



AN ACT CONCERNING CARBON-FREE SCHOOL REQUIREMENTS FOR NEW SCHOOL CONSTRUCTION AND ESTABLISHING OTHER SCHOOL CONSTRUCTION AND PUBLIC HEALTH REQUIREMENTS FOR SCHOOL DISTRICTS.

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

1 Section 1. (NEW) (*Effective from passage*) (a) For the purposes of this
2 section:

3 (1) "Net-zero energy" means a public school building design that
4 maximizes such building's energy efficiency and on-site renewable
5 energy production in an effort to produce as much energy as such
6 building will use.

7 (2) "Class I renewable energy source" has the same meaning as
8 provided in section 16-1 of the general statutes.

9 (3) "Superintendent" means a superintendent, as described in
10 section 10-157 of the general statutes.

11 (4) "Workforce development program" means an apprenticeship
12 program that is registered with the United States Department of Labor
13 or a federally recognized state apprenticeship agency that actively
14 trains employees, has functioning training facilities and regularly
15 graduates apprentices to journeyman status who are placed in

16 employment or preapprenticeship training that enables students to
17 qualify for training in such an apprenticeship program.

18 (5) "Cost-effective" means improvements that generate savings
19 equal to or greater than the initial cost of such improvements over the
20 useful life of such improvements.

21 (6) "Solar power feasibility study" means a report that determines if
22 a proposed solar power system is cost-effective and that is created by a
23 qualified professional who estimates the costs, savings and greenhouse
24 gas emissions reductions for a solar power system designed for a
25 building's available rooftops, parking lots or other areas while
26 including a financial plan with sources and uses of funding, including
27 federal incentives.

28 (7) "Energy efficiency feasibility study" means a report created by a
29 qualified professional that estimates the costs, savings and greenhouse
30 gas emissions reductions for energy-efficiency improvements
31 identified by an energy audit and that includes a financial plan with
32 sources and uses of funding, including federal incentives.

33 (8) "Energy audit" means an inspection or survey of a building's
34 current energy systems and an analysis of current energy consumption
35 and production.

36 (9) "Improvements" means new solar power systems and energy
37 efficiency improvements as identified by a solar power feasibility
38 study and energy efficiency feasibility study.

39 (10) "Qualified professional" means a trained and certified energy
40 professional.

41 (11) "Journey person" means a person who has completed a trade
42 apprenticeship or is recognized or classified as a skilled person and
43 who possesses a valid journey person card or occupational license.

44 (12) "Project labor agreement" means an agreement that: (A) Binds

45 all contractors and subcontractors on the covered project to the project
46 labor agreement through the inclusion of specifications in all relevant
47 solicitation provisions and contract documents; (B) allows all
48 contractors and subcontractors to compete for contracts and
49 subcontracts on the project without regard to whether such contractors
50 or subcontractors are otherwise parties to collective bargaining
51 agreements; (C) establishes uniform terms and conditions of
52 employment for all construction labor employed on such projects; (D)
53 guarantees against strikes, lockouts and similar job disruptions; (E)
54 sets forth mutually binding procedures for resolving labor disputes
55 arising during the project labor agreement; (F) requires contractors to
56 partner with a preapprenticeship program; and (G) includes any other
57 provisions as negotiated by the parties to promote successful delivery
58 of the covered project.

59 (13) "Environmental justice community" has the same meaning as
60 provided in section 22a-20a of the general statutes.

61 (14) "Extension" and "replacement" have the same meanings as
62 provided in section 10-282 of the general statutes.

63 (b) On and after July 1, 2024, any new construction, replacement or
64 extension of a public school building shall be net-zero energy. The
65 Commissioner of Administrative Services shall require applications
66 submitted for such construction, replacement and extensions, on and
67 after July 1, 2023, for grants for such school construction projects under
68 section 10-283 of the general statutes to demonstrate how the project
69 will achieve net-zero energy to the greatest extent practicable.

70 (c) Each public school district shall commission a solar power
71 feasibility study for each building owned by the district and submit the
72 study results to the Connecticut Green Bank not later than July 1, 2024.

73 (d) If the proposed solar power system is determined to be cost-
74 effective, the superintendent shall secure the relevant permits and
75 contracts for such project not later than January 1, 2028. Any cost of

76 repairing, upgrading or replacing the building's roof may be included
77 in the determination of a solar power system's cost-effectiveness.

78 (e) Each superintendent shall prioritize projects under this section
79 by greenhouse gas emissions reductions and cost-effectiveness and
80 first undertake the project that offers the best combination of such
81 factors.

82 (f) If the solar power feasibility study determines that the solar
83 power system is not cost-effective due to the costs of repairing,
84 upgrading or replacing the building's roof, the superintendent shall
85 make a good faith effort to ensure that the next scheduled roof
86 replacement or major roof repair project for such building will allow
87 the roof to support a solar power system. When implementing such
88 roof replacements or major roof repair projects, the school district shall
89 determine whether the replacement or repair will allow the roof to
90 support a solar power system. Whenever the roof of such a building
91 can support a solar power system or major roof repair, the
92 superintendent shall cause a solar power system to be installed not
93 later than two years after the date of such determination.

94 (g) Any school district that undertakes improvements pursuant to
95 this section shall pay each construction employee employed for such
96 improvements wages and benefits that are not less than the prevailing
97 wage and fringe benefit rates prescribed in section 31-53 of the general
98 statutes for the corresponding classification in which such employee is
99 employed.

100 (h) Any energy cost savings generated pursuant to an improvement
101 undertaken pursuant to this section shall, to the extent possible, be
102 retained by the school district undertaking such improvement.

103 (i) Not later than July 1, 2025, each superintendent shall commission
104 an energy efficiency feasibility study for each building owned by the
105 school district and submit the report to the Connecticut Green Bank.
106 Such study shall include an energy audit to identify opportunities for

107 improvements that would result in energy cost savings and
108 greenhouse gas emissions reductions.

109 (j) Whenever energy efficiency improvements are determined to be
110 cost-effective pursuant to an energy efficiency feasibility study
111 conducted pursuant to subsection (i) of this section, the superintendent
112 shall begin the process to make such improvements and place such
113 energy-efficient improvements in service not later than July 1, 2028. If
114 such study determines that such improvements will only be cost-
115 effective as a replacement of older equipment at the end of such
116 equipment's useful life, the superintendent shall make arrangements to
117 replace such older equipment with energy-efficient equipment when
118 such older equipment becomes inoperative. Each superintendent shall
119 monitor conditions and expiration dates of such older equipment and
120 make necessary preparations to replace such equipment upon its
121 expiration or breakdown, including the upgrading of circuit panels to
122 allow for a heat pump to be installed. The requirements of this
123 subsection shall not apply to emergency replacements and instances of
124 economic hardship.

125 (k) Any school district that undertakes an improvement pursuant to
126 subsection (j) of this section shall pay each construction employee
127 employed for such improvements wages and benefits that are not less
128 than the prevailing wage and fringe benefit rates prescribed in section
129 31-53 of the general statutes for the corresponding classification in
130 which the employee is employed.

131 (l) Any energy cost savings associated with an improvement
132 undertaken pursuant to subsection (j) of this section shall, to the extent
133 possible, be retained by the school district that undertakes such
134 improvement.

135 (m) (1) For any existing maintenance workers at a public school
136 building, the superintendent shall make available training on the
137 operations and management of such solar power system or energy
138 efficiency system installed pursuant to this section.

139 (2) For any such project described in this section that receives a loan
140 from the Net-Zero Schools Loan Program established in subsection (p)
141 of this section, contractors shall be enrolled in an apprenticeship
142 program that is registered with the United States Department of Labor
143 or a federally recognized state apprenticeship agency and shall partner
144 with a workforce development program in which newly hired
145 employees and already hired employees that are residents located in
146 the same municipality as the school project, and individuals with
147 barriers to employment, including people who have been incarcerated
148 and people who have been traditionally underrepresented in the
149 relevant employment, are given the opportunities for skill
150 development that will enable such persons to qualify for higher paying
151 jobs in their field.

152 (n) The Connecticut Green Bank shall: (1) Supervise a program that
153 provides technical assistance to school districts that seek to develop
154 solar power system and energy efficiency projects for public schools
155 pursuant to this section, (2) administer the Net-Zero Schools Loan
156 Program established pursuant to subsection (p) of this section, (3)
157 supervise a program that offers technical assistance, project
158 development, public education and training for officials of public
159 school districts involved in developing solar power and energy
160 efficiency projects, (4) supervise energy audits, solar power feasibility
161 studies and energy efficiency feasibility studies undertaken pursuant
162 to this section, (5) evaluate the success of the overall program and
163 make recommendations concerning improvements to the program,
164 and (6) employ a staff of engineers, policy analysts, financial experts,
165 community liaisons or other experts as needed to perform the
166 Connecticut Green Bank's responsibilities.

167 (o) (1) There is established the Public Schools Solar and Energy
168 Efficiency Fund within the Connecticut Green Bank. Such fund shall be
169 a nonlapsing fund that shall be available for the purpose of providing
170 loans to school districts in furtherance of the provisions of this section,
171 except that the unspent balance of the fund shall revert to the General

172 Fund thirty years after the establishment of such fund. Such fund shall
173 consist of any funds required to be deposited in such account,
174 including, but not limited to, any funds appropriated to the fund,
175 repayment of all funds related to loans made from the fund,
176 investment gains from the fund and any funds donated or gifted to the
177 fund.

178 (2) Such fund shall be capitalized with four hundred million dollars
179 from the Connecticut Green Bank and one hundred million dollars
180 from the issuance of bonds of the state or capital funds. From such
181 funding, four hundred million dollars shall be allocated to the Net-
182 Zero Schools Loan Program established pursuant to subsection (p) of
183 this section. Seventy-five million dollars of such funding shall be used
184 to enhance the creditworthiness of public school districts. Twenty-five
185 million dollars of such funding shall be allocated to the Connecticut
186 Green Bank grants for audits and feasibility studies, program
187 oversight, public education, training of school district officials and
188 providing technical assistance for project development. Resources
189 expended from such fund shall be supplemental to and not in lieu of
190 any other funding that is designated for public school districts for
191 school facility improvements construction.

192 (p) There is established the Net-Zero Schools Loan Program to
193 provide low-interest or no-interest loans to public school districts in
194 the state for energy efficiency or renewable energy projects that
195 generate energy cost savings.

196 (1) Eligible projects under such program include, but are not limited
197 to, the installation of on-site Class I renewable energy sources, energy-
198 efficient lighting upgrades, building control upgrades, insulation or
199 building envelope upgrades, heating, ventilating and air conditioning
200 repair or replacement, planting and maintenance of native species of
201 shade trees that reduce energy consumption and renovations for
202 strategic daylighting.

203 (2) Eligible project costs under such program shall include: The

204 reasonable costs of construction, alterations or renovations of public
205 school buildings, associated site preparation and development,
206 equipment and furnishing for the site or public school building,
207 architectural, engineering or construction management charges,
208 commissioning of building systems and training staff to maintain
209 public school building systems; and any associated ordinary and
210 reasonable legal fees.

211 (3) Any loan provided to a public school district under such
212 program shall be for a fixed loan period. Loans may be used to satisfy
213 non-federal match requirements for federal grants.

214 (4) (A) Sixty per cent of the initial amount of funding for the Net-
215 Zero Schools Loan Program shall be allotted to all public school
216 districts in the state according to a formula to be determined by the
217 Connecticut Green Bank. Such formula shall consider need as
218 determined by any feasibility study conducted pursuant to this
219 section.

220 (B) Forty per cent of the initial amount of funding for such loan
221 program shall be allotted to public school districts located in
222 environmental justice communities on a competitive basis.

223 (5) After the third year of operation of such loan program, any
224 allotted portion of such fund that is not loaned to a school district shall
225 be available to any public school district in the state on a competitive
226 basis.

227 (6) Each recipient of a loan from such program shall pay each
228 construction employee employed for such improvements wages and
229 benefits that are not less than the prevailing wage and fringe benefit
230 rates prescribed in section 31-53 of the general statutes for the
231 corresponding classification in which the employee is employed on
232 improvements covered by such loan. Any such recipient shall
233 additionally negotiate a project labor agreement in good faith if the
234 total project cost is greater than ten million dollars. For the purposes of

235 this section, improvements completed at the same building in
236 accordance with the provisions of this section shall not be segmented
237 to avoid the requirements of this subdivision.

238 (q) (1) Each public school district shall notify the Department of
239 Administrative Services' Office of School Construction Grants and
240 Review of such district's intention to undertake solar power and
241 energy improvements projects. Such school district shall demonstrate
242 to such office the cost-effectiveness of any such project and identify
243 available sources of money from local and federal governments for
244 such project. In calculating the amount of expenses eligible for
245 reimbursement for such project, the school district shall deduct any
246 federal funds or state and local funds other than education aid. Energy
247 improvements associated with any such project shall be presumed to
248 be eligible for capital reimbursement consistent with the existing
249 reimbursement formula for such district.

250 (2) The Department of Administrative Services' Office of School
251 Construction Grants and Review may challenge a proposed energy
252 improvement project not later than thirty days after receipt of
253 notification pursuant to subdivision (1) of this subsection. If no such
254 challenge is made within such period of time, the proposal shall be
255 deemed approved.

256 (r) (1) Each public school district shall measure and report annually
257 to the Connecticut Green Bank on the district's energy consumption,
258 solar generation and subsequent greenhouse gas emissions using
259 Energy Star Portfolio Manager or an equivalent platform. The
260 Connecticut Green Bank shall make data on each public school
261 district's energy consumption, solar generation and greenhouse gas
262 emissions available on a publicly accessible Internet web site.

263 (2) Each superintendent shall publish annual reports on the state of
264 the solar power and energy efficiency systems in each public school
265 building of such school district. The Connecticut Green Bank shall
266 publicize any shortcomings concerning such solar power and energy

267 efficiency systems and work with the superintendent to overcome
268 obstacles to making improvements. Each consumer, employee or
269 taxpayer of the state, including, but not limited to, labor unions, may
270 request a report on the state of the solar and energy efficiency projects
271 in a public school building from such superintendent. Not later than
272 thirty days after any such request, the superintendent shall cause to be
273 published a report on such solar and energy efficiency projects.

274 (s) Each public school district shall include climate change impacts,
275 such as flooding, sea level rise and increased storm surges, as risks in
276 such district's real property asset assessment and management.

277 (t) Not later than January 1, 2024, the Department of Public Health
278 shall develop an informational poster on the health impacts of
279 emissions from idling vehicles. Each public school shall display such
280 informational poster in the school lobby or other visible space not later
281 than February 1, 2024. Each public school shall post anti-idling signs in
282 student pick-up and drop-off areas of such school and other areas
283 where vehicles frequently idle not later than February 1, 2024.

284 (u) On and after January 1, 2025, occupied classrooms in any public
285 school shall be heated to a temperature of not less than sixty-five
286 degrees and not greater than seventy-two degrees during cold weather
287 periods and cooled to not greater than seventy-eight degrees and not
288 less than seventy degrees during hot weather periods.

289 (v) Not later than January 1, 2024, the Commissioner of Public
290 Health shall adopt regulations, in accordance with the provisions of
291 chapter 54 of the general statutes, to require all public school districts
292 to (1) periodically test water samples from all taps used for drinking or
293 cooking in each school facility for the presence of lead; and (2)
294 remediate sources of lead contamination when lead is detected. Said
295 department shall publish the water test results from each public school
296 facility on a publicly accessible Internet web site and share the results
297 with the school district's water utility if served by a public water
298 system.

299 (w) Notwithstanding any provision of the general statutes, any
300 grant for new public school construction submitted to the Department
301 of Administrative Services on or after January 1, 2024, shall include a
302 requirement for the installation of a school kitchen with a dishwasher
303 and shall indicate the manner in which solid waste, including recycling
304 and food scraps, will be sorted and collected at such facility. Before
305 any such new school is constructed, the applicable public school
306 district shall create a waste management plan that implements waste
307 prevention, recycling and composting.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section

Statement of Legislative Commissioners:

In Section 1, the definitions of the terms "net zero energy building" and "fossil fuel infrastructure" were deleted as unused terms, "renewable energy source" was deleted for redundancy with the definition of "Class I renewable energy source"; in Section 1(p)(1), reference to renewable energy sources was changed to Class I renewable energy sources; in Section 1(e), "under this section" was added for clarity; in Section 1(m), "installed pursuant to this section" was added for clarity; and in Section 1(o), "in perpetuity" and "such funds shall not be subject to reversion" were deleted as redundant with the use of the term "nonlapsing".

ENV Joint Favorable Subst.