



House of Representatives

General Assembly

File No. 305

January Session, 2023

Substitute House Bill No. 6397

House of Representatives, March 29, 2023

The Committee on Environment reported through REP. GRESKO of the 121st Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING ZERO-CARBON EMISSIONS.

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

1 Section 1. (NEW) (*Effective from passage*) (a) The state of Connecticut
2 hereby declares a climate emergency to increase access to federal funds
3 and demonstrate the urgency for enacting meaningful climate
4 legislation. Such emergency threatens the resilience and, in some cases,
5 the existence of communities in this state, including multiple aspects of
6 the state's environment, economy and the quality of life for younger
7 generations of state residents. Accordingly, the state declares climate
8 change as a public health and environmental justice emergency and
9 recognizes the urgency to significantly and rapidly increase community
10 coping capacities to handle the impacts of climate extremes and climate
11 refugees. The state recognizes the need and urgency to mitigate climate
12 impacts and prepare for and manage disaster risk from climate
13 extremes. Such declaration shall not authorize the Governor to utilize
14 the provisions of this subsection to operate the government of the state
15 through executive order.

16 (b) The state, acting through the Governor and other state-wide

17 elected officials, shall increase federal funding requests for climate-
18 related actions related to such climate emergency. The state shall seek
19 federal funds to achieve state-wide affordable zero-carbon electricity
20 generation, including solar, wind, geothermal and battery storage
21 installation, community climate resilience and environmental justice
22 opportunities and training for clean energy sector jobs and fossil fuel-
23 to-clean-energy business transitions.

24 (c) The declaration of a climate emergency by the state pursuant to
25 subsection (a) of this section shall serve to invoke the National
26 Emergencies Act for the declaration of a national climate emergency by
27 the President of the United States.

28 (d) Not later than July 1, 2025, the Commissioner of Energy and
29 Environmental Protection shall, within available appropriations,
30 produce a comprehensive Connecticut Decarbonization Roadmap to
31 achieve emissions reduction targets specified in section 22a-200a of the
32 general statutes.

33 (e) The Department of Economic and Community Development shall
34 collaborate with economic development agencies in municipalities in
35 the state to secure funding for local businesses to access renewable
36 energy supplies and consume decreased levels of fossil fuels.

37 (f) The Department of Energy and Environmental Protection shall
38 engage in efforts to gain federal funds to develop programs for local
39 communities throughout the state, including, but not limited to,
40 underserved communities, that mitigate the impacts from climate
41 change, fossil fuel use, waste disposal incineration, landfills and other
42 municipal functions that historically impact underserved communities
43 in a disproportionate manner.

44 (g) The Department of Energy and Environmental Protection and the
45 Public Utilities Regulatory Authority shall develop strategies for energy
46 infrastructure development that are focused on renewable energy
47 systems, including, but not limited to, battery storage and working with
48 northeastern states and regional independent system operators to

49 implement such strategies.

50 (h) The Commissioner of Energy and Environmental Protection shall
51 establish the Citizens Oversight Working Group to: (1) Provide the
52 public with oversight of the state's adherence to the Global Warming
53 Solutions Act, (2) ensure relevant timelines and deadlines of such act are
54 met by the state and assist in developing tangible actions to meet the
55 requirement of a forty-five per cent reduction in greenhouse gas
56 emissions below 2001 levels by 2030, and eighty per cent below 2001
57 levels by 2050, (3) meet the goals of the Connecticut Integrated
58 Resources Plan of 2021 to commit to a fully zero-carbon electric sector
59 by 2040, and (4) ensure the state complies with all executive orders
60 concerning climate change.

61 (i) The Departments of Energy and Environmental Protection and
62 Administrative Services shall assist residents of the state and
63 municipalities to obtain federal funding to install renewable energy,
64 zero-carbon emissions clean all-electric energy systems in all newly
65 constructed commercial and residential buildings. Such efforts shall
66 include, but need not be limited to, behind-the-meter grid-adapted solar
67 and wind systems and battery storage systems. Such departments shall
68 work with energy supply companies to develop equitable cost-favorable
69 clean energy solutions for retail end users.

70 (j) The Department of Economic and Community Development and
71 the Office of Workforce Strategy shall work with all industries in the
72 state impacted by the transition away from the use of fossil fuels and
73 develop job retraining plans for such industries not later than October
74 1, 2023.

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

ENV Joint Favorable Subst.

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact: None

Municipal Impact:

Municipalities	Effect	FY 24 \$	FY 25 \$
Various Municipalities	Revenue Gain	Potential	Potential

Explanation

The bill calls for the Department of Energy and Environmental Protection (DEEP) in concert with other state agencies to seek more federal grant dollars for the organization and for individuals across the state to invest in reducing cost and building clean and renewable energy resources. The Department in concert with Public Utilities Regulatory Agency would create a taskforce to provide oversight to the state Global Warming Solutions Act and the shift to zero carbon. The taskforce itself would add no additional cost to the state.

The bill will result in a potential revenue gain to municipalities beginning in FY 24 to the extent federal funds are made available to install certain energy systems in all newly constructed commercial and residential buildings. The bill requires DEEP and the Department of Administrative Services (DAS) to help municipalities obtain federal funds to install these systems. To the extent federal funds are not available to municipalities, they will not be required to install the systems.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

OLR Bill Analysis**sHB 6397*****AN ACT CONCERNING ZERO-CARBON EMISSIONS.*****SUMMARY**

This bill states that Connecticut declares climate change a public health and environmental justice emergency for purposes of increasing access to federal funds and showing the urgency of enacting meaningful, which the bill does not define, climate legislation.

Relatedly, the bill requires Connecticut, through its governor and other statewide elected officials, to increase federal funding requests for climate emergency-related actions. Specifically, the state must seek the funds for (1) statewide affordable zero-carbon electricity generation (i.e., solar, wind, geothermal, and battery storage), (2) community climate resilience, (3) environmental justice opportunities, and (4) training for clean energy sector jobs and fossil fuel-to-clean-energy business transitions. (The bill does not specify which officials are responsible for which requests and, presumably, these requests may be delegated to executive branch agencies.)

The bill creates several requirements for the following state agencies to address the climate emergency: administrative services (DAS), economic and community development (DECD), energy and environmental protection (DEEP), the Public Utilities Regulatory Authority (PURA), and the Office of Workforce Strategy (OWS).

The bill states that its climate emergency declaration does not authorize the governor to operate the state through executive order. It also states that the bill serves to invoke the National Emergencies Act for the President of the United States to declare a related national emergency (see COMMENT).

EFFECTIVE DATE: Upon passage

CLIMATE EMERGENCY DECLARATION

The bill states that the climate emergency threatens the resilience (and the existence of some communities in the state), including aspects of the state's environment, economy, and quality of life for the state's younger generations. The bill also states that it is urgent to (1) greatly and quickly increase community coping capacities to handle climate extremes and climate refugees and (2) mitigate climate impacts and prepare for and manage disaster risk from climate extremes.

STATE AGENCY REQUIREMENTS***DEEP***

The bill requires the DEEP commissioner to:

1. by July 1, 2025, and within available appropriations, produce a comprehensive Connecticut Decarbonization Roadmap to achieve the state's greenhouse gas (GHG) emissions reduction targets (by law, DEEP already reports on its GHG emissions reduction every three years, see BACKGROUND) and
2. establish a Citizens Oversight Working Group to (a) give the public oversight of the state's adherence to its GHG emissions reduction targets, (b) ensure that the state meets the targets' timelines and deadlines and help develop tangible actions to meet the targets, (c) meet the Connecticut Integrated Resource Plan's goal of a fully zero-carbon electric sector by 2040, and (d) ensure Connecticut complies with all climate change executive orders (it is unclear if the working group has the authority and means to fulfill these requirements).

Under the bill, DEEP must also take unspecified actions to acquire federal funds to develop programs for local communities throughout Connecticut, including underserved communities, which the bill does not define. These required actions must mitigate impacts of climate change, fossil fuel use, waste disposal incineration, landfills, and other municipal functions that historically disproportionately effect underserved communities.

DEEP and DAS

The bill requires DEEP and DAS to help Connecticut residents and municipalities obtain federal funds to install renewable energy, zero-carbon emissions clean all-electric energy systems in all newly constructed residential and commercial buildings. These efforts must include behind-the-meter grid-adapted solar and wind systems and battery storage systems. The departments must work with energy supply companies to develop equitable cost-favorable clean energy solutions for retail end users.

DEEP and PURA

The bill requires DEEP and PURA to (1) develop strategies for energy infrastructure development that focus on renewable energy systems (e.g., battery storage) and (2) work with northeastern states and regional independent system operators to implement the strategies.

DECD

The bill requires DECD to collaborate with municipal economic development agencies in the state to secure federal funding for local businesses to access renewable energy supplies and consume less fossil fuel.

DECD and OWS

The bill requires DECD and OWS, by October 1, 2023, to (1) work with all industries in the state that are impacted by the transition away from fossil fuel use and (2) develop job retaining plans for them.

COMMENT***National Emergencies Act***

The federal National Emergencies Act (NEA) (P.L. 94-412) allows presidents to issue formal declarations of a national emergency and Congress to oppose and end a declaration. The bill states that its climate emergency declaration serves to invoke the NEA, but the NEA does not give states the power to do this. Emergencies declared under the NEA are exclusively federal actions.

BACKGROUND

GHG Emissions Reduction Targets

By law, the Global Warming Solutions Act requires the state to reduce GHG emissions from all sources to a level at least (1) 10% below 1990 emission levels by January 1, 2020; (2) 45% below 2001 emission levels by January 1, 2030; and (3) 80% below 2001 emission levels by January 1, 2050. It also requires the state to reduce GHG emissions from electricity supplied to electric customers in the state to 0% by January 1, 2040. Every three years, the DEEP commissioner must report to the Environment, Energy and Technology, and Transportation committees on the quantifiable reductions achieved to meet the GHG emission reduction targets (CGS § 22a-200a).

COMMITTEE ACTION

Environment Committee

Joint Favorable Substitute

Yea 26 Nay 7 (03/10/2023)