



General Assembly

January Session, 2023

Raised Bill No. 961

LCO No. 3682



Referred to Committee on ENVIRONMENT

Introduced by:
(ENV)

***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) "Net-zero energy buildings" means a public school building that
8 is constructed without fossil fuel infrastructure.

9 (3) "Renewable energy source" means energy produced by a zero-
10 emission Class I renewable energy source.

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

13 (5) "Fossil fuel infrastructure" means piping for the combustion of
14 fuels in a building, in connection with a building or otherwise within
15 the property lines of the premises of a building, and that extends from a
16 supply tank or from the point of delivery behind a gas meter or the
17 customer-side gas meter.

18 (6) "Superintendent" means a superintendent, as described in section
19 10-157 of the general statutes.

20 (7) "Workforce development program" means an apprenticeship
21 program that is registered with the United States Department of Labor
22 or a federally recognized state apprenticeship agency that actively trains
23 employees, has functioning training facilities and regularly graduates
24 apprentices to journeyman status who are placed in employment or
25 preapprenticeship training that enables students to qualify for training
26 in such an apprenticeship program.

27 (8) "Cost-effective" means improvements that generate savings equal
28 to or greater than the initial cost of such improvements over the useful
29 life of such improvements.

30 (9) "Solar power feasibility study" means a report that determines if a
31 proposed solar power system is cost-effective and that is created by a
32 qualified professional who estimates the costs, savings and greenhouse
33 gas emissions reductions for a solar power system designed for a
34 building's available rooftops, parking lots or other areas while including
35 a financial plan with sources and uses of funding, including federal
36 incentives.

37 (10) "Energy efficiency feasibility study" means a report created by a
38 qualified professional that estimates the costs, savings and greenhouse
39 gas emissions reductions for energy-efficiency improvements identified
40 by an energy audit and that includes a financial plan with sources and
41 uses of funding including federal incentives.

42 (11) "Energy audit" means an inspection or survey of a building's
43 current energy systems and an analysis of current energy consumption

44 and production.

45 (12) "Improvements" means new solar power systems and energy
46 efficiency improvements as identified by a solar power feasibility study
47 and energy efficiency feasibility study.

48 (13) "Qualified professional" means a trained and certified energy
49 professional.

50 (14) "Journey person" means a person who has completed a trade
51 apprenticeship or is recognized or classified as a skilled person and who
52 possesses a valid journey person card or occupational license.

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

68 (16) "Environmental justice community" has the same meaning as
69 provided in section 22a-20a of the general statutes.

70 (17) "Extension" and "replacement" have the same meanings as
71 provided in section 10-282 of the general statutes.

72 (b) On and after July 1, 2024, any new construction, replacement or
73 extension of a public school building shall be net-zero energy. The

74 Commissioner of Administrative Services shall require applications
75 submitted for such construction, replacement and extensions, on and
76 after July 1, 2023, for grants for such school construction projects under
77 section 10-283 of the general statutes to demonstrate how the project will
78 achieve net-zero energy to the greatest extent practicable.

79 (c) Each public school district shall commission a solar power
80 feasibility study for each building owned by the district and submit the
81 study results to the Public Schools Solar and Energy Efficiency Board
82 established pursuant to subsection (n) of this section not later than July
83 1, 2024.

84 (d) If the proposed solar power system is determined to be cost-
85 effective, the superintendent shall secure the relevant permits and
86 contracts for such project not later than January 1, 2028. Any cost of
87 repairing, upgrading or replacing the building's roof may be included
88 in the determination of a solar power system's cost-effectiveness.

89 (e) Each superintendent shall prioritize projects by greenhouse gas
90 emissions reductions and cost-effectiveness and first undertake the
91 project that offers the best combination of such factors.

92 (f) If the solar power feasibility study determines that the solar power
93 system is not cost-effective due to the costs of repairing, upgrading or
94 replacing the building's roof, the superintendent shall make a good faith
95 effort to ensure that the next scheduled roof replacement or major roof
96 repair project for such building will allow the roof to support a solar
97 power system. When implementing such roof replacements or major
98 roof repair projects, the school district shall determine whether the
99 replacement or repair will allow the roof to support a solar power
100 system. Whenever the roof of such a building can support a solar power
101 system or major roof repair, the superintendent shall cause a solar
102 power system to be installed not later than two years after the date of
103 such determination.

104 (g) Any school district that undertakes improvements pursuant to
105 this section shall enter into a project labor agreement for such

106 improvements.

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

110 (i) No later than July 1, 2025, each superintendent shall commission
111 an energy efficiency feasibility study for each building owned by the
112 school district and submit the report to the Public Schools Solar and
113 Energy Efficiency Board established pursuant to subsection (n) of this
114 section. Such study shall include an energy audit to identify
115 opportunities for improvements that would result in energy cost
116 savings and greenhouse gas emissions reductions.

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

133 (k) Any school district that undertakes an improvement pursuant to
134 subsection (j) of this section shall enter into a project labor agreement for
135 such projects.

136 (l) Any energy cost savings associated with an improvement
137 undertaken pursuant to subsection (j) of this section shall, to the extent

138 possible, be retained by the school district that undertakes such
139 improvement.

140 (m) (1) For any existing maintenance workers at a public school
141 building, the superintendent shall make available training on the
142 operations and management of such solar power system or energy
143 efficiency system.

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

156 (n) There is established the Public Schools Solar and Energy
157 Efficiency Board to be located within the Connecticut Green Bank. Such
158 board shall consist of: (1) A chairperson appointed by the Governor, (2)
159 two members appointed by the president pro tempore of the Senate, one
160 of whom shall be a representative of organized labor, and (3) two
161 members appointed by the House, one of whom shall be a
162 representative of organized labor. Each such member shall be appointed
163 not later than January 1, 2024, and shall serve for a term of eighteen
164 months. Each appointed member may be reappointed to consecutive
165 terms. The board shall: (A) Supervise a program that provides technical
166 assistance to school districts that seek to develop solar power system
167 and energy efficiency projects for public schools pursuant to this section,
168 (B) administer the Net-Zero Schools Loan Program established pursuant
169 to subsection (p) of this section, (C) supervise a program that offers
170 technical assistance, project development, public education and training

171 for officials of public school districts involved in developing solar power
172 and energy efficiency projects, (D) supervise energy audits, solar power
173 feasibility studies and energy efficiency feasibility studies undertaken
174 pursuant to this section, (E) evaluate the success of the overall program
175 and make recommendations concerning improvements to the program,
176 and (F) employ a staff of engineers, policy analysts, financial experts,
177 community liaisons or other experts as needed to perform the board's
178 responsibilities.

179 (o) (1) There is established the Public Schools Solar and Energy
180 Efficiency Fund within the Connecticut Green Bank to be administered
181 by the Public Schools Solar and Energy Efficiency Board. Such fund shall
182 be a nonlapsing fund that shall be available in perpetuity for the
183 purpose of providing loans to school districts in furtherance of the
184 provisions of this section. Such fund shall not be subject to any provision
185 of the general statutes that requires that at the end of a fiscal year, the
186 unspent balance of an appropriation to such fund revert to the General
187 Fund. Such fund shall consist of any funds required to be deposited in
188 such account, including, but not limited to, any funds appropriated to
189 the fund, repayment of all funds related to loans made from the fund,
190 investment gains from the fund and any funds donated or gifted to the
191 fund.

192 (2) Such fund shall be capitalized with two hundred million dollars
193 from the Connecticut Green Bank, one hundred million from the
194 issuance of bonds of the state or capital funds and two hundred million
195 dollars from a suitable federal source such as the Greenhouse Gas
196 Reduction Fund. From such funding: Four hundred forty million dollars
197 shall be allocated to the Net-Zero Schools Loan Program established
198 pursuant to subsection (p) of this section. Fifty-six million dollars of
199 such fund shall be allocated to grants for audits and feasibility studies.
200 Four million dollars of such fund shall be allocated to the Public Schools
201 Solar and Energy Efficiency Board for program oversight, public
202 education, training of school district officials and providing technical
203 assistance for project development. Resources expended from such fund
204 shall be supplemental to and not in lieu of any other funding that is

205 designated for public school districts for school facility improvements
206 construction.

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

211 (1) Eligible projects under such program include, but are not limited
212 to, the installation of on-site renewable energy sources, energy-efficient
213 lighting upgrades, building control upgrades, insulation or building
214 envelope upgrades, heating, ventilating and air conditioning repair or
215 replacement, planting and maintenance of native species of shade trees
216 that reduce energy consumption and renovations for strategic
217 daylighting.

218 (2) Eligible project costs under such program shall include: The
219 reasonable costs of construction, alterations or renovations of public
220 school buildings, associated site preparation and development,
221 equipment and furnishing for the site or public school building,
222 architectural, engineering or construction management charges,
223 commissioning of building systems and training staff to maintain public
224 school building systems; and any associated ordinary and reasonable
225 legal fees.

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

229 (4) (A) Sixty per cent of the initial amount of funding for the Net-Zero
230 Schools Loan Program shall be allotted to all public school districts in
231 the state according to a formula to be determined by the Public Schools
232 Solar and Energy Efficiency Board. Such formula shall consider need as
233 determined by any feasibility study conducted pursuant to this section.

234 (B) Forty per cent of the initial amount of funding for such loan
235 program shall be allotted to public school districts located in

236 environmental justice communities on a competitive basis.

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

241 (6) Each recipient of a loan from such program shall negotiate a
242 project labor agreement.

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

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

261 (r) (1) Each public school district shall measure and report annually
262 to the Public Schools Solar and Energy Efficiency Board on the district's
263 energy consumption, solar generation and subsequent greenhouse gas
264 emissions using Energy Star Portfolio Manager or an equivalent
265 platform. Such board shall make data on each public school district's
266 energy consumption, solar generation and greenhouse gas emissions
267 available on a publicly accessible Internet web site.

268 (2) Each superintendent shall publish annual reports on the state of
269 the solar power and energy efficiency systems in each public school
270 building of such school district. Such board shall publicize any
271 shortcomings concerning such solar power and energy efficiency
272 systems and work with the superintendent to overcome obstacles to
273 making improvements. Each consumer, employee or taxpayer of the
274 state, including, but not limited to, labor unions, may request a report
275 on the state of the solar and energy efficiency projects in a public school
276 building from such superintendent. Not later than thirty days after any
277 such request, the superintendent shall cause to be published a report on
278 such solar and energy efficiency projects.

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

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

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

294 (v) Not later than January 1, 2024, the Commissioner of Public Health
295 shall adopt regulations, in accordance with the provisions of chapter 54
296 of the general statutes, to require all public school districts to (1)
297 periodically test water samples from all taps used for drinking or
298 cooking in each school facility for the presence of lead; and (2) remediate
299 sources of lead contamination when lead is detected. Said department

300 shall publish the water test results from each public school facility on a
301 publicly accessible website.

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

To require the use of project labor agreements when certain solar and energy efficiency projects are required of school districts and to require certain measures by the Department of Public Health concerning air quality and drinking water in school settings.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]