



General Assembly

Amendment

January Session, 2023

LCO No. 8591



Offered by:
SEN. LOPES, 6th Dist.

To: Senate Bill No. 961

File No. 240

Cal. No. 165

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

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

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

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

7 (2) "Superintendent" means a superintendent, as described in section
8 10-157 of the general statutes.

9 (3) "Workforce development program" means an apprenticeship
10 program that is registered with the United States Department of Labor
11 or a federally recognized state apprenticeship agency that actively trains

12 employees, has functioning training facilities and regularly graduates
13 apprentices to journeyperson status who are placed in employment or
14 preapprenticeship training that enables students to qualify for training
15 in such an apprenticeship program.

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

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

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

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

34 (8) "Improvements" means new solar power systems and energy
35 efficiency improvements as identified by a solar power feasibility study
36 and energy efficiency feasibility study.

37 (9) "Qualified professional" means a trained and certified energy
38 professional.

39 (10) "Journeyperson" means a person who has completed a trade
40 apprenticeship or is recognized or classified as a skilled person and who
41 possesses a valid journeyperson card or occupational license.

42 (11) "Environmental justice community" has the same meaning as
43 provided in section 22a-20a of the general statutes.

44 (12) "Extension" and "replacement" have the same meanings as
45 provided in section 10-282 of the general statutes.

46 (13) "Financing" means funding or investment that includes, but is
47 not limited to, energy services agreements, loans, leases or power
48 purchase agreements.

49 (b) (1) Not later than July 1, 2024, the Connecticut Green Bank shall
50 establish the Public Schools Solar Power Systems and Energy Efficiency
51 Projects Financing Program that provides financing to public school
52 districts in this state for the installation of solar power systems and
53 energy efficiency improvements at public schools in this state in
54 conjunction with the construction, replacement, renovation or extension
55 of a public school building and in accordance with the provisions of this
56 section. Any such project undertaken pursuant to this section by a
57 school district shall be voluntary in nature.

58 (2) Not later than December 31, 2023, the Connecticut Green Bank
59 shall designate a committee of persons to oversee the establishment of
60 the program described in subdivision (1) of this subsection.

61 (c) (1) Any public school district that seeks financing from the
62 Connecticut Green Bank for a solar power system project described in
63 subsection (b) of this section shall first commission a solar power
64 feasibility study for the applicable public school building that shall be
65 conducted by the Connecticut Green Bank on or after July 1, 2024.

66 (2) If the proposed solar power system is determined to be cost-
67 effective, the superintendent may secure the relevant permits and
68 contracts for such project. Any cost of repairing, upgrading or replacing
69 a public school building's roof may be included in the determination of
70 a solar power system's cost-effectiveness.

71 (3) Each superintendent may prioritize projects pursuant to this

72 section by greenhouse gas emissions reductions and cost-effectiveness
73 and first undertake the project that offers the best combination of such
74 factors.

75 (4) If the solar power feasibility study determines that the solar power
76 system is not cost-effective due to the costs of repairing, upgrading or
77 replacing the building's roof, the superintendent may make a good faith
78 effort to ensure that the next scheduled roof replacement or major roof
79 repair project for such building will allow the roof to support a solar
80 power system. When implementing such roof replacements or major
81 roof repair projects, the school district shall determine whether the
82 replacement or repair will allow the roof to support a solar power
83 system. Whenever the roof of such a building can support a solar power
84 system or major roof repair, the superintendent may cause a solar power
85 system to be installed pursuant to the program established under
86 subsection (b) of this section not later than two years after the date of
87 such determination.

88 (d) (1) Any public school district that seeks financing from the
89 Connecticut Green Bank for an energy efficiency project described in
90 subsection (b) of this section shall first work with any applicable energy
91 utility or natural gas utility provider, as applicable, to conduct an energy
92 efficiency feasibility study for the public school building and submit the
93 study results to the Connecticut Green Bank on or after July 1, 2024. Such
94 study shall include an energy audit to identify opportunities for
95 improvements that would result in energy cost savings and greenhouse
96 gas emissions reductions. Such audit shall be performed by the
97 applicable electric distribution company, as defined in section 16-1 of
98 the general statutes, or natural gas utility, as applicable, for such school
99 district or by an independent contractor in the event that such school
100 district is not serviced by an electric distribution company.

101 (2) Whenever energy efficiency improvements are determined to be
102 cost-effective pursuant to an energy efficiency feasibility study
103 conducted pursuant to this subsection, the superintendent may begin
104 the process to make such improvements and place such energy-efficient

105 improvements in service.

106 (3) If such study determines that such improvements will only be
107 cost-effective as a replacement of older equipment at the end of such
108 equipment's useful life, the superintendent may make arrangements to
109 replace such older equipment with energy-efficient equipment when
110 such older equipment becomes inoperative. Each superintendent may
111 monitor conditions and expiration dates of such older equipment and
112 make necessary preparations to replace such equipment upon its
113 expiration or breakdown, including the upgrading of circuit panels to
114 allow for a heat pump to be installed. The requirements of this
115 subdivision shall not apply to emergency replacements and instances of
116 economic hardship.

117 (e) Each superintendent shall prioritize projects pursuant to this
118 section by greenhouse gas emissions reductions and cost-effectiveness
119 and first undertake the project that offers the best combination of such
120 factors.

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

127 (g) Any energy cost savings associated with an improvement
128 undertaken pursuant to this section shall, to the extent possible, be
129 retained by the school district that undertakes such improvement.

130 (h) For any such project described in this section that receives
131 financing from the program established in subsection (b) of this section,
132 contractors shall be enrolled in an apprenticeship program that is
133 registered with the United States Department of Labor or a federally
134 recognized state apprenticeship agency and shall partner with a
135 workforce development program in which newly hired employees and
136 already hired employees that are residents located in the same

137 municipality as the school project, and individuals with barriers to
138 employment, including people who have been traditionally
139 underrepresented in the relevant employment, are given the
140 opportunities for skill development that will enable such persons to
141 qualify for higher paying jobs in their field.

142 (i) The Connecticut Green Bank shall: (1) Supervise the provision of
143 technical assistance to school districts that seek to develop solar power
144 systems and energy efficiency projects for public schools pursuant to
145 this section, (2) administer the Public Schools Solar Power Systems and
146 Energy Efficiency Projects Financing Program described in this section
147 and the Public Schools Solar Power Systems and Energy Efficiency
148 Projects Fund established in subsection (j) of this section, (3) supervise
149 technical assistance, project development, public education and training
150 for officials of public school districts involved in developing solar power
151 systems and energy efficiency projects, (4) supervise solar power
152 feasibility studies and energy efficiency feasibility studies undertaken
153 pursuant to this section, (5) evaluate the success of such program and
154 make recommendations concerning improvements to the program, and
155 (6) employ a staff of engineers, policy analysts, financial experts,
156 community liaisons or other experts as needed to perform the
157 Connecticut Green Bank's responsibilities.

158 (j) (1) There is established the Public Schools Solar Power Systems
159 and Energy Efficiency Financing Fund within the Connecticut Green
160 Bank. Such fund shall be a nonlapsing fund that shall be available for
161 the purpose of providing financing to school districts in furtherance of
162 the provisions of this section, except that the unspent balance of the
163 twenty-five million dollars from the issuance of bonds of the state or
164 capital funds shall revert to the General Fund thirty years after the
165 establishment of such fund. Such fund shall consist of any funds
166 required to be deposited in such fund, including, but not limited to, any
167 funds appropriated to the fund, repayment of all funds related to
168 financing made from the fund, investment gains from the fund and any
169 funds donated or gifted to the fund.

170 (2) Such fund shall be capitalized from the issuance of revenue bonds
171 from the Connecticut Green Bank supported by revenues from solar
172 power systems and energy efficiency or renewable energy projects for
173 public school districts in the state with a targeted investment of four
174 hundred million dollars and twenty-five million dollars from the
175 issuance of bonds of the state or capital funds. From such funding, four
176 hundred million dollars shall be allocated to the Solar Power Systems
177 and Energy Efficiency Projects Financing Program established pursuant
178 to subsection (b) of this section. Twenty-five million dollars of such
179 funding shall be allocated to the Connecticut Green Bank for grants for
180 any feasibility study conducted in relation to such program, program
181 oversight, public education, training of school district officials and
182 providing technical assistance for project development. Resources
183 expended from such fund shall be supplemental to and not in lieu of
184 any other funding that is designated for public school districts for school
185 facility improvements construction.

186 (k) The Public Schools Solar Power Systems and Energy Efficiency
187 Projects Financing Program, established pursuant to subsection (b) of
188 this section, shall provide low-interest financing to public school
189 districts in the state for solar power systems and energy efficiency or
190 renewable energy projects that generate energy cost savings.

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

198 (2) Eligible project costs under such program shall include: The
199 reasonable costs of construction, alterations or renovations of public
200 school buildings, associated site preparation and development,
201 equipment and furnishing for the site or public school building,
202 architectural, engineering or construction management charges,

203 commissioning of building systems and training staff to maintain public
204 school building systems; and any associated ordinary and reasonable
205 legal fees.

206 (3) Any financing provided to a public school district under such
207 program shall be for a fixed period. Financing may be used to satisfy
208 non-federal match requirements for federal grants.

209 (4) (A) Forty per cent of the initial amount of funding for the Public
210 Schools Solar Power Systems and Energy Efficiency Projects Financing
211 Program shall be allotted to all public school districts in the state
212 according to a formula to be determined by the Connecticut Green Bank.
213 Such formula shall consider need as determined by any feasibility study
214 conducted pursuant to this section.

215 (B) Sixty per cent of the initial amount of funding for such financing
216 program shall be allotted to public school districts that serve
217 environmental justice communities on a competitive basis.

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

222 (6) In the event the Public Schools Solar Power Systems and Energy
223 Efficiency Projects Financing Fund does not have sufficient funds, no
224 project shall be authorized pursuant to the Public Schools Solar Power
225 Systems and Energy Efficiency Projects Financing Program.

226 (7) Each recipient of financing from such program shall pay each
227 construction employee employed for such improvements wages and
228 benefits that are not less than the prevailing wage and fringe benefit
229 rates prescribed in section 31-53 of the general statutes for the
230 corresponding classification in which the employee is employed on
231 improvements covered by such financing.

232 (l) (1) Each public school district that receives financing pursuant to

233 the Public Schools Solar Power Systems and Energy Efficiency Projects
234 Financing Program shall measure and report annually to the
235 Connecticut Green Bank on the district's energy consumption, solar
236 generation and subsequent greenhouse gas emissions using Energy Star
237 Portfolio Manager or an equivalent platform. The Connecticut Green
238 Bank shall make data on each such public school district's energy
239 consumption, solar generation and greenhouse gas emissions available
240 on a publicly accessible Internet web site.

241 (2) Each superintendent shall publish an annual report on the state of
242 any solar power system or energy efficiency project in such school
243 district that is funded under the Public Schools Solar Power Systems and
244 Energy Efficiency Projects Financing Program. Each consumer,
245 employee or taxpayer of the state, including, but not limited to, labor
246 unions, may request a report on the state of the solar power systems and
247 energy efficiency projects in a public school building from such
248 superintendent. Not later than thirty days after any such request, the
249 superintendent shall cause to be published a report on any such solar
250 power system or energy efficiency project."

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