require review
460 by the board. Except as otherwise hereinafter provided, the approval
461 or disapproval of the Properties Review Board shall be binding on the
462 commissioner and the requesting agency with regard to the acquisition
463 of any real estate by lease or otherwise, notwithstanding any other
464 statute or special act to the contrary. A majority vote of the board shall
465 be required to accept or reject a decision of the commissioner.

466 Sec. 11. Subsection (m) of section 4b-23 of the general statutes is
467 repealed and the following is substituted in lieu thereof (*Effective July*

468 1, 2016):

469 (m) (1) Plans to construct, renovate or modify state-owned or
470 occupied buildings shall provide for a portion of the total planned
471 floor area of newly constructed state buildings or buildings
472 constructed specifically for use by the state to be served by renewable
473 sources of energy, including solar, wind, water and biomass sources,
474 for use in space heating and cooling, domestic hot water and other
475 applications. For the plan due December 1, 1979, the portion to be
476 served by renewable energy sources shall be not less than five per cent
477 of total planned new floor area. For each succeeding state facilities
478 plan submitted after December 1, 1979, the portion of the total planned
479 floor area of any additional newly constructed state buildings or
480 buildings constructed specifically for use by the state to be served by
481 renewable energy sources shall be increased by at least five per cent
482 per year until a goal of fifty per cent of total planned floor area of any
483 additional newly constructed state buildings or buildings constructed
484 specifically for use by the state is reached. For any facility served by
485 renewable energy sources in accordance with this subsection, not less
486 than thirty per cent of the total energy requirements of any specific
487 energy application, including, but not limited to, space heating or
488 cooling and providing domestic hot water, shall be provided by
489 renewable energy sources. The installation in newly constructed state
490 buildings or buildings constructed specifically for use by the state of
491 systems using renewable energy sources in accordance with this
492 subsection, shall be subject to [the] a life-cycle cost analysis. [provided
493 for in section 16a-38.] (2) The state shall fulfill the obligations imposed
494 by subdivision (1) of this subsection unless such action would cause an
495 undue economic hardship to the state.

496 Sec. 12. Subsection (a) of section 10-284 of the 2016 supplement to
497 the general statutes is repealed and the following is substituted in lieu
498 thereof (*Effective July 1, 2016*):

499 (a) The Commissioner of Administrative Services shall have

500 authority to receive and review applications for state grants under this
501 chapter, and to approve any such application, or to disapprove any
502 such application if (1) it does not comply with the requirements of the
503 State Fire Marshal or the Department of Public Health, (2) it is not
504 accompanied by a life-cycle cost analysis approved by the
505 Commissioner of Administrative Services, [pursuant to section 16a-38,]
506 (3) it does not comply with the provisions of sections 10-290d and 10-
507 291, (4) it does not meet (A) the standards or requirements established
508 in regulations adopted in accordance with section 10-287c, or (B)
509 school building categorization requirements described in section 10-
510 283, (5) the estimated construction cost exceeds the per square foot cost
511 for schools established in regulations adopted by the Commissioner of
512 Administrative Services for the county in which the project is proposed
513 to be located, (6) on and after July 1, 2014, the application does not
514 comply with the school safety infrastructure criteria developed by the
515 School Safety Infrastructure Council, pursuant to section 10-292r,
516 except the Commissioner of Administrative Services may waive any of
517 the provisions of the school safety infrastructure criteria if the
518 commissioner determines that the application demonstrates that the
519 applicant has made a good faith effort to address such criteria and that
520 compliance with such criteria would be infeasible, unreasonable or
521 excessively expensive, or (7) the Commissioner of Education
522 determines that the proposed educational specifications for or theme
523 of the project for which the applicant requests a state grant duplicates a
524 program offered by a technical high school or an interdistrict magnet
525 school in the same region.

526 Sec. 13. Subsection (a) of section 16a-37u of the general statutes is
527 repealed and the following is substituted in lieu thereof (*Effective July*
528 *1, 2016*):

529 (a) The Commissioner of Energy and Environmental Protection
530 shall be responsible for planning and managing energy use in state-
531 owned and leased buildings and shall establish a program to maximize
532 the efficiency with which energy is utilized in such buildings. The

533 commissioner shall exercise this authority by (1) preparing and
534 implementing annual and long-range plans, with timetables,
535 establishing goals for reducing state energy consumption and, based
536 on energy audits, specific objectives for state agencies to meet [the] any
537 applicable performance standards; [adopted under section 16a-38;] (2)
538 coordinating federal and state energy conservation resources and
539 activities, including but not limited to, those required to be performed
540 by other state agencies under this chapter; and (3) monitoring energy
541 use and costs by budgeted state agencies on a monthly basis.

542 Sec. 14. Subsection (e) of section 16a-37u of the general statutes is
543 repealed and the following is substituted in lieu thereof (*Effective July*
544 *1, 2016*):

545 (e) Not later than January fifth, annually, the commissioner shall
546 submit a report to the Governor and the joint standing committee of
547 the General Assembly having cognizance of matters relating to energy
548 planning and activities. The report shall (1) indicate the total number
549 of energy audits and technical assistance audits of state-owned and
550 leased buildings, (2) summarize the status of the energy conservation
551 measures recommended by such audits, (3) summarize all energy
552 conservation measures implemented during the preceding twelve
553 months in state-owned and leased buildings which have not had such
554 audits, (4) analyze the availability and allocation of funds to
555 implement the measures recommended under subdivision (2) of this
556 subsection, (5) list each budgeted agency, as defined in section 4-69,
557 which occupies a state-owned or leased building and has not
558 cooperated with the Commissioner of Administrative Services and the
559 Commissioner of Energy and Environmental Protection in conducting
560 energy and technical assistance audits of such building and
561 implementing operational and maintenance improvements
562 recommended by such audits and any other energy conservation
563 measures required for such building by the Commissioner of Energy
564 and Environmental Protection, in consultation with the Secretary of the
565 Office of Policy and Management, (6) summarize all life-cycle cost

566 analyses [prepared under section 16a-38] during the preceding twelve
567 months, and summarize agency compliance with the life-cycle cost
568 analyses, and (7) identify any state laws, regulations or procedures that
569 impede innovative energy conservation and load management projects
570 in state buildings. Any such report may be submitted electronically.

571 Sec. 15. Subsection (b) of section 16a-38a of the general statutes is
572 repealed and the following is substituted in lieu thereof (*Effective July*
573 *1, 2016*):

574 (b) (1) The Commissioner of Administrative Services shall review
575 and evaluate the energy audits completed in accordance with this
576 section and shall, within six months, recommend to the Commissioner
577 of Energy and Environmental Protection buildings for cost effective
578 retrofit measures to enable such buildings to attain [the] any applicable
579 energy performance standards. [established under subdivision (1) of
580 subsection (b) of section 16a-38.] (2) It shall be a goal that beginning
581 not later than July 1, 1982, work to retrofit at least twenty per cent of
582 the total floor area of existing state-owned buildings for energy
583 conservation shall be commenced in each fiscal year. Where technically
584 feasible, renewable sources of energy shall be used for space heating
585 and cooling, domestic hot water and other applications. (3) It shall be a
586 goal that not later than June 30, 1991, all state-owned buildings be the
587 subject of such energy conservation and renewable energy retrofit
588 measures as will enable them to meet [the] any applicable energy
589 performance standards. [established in accordance with subdivision (1)
590 of subsection (b) of section 16a-38.]

591 Sec. 16. Section 16a-38b of the general statutes is repealed and the
592 following is substituted in lieu thereof (*Effective July 1, 2016*):

593 The Commissioner of Administrative Services and the
594 Commissioner of Energy and Environmental Protection shall take such
595 actions as may be necessary or appropriate to enable all state facilities
596 to meet [the] any applicable energy performance standards.

597 [established in accordance with subdivision (1) of subsection (b) of
598 section 16a-38.]

599 Sec. 17. Subsection (b) of section 16a-38h of the general statutes is
600 repealed and the following is substituted in lieu thereof (*Effective July*
601 *1, 2016*):

602 (b) In selecting buildings to lease for state use, the Commissioner of
603 Administrative Services shall give preference to buildings which meet
604 any applicable energy performance standards, [established in
605 accordance with subdivision (1) of subsection (b) of section 16a-38,]
606 including buildings which use solar heating and cooling equipment or
607 other renewable energy sources and which otherwise minimize life-
608 cycle costs.

609 Sec. 18. Subsection (a) of section 16a-38i of the general statutes is
610 repealed and the following is substituted in lieu thereof (*Effective July*
611 *1, 2016*):

612 (a) The energy performance standards established by the
613 Commissioner of Administrative Services and the Commissioner of
614 Energy and Environmental Protection [pursuant to section 16a-38]
615 shall require that the Commissioner of Administrative Services, in
616 consultation with the Commissioner of Energy and Environmental
617 Protection, establish a process for calculating annually, from currently
618 available data, the average energy use per square foot in state
619 buildings.

620 Sec. 19. Section 16a-38j of the general statutes is repealed and the
621 following is substituted in lieu thereof (*Effective July 1, 2016*):

622 The Department of Administrative Services, in consultation with the
623 Commissioner of Energy and Environmental Protection, shall adopt
624 regulations, in accordance with the provisions of chapter 54,
625 establishing criteria to be used by each state agency in selecting
626 equipment for use in state buildings. Such criteria shall include a

627 life-cycle cost analysis. Such criteria for equipment for which energy
628 performance standards have been established [pursuant to subsection
629 (j) of section 16a-38] shall include such energy performance standards.

630 Sec. 20. Subsection (b) of section 17b-801 of the general statutes is
631 repealed and the following is substituted in lieu thereof (*Effective from*
632 *passage*):

633 (b) The commissioner shall administer a state-appropriated
634 weatherization assistance program to provide, within available
635 appropriations, weatherization assistance in accordance with the
636 provisions of the state plan implementing the weatherization
637 assistance block grant program authorized by the federal Low-Income
638 Home Energy Assistance Act of 1981, and programs of fuel assistance
639 and weatherization assistance with funds authorized by the federal
640 Low-Income Home Energy Assistance Act of 1981 [and by the U.S.
641 Department of Energy in accordance with 10 CFR Part 440
642 promulgated under Title IV of the Energy Conservation and
643 Production Act, as amended,] and oil settlement funds in accordance
644 with subsections (b) and (c) of section 4-28. The commissioner shall
645 adopt regulations, in accordance with the provisions of chapter 54, (1)
646 establishing priorities for determining which households shall receive
647 such weatherization assistance, (2) requiring that the only criterion for
648 determining which energy conservation measures shall be
649 implemented pursuant to this subsection in any such dwelling unit
650 shall be the simple payback calculated for each energy conservation
651 measure recommended in the energy audit conducted for such unit, (3)
652 establishing the maximum allowable payback period for such energy
653 conservation measures, and (4) establishing conditions for the waiver
654 of the provisions of subdivisions (1) to (3), inclusive, of this subsection
655 in the event of emergencies. The programs provided for under this
656 subsection shall include a program of fuel and weatherization
657 assistance for emergency shelters for homeless individuals and victims
658 of domestic violence. The commissioner may adopt regulations, in
659 accordance with the provisions of chapter 54, to implement and

660 administer the program of fuel and weatherization assistance for
 661 emergency shelters.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	4a-57(e)(2)
Sec. 2	<i>from passage</i>	16-243p(a)
Sec. 3	<i>from passage</i>	PA 15-113, Sec. 1(c)
Sec. 4	<i>from passage</i>	16a-14e
Sec. 5	<i>from passage</i>	16a-37x(a)(2)
Sec. 6	<i>July 1, 2016</i>	16a-38
Sec. 7	<i>July 1, 2016</i>	4a-56
Sec. 8	<i>July 1, 2016</i>	4a-67c
Sec. 9	<i>July 1, 2016</i>	4b-23(a)
Sec. 10	<i>July 1, 2016</i>	4b-23(e)
Sec. 11	<i>July 1, 2016</i>	4b-23(m)
Sec. 12	<i>July 1, 2016</i>	10-284(a)
Sec. 13	<i>July 1, 2016</i>	16a-37u(a)
Sec. 14	<i>July 1, 2016</i>	16a-37u(e)
Sec. 15	<i>July 1, 2016</i>	16a-38a(b)
Sec. 16	<i>July 1, 2016</i>	16a-38b
Sec. 17	<i>July 1, 2016</i>	16a-38h(b)
Sec. 18	<i>July 1, 2016</i>	16a-38i(a)
Sec. 19	<i>July 1, 2016</i>	16a-38j
Sec. 20	<i>from passage</i>	17b-801(b)

Statement of Purpose:

To (1) allow an electric distribution company to recover costs associated with the shared clean energy facilities pilot program, (2) make changes regarding contracting in connection with the purchasing pool for electricity, (3) make changes to the requirements for energy performance standards and life-cycle cost analyses, (4) remove the federal weatherization program from the purview of the Department of Social Services, and (5) make other conforming and technical changes.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]