

**Proposed Substitute  
Bill No. 334**

LCO No. 3216

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2 general statutes is repealed and the following is substituted in lieu  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 Section 16a-14e of the general statutes is repealed and the  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

12 [(a)] The Department of Energy and Environmental Protection shall  
13 operate a purchasing pool for the purchase of electricity for state  
14 operations, [and the operations of any municipality in the state that  
15 elects to participate in such purchasing pool. In connection with the  
16 operation of such purchasing pool, the Commissioner of Energy and  
17 Environmental Protection may solicit proposals from electric suppliers

18 and as authorized pursuant to subsection (e) of this section, on behalf  
19 of any state agency, municipality or institution of higher education for  
20 electric generation services to purchase electricity for state and  
21 municipal operations and to meet the state's energy policy goals, as  
22 established in the comprehensive energy strategy adopted by the  
23 commissioner.] Said department shall provide the opportunity to  
24 participate in such purchasing pool to each household that includes an  
25 individual who receives means-tested assistance administered by the  
26 state or federal government. Any such household shall receive through  
27 such purchasing pool the same benefits and rate discounts available  
28 for state facilities. The Department of Energy and Environmental  
29 Protection shall use federal and state energy assistance funds to  
30 leverage the lowest practicable electric rates for households  
31 participating in such pool, provided such funds shall not be used for  
32 administrative purposes. [The commissioner may make grants  
33 available to municipalities that join such pool and commit to achieving  
34 the state diversion, recycling and reuse goals in accordance with  
35 sections 22a-220 and 22a-241a and the state-wide solid waste  
36 management plan adopted and amended pursuant to section 22a-228.]  
37 The provisions of section 16-245 shall not apply to the Department of  
38 Energy and Environmental Protection for purposes of this section.

39 [(b) In connection with the operation of the purchasing pool  
40 described in subsection (a) of this section, on or before January 1, 2020,  
41 the Commissioner of Energy and Environmental Protection shall  
42 solicit, on behalf of state agencies and any municipality or institution  
43 of higher education that elects to participate in such purchasing pool,  
44 in one or more solicitations, proposals from retail electric suppliers and  
45 as authorized pursuant to subsection (e) of this section for electric  
46 supply, provided at least one solicitation occurs on or before January 1,  
47 2015. For any solicitation issued for a purchasing pool of three  
48 hundred seventy thousand megawatt hours per year or less, proposals  
49 submitted in response to such solicitation shall include not less than  
50 sixty per cent of electric generation supplied from Class II renewable  
51 energy sources, as defined in section 16-1, that originate from trash-to-  
52 energy facilities constructed on or before January 1, 2013, and that are

53 permitted pursuant to section 22a-208a. Selection criteria for such  
54 services shall include, but are not limited to: (1) The delivered price of  
55 such service, (2) the Class II renewable energy facility's practices in  
56 furtherance of the state's diversion, reduction, reuse and recycling  
57 goals that are consistent with sections 22a-220 and 22a-241a and the  
58 state-wide solid waste management plan adopted and amended  
59 pursuant to section 22a-228, (3) the degree to which a proposal  
60 includes a greater percentage of trash-to-energy in the fuel mix, and (4)  
61 the degree to which a proposal includes a greater number of trash-to-  
62 energy facilities. On or before January 1, 2020, the commissioner shall,  
63 through one or more solicitations, select the proposals that meet the  
64 requirements of this subsection to satisfy, for a total period of not less  
65 than five consecutive years, not less than three hundred seventy  
66 thousand megawatt hours per year of electric supply, provided such  
67 proposals include sixty per cent of electric generation supplied from  
68 Class II renewable energy sources, as described in this subsection, and  
69 otherwise meet the requirements of this subsection. Any proposals for  
70 such electric supply service selected by the commissioner shall be for a  
71 period of not more than five years and at a price not higher than one-  
72 half cent per kilowatt hour above the price for standard generation  
73 service at the time any such solicitation is issued. In the event that no  
74 proposals include sixty per cent or more of electric generation supplied  
75 from Class II renewable energy sources, as defined in section 16-1, that  
76 originate from trash-to-energy facilities constructed on or before  
77 January 1, 2013, and that are permitted pursuant to section 22a-208a,  
78 the commissioner may select the proposal or proposals with the  
79 highest percentage of electric generation supplied from such Class II  
80 renewable energy sources, provided the price does not exceed one-half  
81 cent per kilowatt hour above the price for standard generation service  
82 at the time any such solicitation is issued.

83 (c) In the event that the pool authorized pursuant to subsection (a)  
84 of this section exceeds three hundred seventy thousand megawatt  
85 hours per year of electric supply, the commissioner may select an  
86 amount using the selection criteria contained in subsection (b) of this  
87 section, provided the requirement contained in subsection (b) of this

88 section for sixty per cent of such electric generation supplied from  
89 Class II renewable energy sources shall not apply to any such amount  
90 of such pool that exceeds three hundred seventy thousand megawatt  
91 hours per year.

92 (d) For the purposes of subdivisions (17) and (18) of subsection (b)  
93 of section 7-233e, the purchasing pool described in subsection (a) of  
94 this section and any energy improvement district described in section  
95 32-80a shall be deemed to be included in the entities that constitute  
96 electric power entities.

97 (e) Notwithstanding the provisions of subsection (g) of section 16-  
98 245c, a municipal electric energy cooperative is authorized to and may  
99 provide and supply electric generation services to those entities that  
100 constitute electric power entities, as described in subsection (d) of this  
101 section, provided any such cooperative shall comply with the  
102 renewable energy procurement requirements of sections 16-243q and  
103 16-245a with respect to the electric generation services supplied to such  
104 entities, and further provided all costs directly associated with seeking  
105 to provide or providing such electric generation services, and all costs  
106 otherwise reasonably allocable to seeking to provide or providing such  
107 electric generation services, are excluded from the costs that such  
108 electric energy cooperative charges any other electric energy  
109 cooperative participant. Any such cooperative shall not be subject to  
110 the provisions of section 16-245.]

111 Sec. 3. Subdivision (2) of subsection (a) of section 16a-37x of the  
112 general statutes is repealed and the following is substituted in lieu  
113 thereof (*Effective from passage*):

114 (2) "Cost effective" means the savings resulting from [an] energy-  
115 savings [measure] measures outweigh the costs of such [measure]  
116 measures, including, but not limited to, any financing costs, provided  
117 the payback period for any financing provided pursuant to this section  
118 is less than the functional life of the proposed energy-savings measure  
119 and the payback period for the comprehensive package of measures  
120 does not exceed [fifteen] twenty years.

121 Sec. 4. Section 16a-38 of the general statutes is repealed and the  
122 following is substituted in lieu thereof (*Effective July 1, 2016*):

123 (a) As used in this section, subsection (e) of section 4b-23, as  
124 amended by this act, sections 16a-38a, as amended by this act, and 16a-  
125 38b, as amended by this act, unless the context otherwise requires: (1)  
126 "Major capital project" means the construction or renovation of a major  
127 facility; (2) "major facility" means any building owned by the state or  
128 constructed or renovated wholly or partly with state funds, including a  
129 state-financed housing project, which is used or intended to be used as  
130 a school or which has ten thousand or more gross square feet, or any  
131 other building so owned, constructed or renovated which is  
132 designated a major facility by the Commissioner of Administrative  
133 Services; (3) "renovation" means additions, alterations or repairs to a  
134 major facility which the Commissioner of Administrative Services  
135 finds will have a substantial effect upon the energy consumption of the  
136 facility; (4) "life-cycle cost" means the cost, as determined by the  
137 methodology identified in the National Institute of Standards and  
138 Technology's special publication 544 and interagency report 80-2040,  
139 available as set forth in the Code of Federal Regulations, Title 15, Part  
140 230, of a major facility including the initial cost of its construction or  
141 renovation, the marginal cost of future energy capacity, the cost of the  
142 energy consumed by the facility over its expected useful life or, in the  
143 case of a leased facility, over the remaining term of the lease, and the  
144 cost of operating and maintaining the facility as such cost affects  
145 energy consumption; (5) "energy performance standard" means a rate  
146 of energy consumption which is the minimum practically achievable,  
147 on a life-cycle cost basis, by adjusting maintenance or operating  
148 procedures, modifying a building's equipment or structure and  
149 utilizing renewable sources of energy; (6) "energy audit" means an  
150 evaluation of, recommendations for and improvements of the energy  
151 consumption characteristics of all passive, active and operational  
152 energy systems and components by demand and type of energy used  
153 including the internal energy load imposed on a building by its  
154 occupants, equipment and components, and the external energy load  
155 imposed on a building by the climatic conditions at its location; (7)

156 "renewable sources of energy" means energy from direct solar  
157 radiation, wind, water, geothermal sources, wood and other forms of  
158 biomass; (8) "cost effective" means that savings exceed cost over a ten-  
159 year period; (9) "state agency" means any department, board,  
160 commission, institution, or other agency of this state; and (10) "covered  
161 products" means the consumer products set forth as covered products  
162 in the Energy Policy and Conservation Act, 42 USC 6292.

163 [(b) (1) Except as provided in subsection (f) of this section, the  
164 Commissioner of Administrative Services and the Commissioner of  
165 Energy and Environmental Protection shall jointly establish and  
166 publish standards for life-cycle cost analyses required by this section  
167 for buildings owned or leased by the state. Such life-cycle cost analyses  
168 for buildings shall provide, but shall not be limited to, information on  
169 the estimated initial cost of each energy-consuming system being  
170 compared and evaluated, annual operating and maintenance costs of  
171 all energy-consuming systems over the useful life of the building, cost  
172 of energy, salvage value and the estimated replacement cost for each  
173 energy-consuming system or component expressed in annual terms for  
174 the useful life of the building.

175 (2) Except as provided in subsection (f) of this section, the  
176 Commissioner of Administrative Services and the Commissioner of  
177 Energy and Environmental Protection may jointly establish and  
178 publish standards for life-cycle cost analyses required by this section  
179 for equipment and appliances owned or leased by the state which are  
180 not covered products, and for such equipment and appliances which  
181 are covered products. In establishing such standards, the  
182 commissioners shall consider the criteria set forth in subsection (j) of  
183 this section.

184 (c) No state agency shall obtain preliminary design approval for a  
185 major capital project unless the Commissioner of Administrative  
186 Services makes a written determination that the design is cost effective  
187 on a life-cycle cost basis. To make such a determination, the  
188 commissioner (1) shall require documentation that the design meets or

189 exceeds the standards set forth in the National Bureau of Standards  
190 Handbook 135, or subsequent corresponding handbook of the United  
191 States Department of Commerce and the State Building Code, and (2)  
192 may require additional documentation, including, but not limited to, a  
193 life-cycle cost analysis that complies with the standards established  
194 pursuant to subdivision (1) of subsection (b) of this section.

195 (d) All design proposals for major capital projects shall include at  
196 least two differing energy systems for space heating, cooling and hot  
197 water to supplement the passive features designed into the building.  
198 Such proposals may include computer or other analytical modeling or  
199 simulation but shall not be construed to require the development of  
200 architectural or mechanical design plans for each such system. All cost  
201 evaluations of the competing energy systems shall be based on life-  
202 cycle costs. A life-cycle cost analysis for each competing energy system  
203 determined by the Commissioner of Administrative Services to meet  
204 the standards of subsection (b) of this section shall be included as part  
205 of the design proposal for all projects. No major capital project shall be  
206 approved by the Commissioner of Administrative Services or by the  
207 State Properties Review Board pursuant to section 4b-23, after June 30,  
208 1980, unless the proposed project achieves to the maximum extent  
209 practicable the energy performance standards established in  
210 accordance with subsection (b) or (g) of this section.

211 (e) All applications for state funding of major capital projects shall  
212 be accompanied by a life-cycle cost analysis which the Commissioner  
213 of Administrative Services has determined complies with the  
214 standards established pursuant to subsection (b) of this section. The  
215 Commissioner of Administrative Services or the Commissioner of  
216 Energy and Environmental Protection may require such a life-cycle  
217 cost analysis for projects other than major capital projects.]

218 [(f)] (b) The Commissioner of Economic and Community  
219 Development and the Commissioner of Energy and Environmental  
220 Protection shall jointly establish and publish energy performance  
221 standards for buildings constructed as part of state-owned and state-

222 financed housing projects and establish standards for life-cycle cost  
223 analyses for such projects. In establishing such standards, the  
224 commissioners shall consider (1) the coordination, positioning and  
225 solar orientation of the project on its situs, (2) the amount of glazing,  
226 degree of sun shading and direction of exposure, (3) the levels of  
227 insulation incorporated into the design, (4) the variable occupancy and  
228 operating conditions of the facility, (5) all architectural features which  
229 affect energy consumption, and (6) the design and location of all  
230 heating, cooling, hot water and electrical systems.

231 [(g)] (c) [Notwithstanding any provision in this section concerning  
232 the review of life-cycle cost analyses by the Commissioner of  
233 Administrative Services, a] A life-cycle cost analysis of a major capital  
234 project prepared for the Department of Housing shall be reviewed by  
235 the Commissioner of Economic and Community Development and the  
236 Commissioner of Energy and Environmental Protection to determine if  
237 such analysis is in compliance with the life-cycle cost analyses  
238 standards established for such project under subsection [(f)] (b) of this  
239 section.

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

243 [(i) Except as provided in subsection (f) of this section, the  
244 Commissioner of Administrative Services and the Commissioner of  
245 Energy and Environmental Protection shall jointly establish and  
246 publish energy performance standards for existing and new buildings  
247 owned or leased by the state. Such standards shall require maximum  
248 efficiency in energy use in all such buildings and maximum practicable  
249 use of renewable sources of energy in all such buildings. In  
250 establishing such standards, the commissioners shall consider (1) the  
251 coordination, positioning and solar orientation of the project on its  
252 situs, (2) the amount of glazing, degree of sun shading and direction of  
253 exposure, (3) the levels of insulation incorporated into the design, (4)  
254 the variable occupancy and operating conditions of the facility, (5) all

255 architectural features which affect energy consumption, and (6) the  
256 design and location of all heating, cooling, hot water and electrical  
257 systems.

258 (j) Except as provided in subsection (f) of this section, the  
259 Commissioner of Administrative Services and the Commissioner of  
260 Energy and Environmental Protection may jointly establish and  
261 publish energy performance standards for equipment and appliances  
262 owned or leased by the state which are not covered products, and for  
263 such equipment and appliances which are covered products. Any such  
264 standards shall require maximum energy efficiency for all such  
265 equipment and appliances and, for equipment and appliances owned  
266 or leased by the state which are covered products, shall be more  
267 stringent than the corresponding federal energy conservation  
268 standards set forth in the Energy Policy and Conservation Act, 42 USC  
269 6295, or federal regulations adopted thereunder. In establishing such  
270 standards, the commissioners shall consider, without limitation, (1) the  
271 initial cost of the equipment or appliance, (2) the projected useful  
272 lifetime of the equipment or appliance, (3) the projected cost of the  
273 energy that the equipment or appliance will consume over its  
274 projected useful lifetime, (4) the estimated operating costs for  
275 maintenance and repair, over the projected useful lifetime of the  
276 equipment or appliance, and (5) the positive or negative salvage value  
277 of the equipment or appliance upon disposal at the conclusion of its  
278 projected useful lifetime.

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

285 Sec. 5. Section 4a-56 of the general statutes is repealed and the  
286 following is substituted in lieu thereof (*Effective July 1, 2016*):

287 The Commissioner of Administrative Services or his designee may

288 classify the requirements of the state government for supplies,  
289 materials and equipment which may be purchased by the state and  
290 may adopt as standards the minimum number of qualities, sizes and  
291 varieties of such supplies, materials and equipment consistent with the  
292 successful operation of the state government. If the commissioner  
293 adopts any such standards, the commissioner shall prepare, adopt and  
294 promulgate written specifications describing such standards, provided  
295 specifications shall not be required for any supplies, materials or  
296 equipment for which the commissioner determines that the cost of  
297 preparing specifications would outweigh the benefits. In the  
298 preparation and revision of any such standard specification, the  
299 commissioner or his designee may seek the advice, assistance and  
300 cooperation of the state agencies concerned in order to ascertain their  
301 precise requirements. Each specification adopted for any commodity  
302 shall satisfy the requirements of the state departments, agencies and  
303 institutions which are to make use of the same, unless the  
304 commissioner approves a waiver of the specification and states the  
305 reason for the waiver in writing. In developing specifications for the  
306 purchase of motor vehicles, the commissioner or his designee shall  
307 consider motor vehicles using alternative fuels. The commissioner may  
308 adopt [the] energy performance standards, [established pursuant to  
309 subsection (j) of section 16a-38.]

310 Sec. 6. Section 4a-67c of the general statutes is repealed and the  
311 following is substituted in lieu thereof (*Effective July 1, 2016*):

312 The Department of Administrative Services and each other  
313 budgeted agency, as defined in section 4-69, exercising procurement  
314 authority shall procure equipment and appliances for state use that  
315 meet or exceed the federal energy conservation standards set forth in  
316 the Energy Policy and Conservation Act, 42 USC 6295, any federal  
317 regulations adopted thereunder, any applicable energy performance  
318 standards [established in accordance with subsection (j) of section 16a-  
319 38] and meet or exceed the federal Energy Star standards. Purchases of  
320 equipment and appliances for which energy performance standards  
321 have been established [pursuant to subsection (j) of section 16a-38]

322 shall be (1) made from among those specific models of equipment and  
323 appliances which meet such standards, and (2) based, when possible,  
324 on competitive bids. Such bids shall be evaluated on the basis of the  
325 life-cycle cost standards, if any. [, established pursuant to subsection  
326 (b) of section 16a-38.]

327 Sec. 7. Subsection (a) of section 4b-23 of the general statutes is  
328 repealed and the following is substituted in lieu thereof (*Effective July*  
329 *1, 2016*):

330 (a) As used in this section, "facility" means buildings and real  
331 property owned or leased by the state. The Secretary of the Office of  
332 Policy and Management shall establish guidelines which further define  
333 such term. All agencies and departments of the state shall notify the  
334 Secretary of the Office of Policy and Management of their facility needs  
335 including, but not limited to, the types of such facilities and the  
336 municipalities or general location for the facilities. Each agency and  
337 department shall continue long-range planning for facility needs,  
338 establish a plan for its long-range facility needs and submit such plan  
339 and related facility project requests to the Secretary of the Office of  
340 Policy and Management, and a copy thereof to the Commissioner of  
341 Administrative Services, on or before September first of each even-  
342 numbered year. Each such request shall be accompanied by a capital  
343 development impact statement, as required by section 4-66b, and a  
344 colocation statement, as required by section 4b-31, if the secretary so  
345 requires. Each agency and department shall base its long-term  
346 planning for facility needs on a program plan. The secretary shall  
347 establish a content guide and schedule for such plans. Each agency and  
348 department shall prepare its program plan in accordance with such  
349 guide and file it with the secretary pursuant to such schedule. Facility  
350 plans shall include, but not be limited to: Identification of (1) long-term  
351 and short-term facility needs, (2) opportunities for the substitution of  
352 state-owned space for leased space, (3) facilities proposed for  
353 demolition or abandonment which have potential for other uses, (4)  
354 space modifications or relocations that could result in cost or energy  
355 savings, and (5) facilities known to be brownfields. Each agency or

356 department program plan and facility plan and its facility project  
357 requests shall cover a period of at least five years. The secretary shall  
358 provide agencies and departments with instructions for preparing  
359 program plans, long-term facility plans and facility project requests  
360 and shall provide appropriate programmatic planning assistance. The  
361 Commissioner of Administrative Services shall assist agencies and  
362 departments with long-term facilities planning and the preparation of  
363 cost estimates for such plans and requests. The Secretary of the Office  
364 of Policy and Management shall review such plans and prepare an  
365 integrated state facility plan which meets the aggregate facility needs  
366 of the state. The secretary shall review the cost effective retrofit  
367 measures recommended to the secretary by the Commissioner of  
368 Administrative Services [under subsection (b) of section 16a-38a,] and  
369 include in the plan those measures which would best attain [the] any  
370 applicable energy performance standards. [established under  
371 subdivision (1) of subsection (b) of section 16a-38.]

372 Sec. 8. Subsection (e) of section 4b-23 of the general statutes is  
373 repealed and the following is substituted in lieu thereof (*Effective July*  
374 *1, 2016*):

375 (e) Implementation of the state facility plan shall be the  
376 responsibility of the Commissioner of Administrative Services who  
377 shall conduct a study of each proposed facility in the plan to  
378 determine: (1) The method of choice for satisfying each such facility  
379 need, (2) the geographical areas best suited to such need, (3) the  
380 feasibility and cost of such acquisition using a life-cycle cost analysis,  
381 [as established by subdivision (2) of subsection (b) of section 16a-38,]  
382 (4) the degree to which the plan promotes the goals addressed in  
383 subsection (e) of section 4b-31, and (5) any other relevant factors. Said  
384 commissioner shall review and approve each facility plan  
385 implementation action and shall submit to the Properties Review  
386 Board a list of each such action approved and the method and plan by  
387 which it shall be accomplished. Said commissioner shall endeavor to  
388 locate human services agencies in the same buildings as municipal and  
389 private agencies that provide human services. The results of said

390 commissioner's study along with all supportive materials shall be  
391 immediately sent to the Properties Review Board. The board shall meet  
392 to review the decision of the commissioner and may request the  
393 commissioner or any member of the commissioner's department, and  
394 the head of the requesting agency or any of his or her employees to  
395 appear for the purpose of supplying pertinent information. Said board  
396 shall call a meeting not later than two weeks after the receipt of the  
397 commissioner's decision, and may meet as often as necessary, to  
398 review said decision. The board, not later than ninety days after the  
399 receipt of the decision of the Commissioner of Administrative Services,  
400 shall either accept, reject or request modification of such decision,  
401 except that when more time is required, the board may have a ninety-  
402 day extension of time, provided the board shall advise the  
403 Commissioner of Administrative Services in writing as to the reasons  
404 for such extension of time. If such decision is disapproved by the  
405 board, it shall so inform the commissioner along with its reasons  
406 therefor, and the commissioner shall inform the head of the requesting  
407 agency and the Secretary of the Office of Policy and Management that  
408 its request has been rejected. If such decision is approved by the board  
409 it shall inform the commissioner of such approval and the  
410 commissioner shall immediately communicate his decision to the head  
411 or acting head of such governmental unit and to the Secretary of the  
412 Office of Policy and Management and shall set forth the procedures to  
413 be taken to accomplish the results of such decision. The decision to  
414 make public such decision shall rest solely with the Commissioner of  
415 Administrative Services both as to time and manner of disclosure, but  
416 in no event shall such period exceed one year. The commissioner shall,  
417 when he or she deems it to be in the public interest, authorize the  
418 disclosure of such information; however, in the absence of such  
419 authorization, any unauthorized disclosure shall be subject to the  
420 criminal provisions of section 4b-27. All decisions made by the  
421 commissioner under the provisions of this section shall require review  
422 by the board. Except as otherwise hereinafter provided, the approval  
423 or disapproval of the Properties Review Board shall be binding on the  
424 commissioner and the requesting agency with regard to the acquisition

425 of any real estate by lease or otherwise, notwithstanding any other  
426 statute or special act to the contrary. A majority vote of the board shall  
427 be required to accept or reject a decision of the commissioner.

428 Sec. 9. Subsection (m) of section 4b-23 of the general statutes is  
429 repealed and the following is substituted in lieu thereof (*Effective July*  
430 *1, 2016*):

431 (m) (1) Plans to construct, renovate or modify state-owned or  
432 occupied buildings shall provide for a portion of the total planned  
433 floor area of newly constructed state buildings or buildings  
434 constructed specifically for use by the state to be served by renewable  
435 sources of energy, including solar, wind, water and biomass sources,  
436 for use in space heating and cooling, domestic hot water and other  
437 applications. For the plan due December 1, 1979, the portion to be  
438 served by renewable energy sources shall be not less than five per cent  
439 of total planned new floor area. For each succeeding state facilities  
440 plan submitted after December 1, 1979, the portion of the total planned  
441 floor area of any additional newly constructed state buildings or  
442 buildings constructed specifically for use by the state to be served by  
443 renewable energy sources shall be increased by at least five per cent  
444 per year until a goal of fifty per cent of total planned floor area of any  
445 additional newly constructed state buildings or buildings constructed  
446 specifically for use by the state is reached. For any facility served by  
447 renewable energy sources in accordance with this subsection, not less  
448 than thirty per cent of the total energy requirements of any specific  
449 energy application, including, but not limited to, space heating or  
450 cooling and providing domestic hot water, shall be provided by  
451 renewable energy sources. The installation in newly constructed state  
452 buildings or buildings constructed specifically for use by the state of  
453 systems using renewable energy sources in accordance with this  
454 subsection, shall be subject to [the] a life-cycle cost analysis. [provided  
455 for in section 16a-38.] (2) The state shall fulfill the obligations imposed  
456 by subdivision (1) of this subsection unless such action would cause an  
457 undue economic hardship to the state.

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

461 (a) The Commissioner of Administrative Services shall have  
462 authority to receive and review applications for state grants under this  
463 chapter, and to approve any such application, or to disapprove any  
464 such application if (1) it does not comply with the requirements of the  
465 State Fire Marshal or the Department of Public Health, (2) it is not  
466 accompanied by a life-cycle cost analysis approved by the  
467 Commissioner of Administrative Services, [pursuant to section 16a-38,]  
468 (3) it does not comply with the provisions of sections 10-290d and 10-  
469 291, (4) it does not meet (A) the standards or requirements established  
470 in regulations adopted in accordance with section 10-287c, or (B)  
471 school building categorization requirements described in section 10-  
472 283, (5) the estimated construction cost exceeds the per square foot cost  
473 for schools established in regulations adopted by the Commissioner of  
474 Administrative Services for the county in which the project is proposed  
475 to be located, (6) on and after July 1, 2014, the application does not  
476 comply with the school safety infrastructure criteria developed by the  
477 School Safety Infrastructure Council, pursuant to section 10-292r,  
478 except the Commissioner of Administrative Services may waive any of  
479 the provisions of the school safety infrastructure criteria if the  
480 commissioner determines that the application demonstrates that the  
481 applicant has made a good faith effort to address such criteria and that  
482 compliance with such criteria would be infeasible, unreasonable or  
483 excessively expensive, or (7) the Commissioner of Education  
484 determines that the proposed educational specifications for or theme  
485 of the project for which the applicant requests a state grant duplicates a  
486 program offered by a technical high school or an interdistrict magnet  
487 school in the same region.

488 Sec. 11. Subsection (a) of section 16a-37u of the general statutes is  
489 repealed and the following is substituted in lieu thereof (*Effective July*  
490 *1, 2016*):

491 (a) The Commissioner of Energy and Environmental Protection  
492 shall be responsible for planning and managing energy use in state-  
493 owned and leased buildings and shall establish a program to maximize  
494 the efficiency with which energy is utilized in such buildings. The  
495 commissioner shall exercise this authority by (1) preparing and  
496 implementing annual and long-range plans, with timetables,  
497 establishing goals for reducing state energy consumption and, based  
498 on energy audits, specific objectives for state agencies to meet [the] any  
499 applicable performance standards; [adopted under section 16a-38;] (2)  
500 coordinating federal and state energy conservation resources and  
501 activities, including but not limited to, those required to be performed  
502 by other state agencies under this chapter; and (3) monitoring energy  
503 use and costs by budgeted state agencies on a monthly basis.

504 Sec. 12. Subsection (e) of section 16a-37u of the general statutes is  
505 repealed and the following is substituted in lieu thereof (*Effective July*  
506 *1, 2016*):

507 (e) Not later than January fifth, annually, the commissioner shall  
508 submit a report to the Governor and the joint standing committee of  
509 the General Assembly having cognizance of matters relating to energy  
510 planning and activities. The report shall (1) indicate the total number  
511 of energy audits and technical assistance audits of state-owned and  
512 leased buildings, (2) summarize the status of the energy conservation  
513 measures recommended by such audits, (3) summarize all energy  
514 conservation measures implemented during the preceding twelve  
515 months in state-owned and leased buildings which have not had such  
516 audits, (4) analyze the availability and allocation of funds to  
517 implement the measures recommended under subdivision (2) of this  
518 subsection, (5) list each budgeted agency, as defined in section 4-69,  
519 which occupies a state-owned or leased building and has not  
520 cooperated with the Commissioner of Administrative Services and the  
521 Commissioner of Energy and Environmental Protection in conducting  
522 energy and technical assistance audits of such building and  
523 implementing operational and maintenance improvements  
524 recommended by such audits and any other energy conservation

525 measures required for such building by the Commissioner of Energy  
526 and Environmental Protection, in consultation with the Secretary of the  
527 Office of Policy and Management, (6) summarize all life-cycle cost  
528 analyses [prepared under section 16a-38] during the preceding twelve  
529 months, and summarize agency compliance with the life-cycle cost  
530 analyses, and (7) identify any state laws, regulations or procedures that  
531 impede innovative energy conservation and load management projects  
532 in state buildings. Any such report may be submitted electronically.

533 Sec. 13. Subsection (b) of section 16a-38a of the general statutes is  
534 repealed and the following is substituted in lieu thereof (*Effective July*  
535 *1, 2016*):

536 (b) (1) The Commissioner of Administrative Services shall review  
537 and evaluate the energy audits completed in accordance with this  
538 section and shall, within six months, recommend to the Commissioner  
539 of Energy and Environmental Protection buildings for cost effective  
540 retrofit measures to enable such buildings to attain [the] any applicable  
541 energy performance standards. [established under subdivision (1) of  
542 subsection (b) of section 16a-38.] (2) It shall be a goal that beginning  
543 not later than July 1, 1982, work to retrofit at least twenty per cent of  
544 the total floor area of existing state-owned buildings for energy  
545 conservation shall be commenced in each fiscal year. Where technically  
546 feasible, renewable sources of energy shall be used for space heating  
547 and cooling, domestic hot water and other applications. (3) It shall be a  
548 goal that not later than June 30, 1991, all state-owned buildings be the  
549 subject of such energy conservation and renewable energy retrofit  
550 measures as will enable them to meet [the] any applicable energy  
551 performance standards. [established in accordance with subdivision (1)  
552 of subsection (b) of section 16a-38.]

553 Sec. 14. Section 16a-38b of the general statutes is repealed and the  
554 following is substituted in lieu thereof (*Effective July 1, 2016*):

555 The Commissioner of Administrative Services and the  
556 Commissioner of Energy and Environmental Protection shall take such  
557 actions as may be necessary or appropriate to enable all state facilities

558 to meet [the] any applicable energy performance standards,  
559 [established in accordance with subdivision (1) of subsection (b) of  
560 section 16a-38.]

561 Sec. 15. Subsection (b) of section 16a-38h of the general statutes is  
562 repealed and the following is substituted in lieu thereof (*Effective July*  
563 *1, 2016*):

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

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

574 (a) The energy performance standards established by the  
575 Commissioner of Administrative Services and the Commissioner of  
576 Energy and Environmental Protection [pursuant to section 16a-38]  
577 shall require that the Commissioner of Administrative Services, in  
578 consultation with the Commissioner of Energy and Environmental  
579 Protection, establish a process for calculating annually, from currently  
580 available data, the average energy use per square foot in state  
581 buildings.

582 Sec. 17. Section 16a-38j of the general statutes is repealed and the  
583 following is substituted in lieu thereof (*Effective July 1, 2016*):

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

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

592 Sec. 18. Subsection (b) of section 17b-801 of the general statutes is  
593 repealed and the following is substituted in lieu thereof (*Effective from*  
594 *passage*):

595 (b) The commissioner shall administer a state-appropriated  
596 weatherization assistance program to provide, within available  
597 appropriations, weatherization assistance in accordance with the  
598 provisions of the state plan implementing the weatherization  
599 assistance block grant program authorized by the federal Low-Income  
600 Home Energy Assistance Act of 1981, and programs of fuel assistance  
601 and weatherization assistance with funds authorized by the federal  
602 Low-Income Home Energy Assistance Act of 1981 [and by the U.S.  
603 Department of Energy in accordance with 10 CFR Part 440  
604 promulgated under Title IV of the Energy Conservation and  
605 Production Act, as amended,] and oil settlement funds in accordance  
606 with subsections (b) and (c) of section 4-28. The commissioner shall  
607 adopt regulations, in accordance with the provisions of chapter 54, (1)  
608 establishing priorities for determining which households shall receive  
609 such weatherization assistance, (2) requiring that the only criterion for  
610 determining which energy conservation measures shall be  
611 implemented pursuant to this subsection in any such dwelling unit  
612 shall be the simple payback calculated for each energy conservation  
613 measure recommended in the energy audit conducted for such unit, (3)  
614 establishing the maximum allowable payback period for such energy  
615 conservation measures, and (4) establishing conditions for the waiver  
616 of the provisions of subdivisions (1) to (3), inclusive, of this subsection  
617 in the event of emergencies. The programs provided for under this  
618 subsection shall include a program of fuel and weatherization  
619 assistance for emergency shelters for homeless individuals and victims  
620 of domestic violence. The commissioner may adopt regulations, in  
621 accordance with the provisions of chapter 54, to implement and  
622 administer the program of fuel and weatherization assistance for

623 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>	16a-14e
Sec. 3	<i>from passage</i>	16a-37x(a)(2)
Sec. 4	<i>July 1, 2016</i>	16a-38
Sec. 5	<i>July 1, 2016</i>	4a-56
Sec. 6	<i>July 1, 2016</i>	4a-67c
Sec. 7	<i>July 1, 2016</i>	4b-23(a)
Sec. 8	<i>July 1, 2016</i>	4b-23(e)
Sec. 9	<i>July 1, 2016</i>	4b-23(m)
Sec. 10	<i>July 1, 2016</i>	10-284(a)
Sec. 11	<i>July 1, 2016</i>	16a-37u(a)
Sec. 12	<i>July 1, 2016</i>	16a-37u(e)
Sec. 13	<i>July 1, 2016</i>	16a-38a(b)
Sec. 14	<i>July 1, 2016</i>	16a-38b
Sec. 15	<i>July 1, 2016</i>	16a-38h(b)
Sec. 16	<i>July 1, 2016</i>	16a-38i(a)
Sec. 17	<i>July 1, 2016</i>	16a-38j
Sec. 18	<i>from passage</i>	17b-801(b)