



General Assembly

**Substitute Bill No. 961**

January Session, 2023



**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 section  
10 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 trains  
14 employees, has functioning training facilities and regularly graduates  
15 apprentices to journeyman status who are placed in employment or

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

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

21 (6) "Solar power feasibility study" means a report that determines if a  
22 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 including  
26 a financial plan with sources and uses of funding, including federal  
27 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 identified  
31 by an energy audit and that includes a financial plan with sources and  
32 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 study  
38 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 who  
43 possesses a valid journey person card or occupational license.

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

45 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) sets  
54 forth mutually binding procedures for resolving labor disputes arising  
55 during the project labor agreement; (F) requires contractors to partner  
56 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 will  
69 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 by  
79 greenhouse gas emissions reductions and cost-effectiveness and first  
80 undertake the project that offers the best combination of such factors.

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

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

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

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

107 gas emissions reductions.

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

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

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

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

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

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

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

171 consist of any funds required to be deposited in such account, including,  
172 but not limited to, any funds appropriated to the fund, repayment of all  
173 funds related to loans made from the fund, investment gains from the  
174 fund and any funds donated or gifted to the fund.

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

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

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

200 (2) Eligible project costs under such program shall include: The  
201 reasonable costs of construction, alterations or renovations of public  
202 school buildings, associated site preparation and development,

203 equipment and furnishing for the site or public school building,  
204 architectural, engineering or construction management charges,  
205 commissioning of building systems and training staff to maintain public  
206 school building systems; and any associated ordinary and reasonable  
207 legal fees.

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

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

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

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

223 (6) Each recipient of a loan from such program shall pay each  
224 construction employee employed for such improvements wages and  
225 benefits that are not less than the prevailing wage and fringe benefit  
226 rates prescribed in section 31-53 of the general statutes for the  
227 corresponding classification in which the employee is employed on  
228 improvements covered by such loan. Any such recipient shall  
229 additionally negotiate a project labor agreement in good faith if the total  
230 project cost is greater than ten million dollars. For the purposes of this  
231 section, improvements completed at the same building in accordance  
232 with the provisions of this section shall not be segmented to avoid the  
233 requirements of this subdivision.



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

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

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

259 (2) Each superintendent shall publish annual reports on the state of  
260 the solar power and energy efficiency systems in each public school  
261 building of such school district. The Connecticut Green Bank shall  
262 publicize any shortcomings concerning such solar power and energy  
263 efficiency systems and work with the superintendent to overcome  
264 obstacles to making improvements. Each consumer, employee or  
265 taxpayer of the state, including, but not limited to, labor unions, may  
266 request a report on the state of the solar and energy efficiency projects

267 in a public school building from such superintendent. Not later than  
268 thirty days after any such request, the superintendent shall cause to be  
269 published a report on such solar and energy efficiency projects.

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

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

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

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

294 (w) Notwithstanding any provision of the general statutes, any grant  
295 for new public school construction submitted to the Department of  
296 Administrative Services on or after January 1, 2024, shall include a  
297 requirement for the installation of a school kitchen with a dishwasher

298 and shall indicate the manner in which solid waste, including recycling  
299 and food scraps, will be sorted and collected at such facility. Before any  
300 such new school is constructed, the applicable public school district  
301 shall create a waste management plan that implements waste  
302 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

**ENV**      *Joint Favorable Subst.*

**FIN**      *Joint Favorable*