



General Assembly

Amendment

January Session, 2023

LCO No. 7848



Offered by:
SEN. LOPES, 6th Dist.

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

57 (12) "Environmental justice community" has the same meaning as
58 provided in section 22a-20a of the general statutes.

59 (13) "Extension" and "replacement" have the same meanings as
60 provided in section 10-282 of the general statutes.

61 (b) (1) Not later than July 1, 2024, the Connecticut Green Bank shall
62 establish the Public Schools Solar Power Systems and Energy Efficiency
63 Projects Loan Program that provides funding loans to public school
64 districts in this state for the installation of solar power systems and
65 energy efficiency improvements at public schools in this state in
66 conjunction with the construction, replacement, renovation or extension
67 of a public school building and in accordance with the provisions of this
68 section. Any such project undertaken pursuant to this section by a
69 school district shall be voluntary in nature.

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

73 (c) (1) Any public school district that seeks a loan from the

74 Connecticut Green Bank for a solar power system project described in
75 subsection (b) of this section shall first commission a solar power
76 feasibility study for the applicable public school building that shall be
77 conducted by the Connecticut Green Bank on or after July 1, 2024.

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

83 (3) Each superintendent shall prioritize projects pursuant to this
84 section by greenhouse gas emissions reductions and cost-effectiveness
85 and first undertake the project that offers the best combination of such
86 factors.

87 (4) If the solar power feasibility study determines that the solar power
88 system is not cost-effective due to the costs of repairing, upgrading or
89 replacing the building's roof, the superintendent shall make a good faith
90 effort to ensure that the next scheduled roof replacement or major roof
91 repair project for such building will allow the roof to support a solar
92 power system. When implementing such roof replacements or major
93 roof repair projects, the school district shall determine whether the
94 replacement or repair will allow the roof to support a solar power
95 system. Whenever the roof of such a building can support a solar power
96 system or major roof repair, the superintendent may cause a solar power
97 system to be installed pursuant to the program established under
98 subsection (b) of this section not later than two years after the date of
99 such determination.

100 (d) (1) Any public school district that seeks a loan from the
101 Connecticut Green Bank for an energy efficiency project described in
102 subsection (b) of this section shall first work with any applicable energy
103 utility provider to conduct an energy efficiency feasibility study for the
104 public school building and submit the study results to the Connecticut
105 Green Bank on or after July 1, 2024. Such study shall include an energy

106 audit to identify opportunities for improvements that would result in
107 energy cost savings and greenhouse gas emissions reductions. Such
108 audit shall be performed by the applicable electric distribution
109 company, as defined in section 16-1 of the general statutes, for such
110 school district or by an independent contractor in the event that such
111 school district is not serviced by an electric distribution company.

112 (2) Whenever energy efficiency improvements are determined to be
113 cost-effective pursuant to an energy efficiency feasibility study
114 conducted pursuant to this subsection, the superintendent may begin
115 the process to make such improvements and place such energy-efficient
116 improvements in service.

117 (3) If such study determines that such improvements will only be
118 cost-effective as a replacement of older equipment at the end of such
119 equipment's useful life, the superintendent may make arrangements to
120 replace such older equipment with energy-efficient equipment when
121 such older equipment becomes inoperative. Each superintendent shall
122 monitor conditions and expiration dates of such older equipment and
123 make necessary preparations to replace such equipment upon its
124 expiration or breakdown, including the upgrading of circuit panels to
125 allow for a heat pump to be installed. The requirements of this
126 subdivision shall not apply to emergency replacements and instances of
127 economic hardship.

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

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

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

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

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

169 (j) (1) There is established the Public Schools Solar Power Systems
170 and Energy Efficiency Projects Fund within the Connecticut Green

171 Bank. Such fund shall be a nonlapsing fund that shall be available for
172 the purpose of providing loans to school districts in furtherance of the
173 provisions of this section, except that the unspent balance of the twenty-
174 five million dollars from the issuance of bonds of the state or capital
175 funds shall revert to the General Fund thirty years after the
176 establishment of such fund. Such fund shall consist of any funds
177 required to be deposited in such fund, including, but not limited to, any
178 funds appropriated to the fund, repayment of all funds related to loans
179 made from the fund, investment gains from the fund and any funds
180 donated or gifted to the fund.

181 (2) Such fund shall be capitalized with four hundred million dollars
182 from the issuance of bonds by the Connecticut Green Bank and twenty-
183 five million dollars from the issuance of bonds of the state or capital
184 funds. From such funding, four hundred million dollars shall be
185 allocated to the Solar Power Systems and Energy Efficiency Projects
186 Loan Program established pursuant to subsection (b) of this section.
187 Twenty-five million dollars of such funding shall be allocated to the
188 Connecticut Green Bank for grants for any feasibility study conducted
189 in relation to such program, program oversight, public education,
190 training of school district officials and providing technical assistance for
191 project development. Resources expended from such fund shall be
192 supplemental to and not in lieu of any other funding that is designated
193 for public school districts for school facility improvements construction.

194 (k) The Public Schools Solar Power Systems and Energy Efficiency
195 Projects Loan Program, established pursuant to subsection (b) of this
196 section, shall provide low-interest or no-interest loans to public school
197 districts in the state for solar power systems and energy efficiency or
198 renewable energy projects that generate energy cost savings.

199 (1) Eligible projects under such program include, but are not limited
200 to, the installation of on-site Class I renewable energy sources, energy-
201 efficient lighting upgrades, building control upgrades, insulation or
202 building envelope upgrades, heating, ventilating and air conditioning
203 repair or replacement, planting and maintenance of native species of

204 shade trees that reduce energy consumption and renovations for
205 strategic daylighting.

206 (2) Eligible project costs under such program shall include: The
207 reasonable costs of construction, alterations or renovations of public
208 school buildings, associated site preparation and development,
209 equipment and furnishing for the site or public school building,
210 architectural, engineering or construction management charges,
211 commissioning of building systems and training staff to maintain public
212 school building systems; and any associated ordinary and reasonable
213 legal fees.

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

217 (4) (A) Forty per cent of the initial amount of funding for the Public
218 Schools Solar Power Systems and Energy Efficiency Projects Loan
219 Program shall be allotted to all public school districts in the state
220 according to a formula to be determined by the Connecticut Green Bank.
221 Such formula shall consider need as determined by any feasibility study
222 conducted pursuant to this section.

223 (B) Sixty per cent of the initial amount of funding for such loan
224 program shall be allotted to public school districts that serve
225 environmental justice communities on a competitive basis.

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

230 (6) In the event the Public Schools Solar Power Systems and Energy
231 Efficiency Projects Loan Fund does not have sufficient funds, no project
232 shall be authorized pursuant to the Public Schools Solar Power Systems
233 and Energy Efficiency Projects Loan Program.

234 (7) Each recipient of a loan from such program shall pay each
235 construction employee employed for such improvements wages and
236 benefits that are not less than the prevailing wage and fringe benefit
237 rates prescribed in section 31-53 of the general statutes for the
238 corresponding classification in which the employee is employed on
239 improvements covered by such loan. Any such recipient shall
240 additionally negotiate a project labor agreement in good faith if the total
241 project cost is greater than ten million dollars. For the purposes of this
242 section, improvements completed at the same building in accordance
243 with the provisions of this section shall not be segmented to avoid the
244 requirements of this subdivision.

245 (l) (1) Each public school district that receives a loan pursuant to the
246 Public Schools Solar Power Systems and Energy Efficiency Projects Loan
247 Program shall measure and report annually to the Connecticut Green
248 Bank on the district's energy consumption, solar generation and
249 subsequent greenhouse gas emissions using Energy Star Portfolio
250 Manager or an equivalent platform. The Connecticut Green Bank shall
251 make data on each such public school district's energy consumption,
252 solar generation and greenhouse gas emissions available on a publicly
253 accessible Internet web site.

254 (2) Each superintendent shall publish an annual report on the state of
255 any solar power system or energy efficiency project in such school
256 district that is funded under the Public Schools Solar Power Systems and
257 Energy Efficiency Projects Loan Program. The Connecticut Green Bank
258 shall publicize any shortcomings concerning such solar power systems
259 and energy efficiency projects and work with the applicable
260 superintendent to overcome obstacles to making improvements. Each
261 consumer, employee or taxpayer of the state, including, but not limited
262 to, labor unions, may request a report on the state of the solar power
263 systems and energy efficiency projects in a public school building from
264 such superintendent. Not later than thirty days after any such request,
265 the superintendent shall cause to be published a report on any such solar
266 power system or energy efficiency project."

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