



General Assembly

Substitute Bill No. 451

January Session, 2003

**AN ACT CONCERNING REPORTING REQUIREMENTS FOR THE
DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT,
THE CONNECTICUT DEVELOPMENT AUTHORITY AND
CONNECTICUT INNOVATIONS, INCORPORATED.**

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

1 Section 1. Section 32-1h of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2003*):

3 (a) Not later than November first, annually, the Commissioner of
4 Economic and Community Development shall submit a report, in
5 accordance with section 11-4a, to the Auditors of Public Accounts and
6 the joint standing committees of the General Assembly having
7 cognizance of matters relating to [the Department of Economic and
8 Community Development] commerce, appropriations and [capital]
9 finance, revenue and bonding, which shall include the following
10 information with respect to new and outstanding financial assistance
11 provided by the commissioner for each financial assistance program
12 the commissioner administers: (1) A list of the names, addresses and
13 locations of all recipients of such assistance, (2) for each such recipient:
14 (A) The business activities, (B) the standard industrial classification
15 manual codes, (C) the gross revenues during the recipient's most
16 recent fiscal year, (D) the number of employees at the time of
17 application, (E) whether the recipient is a minority or woman-owned
18 business, (F) a summary of the terms and conditions for the assistance,

19 including the type and amount of state financial assistance, job
20 creation or retention requirements, and anticipated wage rates, and (G)
21 the amount of investments from private and other nonstate sources
22 that have been leveraged by the assistance, (3) the economic benefit
23 criteria used in determining which applications have been approved or
24 disapproved, and (4) [for each recipient of assistance on or after July 1,
25 1991,] a comparison between the number of jobs to be created, the
26 number of jobs to be retained and the average wage rates for each such
27 category of jobs, as projected in the recipient's application, versus the
28 actual number of jobs created, the actual number of jobs retained and
29 the average wage rates for each such category. The report shall also
30 indicate the actual number of full-time jobs and the actual number of
31 part-time jobs in each such category and the benefit levels for each
32 such subcategory.

33 (b) In addition to the information required in subsection (a) of this
34 section, the report shall state the number of completed applications, as
35 determined by the commissioner, that the department approved,
36 disapproved, or took no action on, and the number of completed
37 applications that were withdrawn, for each of the categories of
38 businesses specified in subdivision (1) of this subsection for the time
39 periods specified in subdivision (2) of this subsection. (1) The
40 businesses to be included are: (A) Minority-owned businesses, as
41 defined in section 32-353, (B) woman-owned businesses, as defined in
42 section 32-350, and (C) all other businesses. (2) The time periods to be
43 included are: (A) Within less than three months after the date the
44 department received the completed application; (B) within three to six
45 months after the date the department received the completed
46 application; (C) within six to twelve months after the date the
47 department received the completed application; and (D) within twelve
48 or more months after the date the department received the completed
49 application. The report shall include a summary of the activities of the
50 department, including all activities to assist small businesses and
51 minority business enterprises, as defined in section 4a-60g, and
52 recommendations for legislation to promote the purposes of the

53 department.] a list of all federal programs of financial assistance for
54 defense conversion projects and other projects consistent with a
55 defense conversion strategy and a list of all applications for such
56 financial assistance filed by the Secretary of the Office of Policy and
57 Management in consultation with the Commissioner of Economic and
58 Community Development, during the preceding state fiscal year,
59 including the status of each such application.] The report submitted by
60 the commissioner for November 1, 2003, and annually thereafter, shall
61 be made available electronically on the department's website not later
62 than thirty days after the date the commissioner submits such report to
63 the Auditors of Public Accounts and the joint standing committees of
64 the General Assembly having cognizance of matters relating to
65 commerce, appropriations and finance, revenue and bonding.

66 Sec. 2. Subsection (c) of section 32-11a of the general statutes is
67 repealed and the following is substituted in lieu thereof (*Effective*
68 *October 1, 2003*):

69 (c) The board of directors of the authority shall consist of the
70 Commissioner of Economic and Community Development, the
71 Treasurer of the state and the Secretary of the Office of Policy and
72 Management, each serving ex officio, four members appointed by the
73 Governor who shall be experienced in the field of financial lending or
74 the development of commerce, trade and business and four members
75 appointed as follows: One by the president pro tempore of the Senate,
76 one by the minority leader of the Senate, one by the speaker of the
77 House of Representatives and one by the minority leader of the House
78 of Representatives. Each ex-officio member may designate a deputy or
79 any member of the agency staff to represent the member at meetings of
80 the authority with full powers to act and vote on the member's behalf.
81 The chairperson of the board shall be appointed by the Governor, with
82 the advice and consent of both houses of the General Assembly. The
83 board shall annually elect one of its members as vice chairman. Each
84 member appointed by the Governor shall serve at the pleasure of the
85 Governor but no longer than the term of office of the Governor or until
86 the member's successor is appointed and qualified, whichever is

87 longer. Each member appointed by a member of the General Assembly
88 shall serve in accordance with the provisions of section 4-1a. Members
89 shall receive no compensation but shall be reimbursed for necessary
90 expenses incurred in the performance of their duties under the
91 authority legislation, as defined in subsection (hh) of section 32-23d.
92 The Governor shall fill any vacancy for the unexpired term of a
93 member appointed by the Governor. The appropriate legislative
94 appointing authority shall fill any vacancy for the unexpired term of a
95 member appointed by such authority. A member of the board shall be
96 eligible for reappointment. Any member of the board may be removed
97 by the Governor for misfeasance, malfeasance or wilful neglect of
98 duty. Each member of the authority before entering upon his or her
99 duties shall take and subscribe the oath or affirmation required by
100 article XI, section 1, of the State Constitution. A record of each such
101 oath shall be filed in the office of the Secretary of the State. Meetings of
102 the board shall be held at such times as shall be specified in the bylaws
103 adopted by the board and at such other time or times as the chairman
104 deems necessary. The board is empowered to adopt bylaws and
105 regulations for putting into effect the provisions of said chapters and
106 sections. Not later than November first, annually, the authority shall
107 submit a report to the Commissioner of Economic and Community
108 Development, the Auditors of Public Accounts and the joint standing
109 committees of the General Assembly having cognizance of matters
110 relating to [the Department of Economic and Community
111 Development] commerce, appropriations and [capital] finance,
112 revenue and bonding, which shall include the following information
113 with respect to new [and outstanding] financial assistance provided by
114 the authority during the twelve-month period ending on June thirtieth
115 next preceding the date of the report and outstanding financial
116 assistance provided by the authority for each financial assistance
117 program administered by the authority: (1) A list of the names,
118 addresses and locations of all recipients of such assistance, (2) for each
119 recipient: (A) The business activities, (B) the Standard Industrial
120 Classification Manual codes, (C) the gross revenues during the
121 recipient's most recent fiscal year, (D) the number of employees at the

122 time of application, (E) whether the recipient is a minority or women-
123 owned business, (F) a summary of the terms and conditions for the
124 assistance, including the type and amount of state financial assistance,
125 job creation or retention requirements, and anticipated wage rates, and
126 (G) the amount of investments from private and other nonstate sources
127 that have been leveraged by the assistance, (3) the economic benefit
128 criteria used in determining which applications have been approved or
129 disapproved, and (4) [for each recipient of assistance on or after July 1,
130 1991,] a comparison between the number of jobs to be created, the
131 number of jobs to be retained and the average wage rates for each such
132 category of jobs, as projected in the recipient's application, versus the
133 actual number of jobs created, the actual number of jobs retained and
134 the average wage rates for each such category. The report shall also
135 indicate the actual number of full-time jobs and the actual number of
136 part-time jobs in each such category and the benefit levels for each
137 such subcategory. In addition, the report shall state (A) for each final
138 application approved during the twelve-month period covered by the
139 report, (i) the date that the final application was received by the
140 authority and (ii) the date of such approval; (B) for each final
141 application withdrawn during the twelve-month period covered by
142 the report, (i) the municipality in which the applicant is located, (ii) the
143 Standard Industrial Classification Manual code for the applicant, (iii)
144 the date that the final application was received by the authority, and
145 (iv) the date of such withdrawal; (C) for each final application
146 disapproved during the twelve-month period covered by the report, (i)
147 the municipality in which the applicant is located, (ii) the Standard
148 Industrial Classification Manual code for the applicant, (iii) the date
149 that the final application was received by the authority, and (iv) the
150 date of such disapproval; and (D) for each final application on which
151 no action has been taken by the applicant or the agency in the twelve-
152 month period covered by the report and for which no report has been
153 submitted under this subsection, (i) the municipality in which the
154 applicant is located, (ii) the Standard Industrial Classification Manual
155 code for the applicant, and (iii) the date that the final application was
156 received by the authority. For purposes of this subsection,

157 "outstanding financial assistance" means financial assistance provided
158 by and outstanding with the authority during the seven-year period
159 ending June thirtieth next preceding the November first report. The
160 November first report shall include a summary of the activities of the
161 authority, including all activities to assist small businesses and
162 minority business enterprises, as defined in section 4a-60g, a complete
163 operating and financial statement and recommendations for legislation
164 to promote the purposes of the authority. The authority shall furnish
165 such additional reports upon the written request of any such
166 committee at such times and containing such information as the
167 committee may request. The report submitted by the authority for
168 November 1, 2003, and annually thereafter, shall be made available
169 electronically on the authority's website not later than thirty days after
170 the date the authority submits its report to the Commissioner of
171 Economic and Community Development, the Auditors of Public
172 Accounts and the joint standing committees of the General Assembly
173 having cognizance of matters relating to commerce, appropriations
174 and finance, revenue and bonding. The accounts of the authority shall
175 be subject to annual audit by the state Auditors of Public Accounts.
176 The authority may cause an audit of its books and accounts to be made
177 at least once each fiscal year by certified public accountants. The
178 powers of the authority shall be vested in and exercised by not less
179 than six of the members of the board of directors then in office. Such
180 number of members shall constitute a quorum and the affirmative vote
181 of a majority of the members present at a meeting of the board shall be
182 necessary for any action taken by the authority. No vacancy in the
183 membership of the board shall impair the right to exercise all the rights
184 and perform all the duties of the authority. Any action taken by the
185 board under the provisions of said chapters and sections may be
186 authorized by resolution at any regular or special meeting, and each
187 such resolution shall take effect immediately and need not be
188 published or posted. The authority shall be exempt from the
189 provisions of section 4-9a.

190 Sec. 3. Section 32-47a of the general statutes is repealed and the

191 following is substituted in lieu thereof (*Effective October 1, 2003*):

192 (a) Not later than January first in each year, Connecticut
193 Innovations, Incorporated shall submit a business plan containing a
194 summary of its projected operations for the year, a complete operating
195 and financial statement and recommendations for legislation to
196 promote the purposes of the corporation to the joint standing
197 committees of the General Assembly having cognizance of matters
198 relating to [the Department of Economic and Community
199 Development] commerce, appropriations and [capital] finance,
200 revenue and bonding.

201 (b) Not later than November first, annually, the corporation shall
202 submit a report, in accordance with section 11-4a, to the Commissioner
203 of Economic and Community Development, the Auditors of Public
204 Accounts and [said] the joint standing committees of the General
205 Assembly having cognizance of matters relating to commerce,
206 appropriations and finance, revenue and bonding, which shall include
207 the following information with respect to new [and outstanding]
208 financial assistance provided by the corporation during the twelve-
209 month period ending on June thirtieth next preceding the date of the
210 report and outstanding financial assistance provided by the
211 corporation for each financial assistance program administered by the
212 corporation: (1) A list of the names, addresses and locations of all
213 recipients of such assistance, (2) for each such recipient: (A) The
214 business activities, (B) the Standard Industrial Classification Manual
215 codes, (C) the gross revenues during the recipient's most recent fiscal
216 year, (D) the number of employees at the time of application, (E)
217 whether the recipient is a minority or woman-owned business, (F) a
218 summary of the terms and conditions for the assistance, including the
219 type and amount of state financial assistance, job creation or retention
220 requirements, and anticipated wage rates, and (G) the amount of
221 investments from private and other nonstate sources that have been
222 leveraged by the assistance, (3) the economic benefit criteria used in
223 determining which applications have been approved or disapproved,
224 and (4) [for each recipient of assistance on or after July 1, 1991,] a

225 comparison between the number of jobs to be created, the number of
 226 jobs to be retained and the average wage rates for each such category
 227 of jobs, as projected in the recipient's application, versus the actual
 228 number of jobs created, the actual number of jobs retained and the
 229 average wage rates for each such category. The report shall also
 230 indicate the actual number of full-time jobs and the actual number of
 231 part-time jobs in each such category and the benefit levels for each
 232 such subcategory. [The November first report shall include a summary
 233 of the activities of the corporation, including all activities to assist
 234 small businesses and minority business enterprises, as defined in
 235 section 4a-60g, a complete operating and financial statement and
 236 recommendations for legislation to promote the purposes of the
 237 corporation.] For purposes of this subsection, "outstanding financial
 238 assistance" means financial assistance provided by and outstanding
 239 with the corporation during the seven-year period ending June
 240 thirtieth next preceding the November first report. The corporation
 241 shall furnish such additional information upon the written request of
 242 any such committee at such times as the committee may request. The
 243 report submitted by the corporation for November 1, 2003, and
 244 annually thereafter, shall be made available electronically on the
 245 corporation's website not later than thirty days after the date the
 246 corporation submits its report to the Auditors of Public Accounts and
 247 the joint standing committees of the General Assembly having
 248 cognizance of matters relating to commerce, appropriations and
 249 finance, revenue and bonding.

This act shall take effect as follows:	
Section 1	<i>October 1, 2003</i>
Sec. 2	<i>October 1, 2003</i>
Sec. 3	<i>October 1, 2003</i>

Statement of Legislative Commissioners:

Changes to subdivision and subparagraph numbering and lettering in subsection (b) of section 1 were made to clarify that the specified time periods apply to each category of business.

CE *Joint Favorable Subst.*