



***Substitute House Bill No. 5685***

***Public Act No. 06-184***

***AN ACT CONCERNING BROWNFIELDS.***

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

Section 1. (NEW) (*Effective July 1, 2006*) (a) There is established an Office of Brownfield Remediation and Development that shall be within the Department of Economic and Community Development for administrative purposes only.

(b) The office shall:

(1) Develop procedures and policies for streamlining the process for brownfield remediation;

(2) Identify existing and create new sources of funding for brownfield remediation and develop procedures for expediting the application for and release of such funds to municipalities or economic development agencies;

(3) Establish a place where municipalities or economic development agencies may facilitate compliance with state and federal clean up requirements and qualification for state funds;

(4) Identify and prioritize brownfield development opportunities;

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(5) Analyze any action taken by other states, particularly New Jersey and Pennsylvania, regarding brownfield remediation and liability; and

(6) Develop and execute an outreach program to educate property owners and potential property owners with regard to state policies and procedures for brownfield remediation.

(c) The Office of Brownfield Remediation and Development shall establish and operate a state-funded pilot program to identify brownfield remediation economic opportunities in four Connecticut municipalities, one of which shall have a population of more than twenty-five thousand but less than fifty thousand, one of which shall have a population of more than fifty thousand but less than one hundred thousand and two of which shall have populations of more than one hundred thousand. The Office of Brownfield Remediation and Development shall designate four pilot municipalities in which untreated brownfields hinder economic development and shall make grants under such pilot program to these municipalities or economic development agencies associated with each of the four municipalities that are likely to produce significant economic development benefit for the designated municipality.

(d) The Department of Environmental Protection and the Connecticut Development Authority shall each designate a staff member to act as a liaison between their offices and the Office of Brownfield Remediation and Development. The Office of Brownfield Remediation and Development shall develop and recruit two volunteers from the private sector, including a person from the Connecticut chapter of the National Brownfield Association, with experience in different aspects of brownfield remediation and development. Said liaisons and volunteers shall assist the Office of Brownfield Remediation and Development in achieving the goals of this section and, together, shall represent said office's response team.

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(e) The Office of Brownfield Remediation and Development may call upon any other department, board, commission or other agency of the state to supply such reports, information and assistance as said office determines is appropriate to carry out its duties and responsibilities. Each officer or employee of such office, department, board, commission or other agency of the state is authorized and directed to cooperate with the Office of Brownfield Remediation and Development and to furnish such reports, information and assistance.

(f) Brownfield sites identified for funding under the pilot program established in subsection (c) of this section shall receive priority review status from the Department of Environmental Protection. Each property funded under this program shall be investigated and remediated in accordance with the regulations established for the remediation of such sites adopted by the Commissioner of Environmental Protection or pursuant to section 22a-133k of the general statutes and under the supervision of the department or in accordance with the voluntary remediation program established in section 22a-133x of the general statutes. In either event, the department shall determine that remediation of the property has been fully implemented upon submission of a report indicating that remediation has been verified by an environmental professional licensed in accordance with section 22a-133v of the general statutes. Not later than ninety days after submission of the report, the commissioner shall notify the municipality or economic development agency as to whether the remediation has been performed and completed in accordance with the remediation standards or whether any additional remediation is warranted. For purposes of acknowledging that the remediation is complete, the commissioner may indicate that all actions to remediate any pollution caused by any release have been taken in accordance with the remediation standards and that no further remediation is necessary to achieve compliance except postremediation monitoring, natural attenuation monitoring or the

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recording of an environmental land use restriction.

Sec. 2. Section 32-1m of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2006*):

Not later than February 1, 2006, and annually thereafter, the Commissioner of Economic and Community Development shall submit a report to the Governor and the General Assembly, in accordance with the provisions of section 11-4a. Not later than thirty days after submission of the report to the Governor and the General Assembly, said commissioner shall post the report on the Department of Economic and Community Development's web site. Said report shall include, but not be limited to, the following information with regard to the activities of the Department of Economic and Community Development during the preceding state fiscal year:

(1) A brief description and assessment of the state's economy during such year, utilizing the most recent and reasonably available data, and including:

(A) Connecticut employment by industry;

(B) Connecticut and national average unemployment;

(C) Connecticut gross state product, by industry;

(D) Connecticut productivity, by industry, compared to the national average;

(E) Connecticut manufacturing activity;

(F) Identification of economic and competitive conditions affecting Connecticut's industry sectors, problems resulting from these conditions and state efforts to address the problems; and

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(G) Any other economic information that the commissioner deems appropriate.

(2) A statement of the department's economic and community development objectives, measures of program success and standards for granting financial and nonfinancial assistance under programs administered by the department.

(3) An analysis of the economic development portfolio of the department, including:

(A) A list of the names, addresses and locations of all recipients of the department's assistance;

(B) The following information concerning each recipient of such assistance: (i) Business activities, (ii) standard industrial classification codes or North American industrial classification codes, (iii) number of full-time jobs and part-time jobs at the time of application, (iv) number of actual full-time jobs and actual part-time jobs at application during the preceding state fiscal year, (v) whether the recipient is a minority or woman-owned business, (vi) a summary of the terms and conditions for the assistance, including the type and amount of state financial assistance, job creation or retention requirements and anticipated wage rates, (vii) the amount of investments from private and other nonstate sources that have been leveraged by the assistance, (viii) the extent to which employees of the recipient participate in health benefit plans offered by such recipient, (ix) the extent to which the recipient offers unique economic, social, cultural or aesthetic attributes to the municipality in which the recipient is located or to the state, and (x) the amount of state investment;

(C) A portfolio analysis, including (i) an analysis of the wages paid by recipients of financial assistance, (ii) the average portfolio wage, median portfolio wage, highest and lowest portfolio wage, (iii)

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portfolio wage data by industry, and (iv) portfolio wage data by municipality;

(D) An investment analysis, including (i) total portfolio value, (ii) total investment by industry, (iii) portfolio dollar per job average, (iv) portfolio leverage ratio, and (v) percentage of financial assistance which was provided to high performance work organizations in the preceding state fiscal year; and

(E) An analysis of the estimated economic effects of the department's economic development investments on the state's economy, including (i) contribution to gross state product for the total economic development portfolio and for any investment activity occurring in the preceding state fiscal year, (ii) direct and indirect employment created by the investments for the total portfolio and for any investment activity occurring in the preceding state fiscal year, (iii) productivity of recipients of financial assistance as a result of the department's investment occurring in the preceding state fiscal year, (iv) directly or indirectly increased property values in the municipalities in which the recipients of assistance are located, and (v) personal income.

(4) An analysis of the community development portfolio of the department, including:

(A) A list of the names, addresses and locations of all recipients of the department's assistance;

(B) The following information concerning each recipient of such assistance: (i) Amount of state investment, (ii) a summary of the terms and conditions for the department's assistance, including the type and amount of state financial assistance, and (iii) the amount of investments from private and other nonstate sources that have been leveraged by such assistance;

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(C) An investment analysis, including (i) total active portfolio value, (ii) total investments made in the preceding state fiscal year, (iii) total portfolio by municipality, (iv) total investments made in the preceding state fiscal year categorized by municipality, (v) total portfolio leverage ratio, and (vi) leverage ratio of the total investments made in the preceding state fiscal year; and

(D) An analysis of the estimated economic effects of the department's economic development investments on the state's economy, including (i) contribution to gross state product for the total portfolio and for any investment activity occurring in the preceding state fiscal year, (ii) direct and indirect employment created by the investments for the total portfolio and for any investment activity occurring in the preceding state fiscal year, (iii) productivity of recipients of financial assistance as a result of the department's investment occurring in the preceding state fiscal year, (iv) directly or indirectly increased property values in the municipalities in which the recipients are located, and (v) personal income.

(5) A summary of the department's economic and community development marketing efforts in the preceding state fiscal year, a summary of the department's business recruitment strategies and activities in such year, and a summary of the department's efforts to assist small businesses and minority business enterprises in such year.

(6) A summary of the department's international trade efforts in the preceding state fiscal year, and, to the extent possible, a summary of foreign direct investment that occurred in the state in such year.

(7) Identification of existing economic clusters, the formation of new economic clusters and the measures taken by the commissioner during the preceding state fiscal year to encourage the growth of economic clusters.

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(8) (A) A summary of the department's brownfield-related efforts and activities within the Office of Brownfield Remediation and Development established pursuant to section 1 of this act in the preceding state fiscal year, except for activity under the Special Contaminated Property Remediation and Insurance Fund program. Such efforts shall include, but not be limited to, (i) total portfolio investment in brownfield remediation projects, (ii) total investment in brownfield remediation projects in the preceding state fiscal year, (iii) total number of brownfield remediation projects, (iv) total number of brownfield remediation projects in the preceding state fiscal year, (v) total of reclaimed and remediated acreage, (vi) total of reclaimed and remediated acreage in the preceding state fiscal year, (vii) leverage ratio for the total portfolio investment in brownfield remediation projects, and (viii) leverage ratio for the total portfolio investment in brownfield remediation projects in the preceding state fiscal year. Such summary shall include a list of such brownfield remediation projects and, for each such project, the name of the developer and the location by street address and municipality and a tracking of all funds administered through or by said office; and

(B) A summary of the department's efforts with regard to the Special Contaminated Property Remediation and Insurance Fund, including, but not limited to, (i) the number of applications received in the preceding state fiscal year, (ii) the number and amounts of loans made in such year, (iii) the names of the applicants for such loans, (iv) the average time period between submission of application and the decision to grant or deny the loan, (v) a list of the applications approved and the applications denied and the reasons for such denials, and (vi) for each project, the location by street address and municipality.

(9) The following concerning enterprise zones designated under section 32-70:

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(A) A statement of the current goals for enterprise zones;

(B) A statement of the current performance standards to measure the progress of municipalities that have enterprise zones in attaining the goals for such zones;

(C) A report from each municipality that has an enterprise zone, which evaluates the progress of the municipality in meeting the performance standards established under subsection (a) of section 32-70a; and

(D) An assessment of the performance of each enterprise zone based on information collected under subparagraph (C) of this subdivision.

(10) With regard to the department's housing-development-related functions and activities:

(A) A brief description and assessment of the state's housing market during the preceding state fiscal year, utilizing the most recent and reasonably available data, and including, but not be limited to, (i) a brief description of the significant characteristics of such market, including supply, demand and condition and cost of housing, and (ii) any other information that the commissioner deems appropriate;

(B) An analysis of the progress of the public and private sector toward meeting housing needs in the state, using building permit data from the United States Census Bureau and demolition data from Connecticut municipalities;

(C) A list of municipalities that meet the affordable housing criteria set forth in subsection (k) of section 8-30g, as amended, pursuant to regulations that the Commissioner of Economic and Community Development shall adopt pursuant to the provisions of chapter 54. For the purpose of determining the percentage required by subsection (k) of said section 8-30g, the commissioner shall use as the denominator

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the number of dwelling units in the municipality, as reported in the most recent United States decennial census;

(D) A statement of the department's housing development objectives, measures of program success and standards for granting financial and nonfinancial assistance under programs administered by said commissioner.

(11) A presentation of the state funded housing development portfolio of the department, including:

(A) A list of the names, addresses and locations of all recipients of such assistance; and

(B) For each such recipient, (i) a summary of the terms and conditions for the assistance, including the type and amount of state financial assistance, (ii) the amount of investments from private and other nonstate sources that have been leveraged by the assistance, (iii) the number of new units to be created and the number of units to be preserved at the time of the application, and (iv) the number of actual new units created and number of units preserved.

(12) An analysis of the state funded housing development portfolio of the department, including:

(A) An investment analysis, including the (i) total active portfolio value, (ii) total investment made in the preceding state fiscal year, (iii) portfolio dollar per new unit created, (iv) estimated dollars per new unit created for projects receiving an assistance award in the preceding state fiscal year, (v) portfolio dollars per unit preserved, (vi) estimated dollar per unit preserved for projects receiving an assistance award in the preceding state fiscal year, (vii) portfolio leverage ratio, and (viii) leverage ratio for housing development investments made in the preceding state fiscal year; and

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(B) A production and preservation analysis, including [the] (i) the total number of units created, itemized by municipality for the total portfolio and projects receiving an assistance award in the preceding state fiscal year, (ii) the total number of elderly units created for the total portfolio and for projects receiving an assistance award in the preceding state fiscal year, (iii) the total number of family units created for the total portfolio and for projects receiving an assistance award in the preceding state fiscal year, (iv) the total number of units preserved, itemized by municipality for the total portfolio and projects receiving an assistance award in the preceding state fiscal year, (v) the total number of elderly units preserved for the total portfolio and for projects receiving an assistance award in the preceding state fiscal year, (vi) the total number of family units preserved for the total portfolio and for projects receiving an assistance award in the preceding state fiscal year, (vii) an analysis by income group, of households served by the department's housing construction, substantial rehabilitation, purchase and rental assistance programs, for each housing development, if applicable, and for each program, including number of households served under each program by race and data for all households, and (viii) a summary of the department's efforts in promoting fair housing choice and racial and economic integration including data on the racial composition of the occupants and persons on the waiting list of each housing project that is assisted under any housing program established by the general statutes or a special act or that is supervised by the department, provided no information shall be required to be disclosed by any occupant or person on a waiting list for the preparation of such summary. As used in this subparagraph, "elderly units" means dwelling units for which occupancy is restricted by age, and "family units" means dwelling units for which occupancy is not restricted by age.

(13) An economic impact analysis of the department's housing development efforts and activities, including, but not limited to:

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(A) The contribution of such efforts and activities to the gross state product;

(B) The direct and indirect employment created by the investments for the total housing development portfolio and for any investment activity for such portfolio occurring in the preceding state fiscal year; and

(C) Personal income in the state.

(14) With regard to the department's energy conservation loan program:

(A) The number of loans or deferred loans made during the preceding fiscal year under each component of such program and the total amount of the loans or deferred loans made during such fiscal year under each such component;

(B) A description of each step of the loan or deferred loan application and review process;

(C) The location of each loan or deferred loan application intake site for such program;

(D) The average period for the processing of loan or deferred loan applications during such fiscal year; and

(E) The total administrative expenses of such program for such fiscal year.

(15) A summary of the total social and economic impact of the department's efforts and activities in the areas of economic, community and housing development and an assessment of the department's performance in terms of meeting its stated goals and objectives.

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Sec. 3. Subdivision (1) of section 22a-134 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(1) "Transfer of establishment" means any transaction or proceeding through which an establishment undergoes a change in ownership, but does not mean (A) conveyance or extinguishment of an easement, (B) conveyance of an establishment through a foreclosure, as defined in subsection (b) of section 22a-452f or foreclosure of a municipal tax lien or through a tax warrant sale pursuant to section 12-157 or, provided the establishment is within the pilot program established in subsection (c) of section 1 of this act, a subsequent transfer by such municipality that has foreclosed municipal tax liens or that has acquired title to the property through section 12-157, (C) conveyance of a deed in lieu of foreclosure to a lender, as defined in and that qualifies for the secured lender exemption pursuant to subsection (b) of section 22a-452f, (D) conveyance of a security interest, as defined in subdivision (7) of subsection (b) of section 22a-452f, (E) termination of a lease and conveyance, assignment or execution of a lease for a period less than ninety-nine years including conveyance, assignment or execution of a lease with options or similar terms that will extend the period of the leasehold to ninety-nine years, or from the commencement of the leasehold, ninety-nine years, including conveyance, assignment or execution of a lease with options or similar terms that will extend the period of the leasehold to ninety-nine years, or from the commencement of the leasehold, (F) any change in ownership approved by the Probate Court, (G) devolution of title to a surviving joint tenant, or to a trustee, executor or administrator under the terms of a testamentary trust or will, or by intestate succession, (H) corporate reorganization not substantially affecting the ownership of the establishment, (I) the issuance of stock or other securities of an entity which owns or operates an establishment, (J) the transfer of stock, securities or other ownership interests representing less than forty per

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cent of the ownership of the entity that owns or operates the establishment, (K) any conveyance of an interest in an establishment where the transferor is the sibling, spouse, child, parent, grandparent, child of a sibling or sibling of a parent of the transferee, (L) conveyance of an interest in an establishment to a trustee of an inter vivos trust created by the transferor solely for the benefit of one or more sibling, spouse, child, parent, grandchild, child of a sibling or sibling of a parent of the transferor, (M) any conveyance of a portion of a parcel upon which portion no establishment is or has been located and upon which there has not occurred a discharge, spillage, uncontrolled loss, seepage or filtration of hazardous waste, provided either the area of such portion is not greater than fifty per cent of the area of such parcel or written notice of such proposed conveyance and an environmental condition assessment form for such parcel is provided to the commissioner sixty days prior to such conveyance, (N) conveyance of a service station, as defined in subdivision (5) of this section, (O) any conveyance of an establishment which, prior to July 1, 1997, had been developed solely for residential use and such use has not changed, (P) any conveyance of an establishment to any entity created or operating under chapter 130 or 132, or to an urban rehabilitation agency, as defined in section 8-292, or to a municipality under section 32-224, or to the Connecticut Development Authority or any subsidiary of the authority, (Q) any conveyance of a parcel in connection with the acquisition of properties to effectuate the development of the overall project, as defined in section 32-651, (R) the conversion of a general or limited partnership to a limited liability company under section 34-199, (S) the transfer of general partnership property held in the names of all of its general partners to a general partnership which includes as general partners immediately after the transfer all of the same persons as were general partners immediately prior to the transfer, (T) the transfer of general partnership property held in the names of all of its general partners to a limited liability company which includes as members immediately after the transfer all of the same persons as were

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general partners immediately prior to the transfer, or (U) acquisition of an establishment by any governmental or quasi-governmental condemning authority.

Sec. 4. (NEW) (*Effective July 1, 2006*) The municipality or economic development agency that receives grants through the Office of Brownfield Remediation and Development's pilot program established in subsection (c) of section 1 of this act shall be considered an innocent party and shall not be liable under section 22a-432, 22a-433, 22a-451 or 22a-452 of the general statutes as long as the municipality or economic development agency did not cause or contribute to the discharge, spillage, uncontrolled loss, seepage or filtration of such hazardous substance, material, waste or pollution that is subject to remediation under this pilot program; does not exacerbate the conditions; and complies with reporting of significant environmental hazard requirements in section 22a-6u of the general statutes.

Sec. 5. (NEW) (*Effective July 1, 2006*) In determining what funds shall be made available for brownfield remediation, the Office of Brownfield Remediation and Development shall consider (1) the economic development opportunities such reuse and redevelopment may provide, and (2) the contribution of the reuse and redevelopment to the municipality's tax base.

Sec. 6. (NEW) (*Effective July 1, 2006*) Upon remediation as approved by the Department of Environmental Protection of the brownfield property by the municipality or economic development agency, the economic development agency or the municipality may transfer the property to any person provided such a person is not otherwise liable under section 22a-432, 22a-433, 22a-451 or 22a-452 of the general statutes. The person who acquires title from the municipality or economic development agency shall not be liable under said section 22a-432, 22a-433, 22a-451 or 22a-452, provided that such person does not cause or contribute to the discharge, spillage, uncontrolled loss,

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seepage or filtration of such hazardous substance, material or waste and such person is not a member, officer, manager, director, shareholder, subsidiary, successor of, related to, or affiliated with, directly or indirectly, the person who is otherwise liable under said section 22a-432, 22a-433, 22a-451 or 22a-452. In addition, the Commissioner of Environmental Protection shall also provide such person with a covenant not to sue pursuant to section 22a-133 of the general statutes and shall not require the prospective purchaser or owner to pay a fee. The municipality or economic development agency shall distribute the proceeds from any sale as follows: (1) Twenty per cent shall be retained by the municipality or economic development agency and used for capital improvements for economic development, and (2) eighty per cent shall be transferred to the Office of Brownfield Remediation and Development and deposited in the account established pursuant to section 12 of this act.

Sec. 7. (NEW) (*Effective July 1, 2006*) No person shall acquire title to or hold, possess or maintain any interest in a property that has been remediated in accordance with the pilot program established in subsection (c) of section 1 of this act if such person (1) is liable under section 22a-432, 22a-433, 22a-451 or 22a-452 of the general statutes; (2) is otherwise responsible, directly or indirectly, for the discharge, spillage, uncontrolled loss, seepage or filtration of such hazardous substance, material or waste; (3) is a member, officer, manager, director, shareholder, subsidiary, successor of, related to, or affiliated with, directly or indirectly, the person who is otherwise liable to under said section 22a-432, 22a-433, 22a-541 or 22a-452, or (4) is or was an owner, operator or tenant. If such person elects to acquire title to or hold, possess or maintain any interest in the property, that person shall reimburse the state of Connecticut, the municipality and the economic development agency for any and all costs expended to perform the investigation and remediation of the property, plus interest at a rate of eighteen per cent.

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Sec. 8. (NEW) (*Effective July 1, 2006*) All relevant terms in sections 4 to 8, inclusive, and 11 to 13, inclusive, of this act shall be defined in accordance with the definitions in chapter 445 of the general statutes. For purposes of sections 4 to 13, inclusive, of this act, "brownfields" means any abandoned or underutilized site where redevelopment and reuse has not occurred due to the presence of pollution in the soil or groundwater that requires remediation prior to or in conjunction with the restoration, redevelopment and reuse of the property.

Sec. 9. (NEW) (*Effective October 1, 2006*) (a) For purposes of this section, "brownfield" has the same definition as in 42 USC 9601 and "manufacturing establishments" means manufacturing establishments as defined in the North American Industrial Classification System, United States Office of Management and Budget, 1997 edition.

(b) Existing owners of manufacturing facilities designated as brownfield sites shall be eligible for any available remediation funds, provided such owners demonstrate to the funding authority's satisfaction they did not cause the release of any hazardous substances or petroleum at the brownfield or provided the owner demonstrates the following:

(1) It did not knowingly cause injury to human health or the environment as a result of its disposal of hazardous substances or petroleum; and

(2) It has never been found guilty of knowingly or wilfully violating an environmental law.

(c) In determining what funds shall be made available for brownfield remediation, the funding authority shall consider an owner's ability to pay some or all of the remediation costs. Said authority shall give preference to owners that demonstrate a limited ability to pay for such remediation.

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(d) In providing funds pursuant to this section, the funding authority may impose the following conditions:

(1) The owner receiving the funds not transfer title of the property for a set period of not more than ten years;

(2) The owner receiving funds reimburse the state for such funds in the event that it receives funds for remediation from other sources; or

(3) The owner receiving funds continues to employ residents of the state for a set period of not less than ten years.

Sec. 10. Subdivision (12) of subsection (a) of section 32-9t of the 2006 supplement to the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(12) "Eligible municipality" means (A) a municipality with an area designated as an enterprise zone pursuant to section 32-70, (B) a distressed municipality, as defined in subsection (b) of section 32-9p, [or] (C) a municipality that has a population in excess of one hundred thousand, or (D) any municipality that the commissioner determines is connected with the relocation of an out-of-state operation or the expansion of an existing facility that will result in a capital investment by a company of not less than fifty million dollars.

Sec. 11. (*Effective July 1, 2006*) (a) There is established a task force to study strategies for providing long-term solutions for the state's brownfields.

(b) The task force shall consist of the following nine members, each of whom shall have expertise in brownfield redevelopment either in environmental law, engineering, finance, development, consulting, insurance or other relevant experience:

(1) Two appointed by the Governor;

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- (2) One appointed by the president pro tempore of the Senate;
  - (3) One appointed by the speaker of the House of Representatives;
  - (4) One appointed by the majority leader of the Senate;
  - (5) One appointed by the majority leader of the House of Representatives;
  - (6) One appointed by the minority leader of the Senate;
  - (7) One appointed by the minority leader of the House of Representatives; and
  - (8) A representative of the Department of Environmental Protection, as appointed by the Commissioner of Environmental Protection.
- (c) Any member of the task force appointed under subdivision (1), (2), (3), (4), (5), (6) or (7) of subsection (b) of this section may be a member of the General Assembly. At least one member shall be an employee.
- (d) All appointments to the task force shall be made no later than thirty days after the effective date of this section. Any vacancy shall be filled by the appointing authority.
- (e) The speaker of the House of Representatives and the president pro tempore of the Senate shall select the chairpersons of the task force, from among the members of the task force. Such chairpersons shall schedule the first meeting of the task force, which shall be held no later than sixty days after the effective date of this section.
- (f) Not later than January 1, 2007, the task force shall submit a report on its findings and recommendations to the joint standing committees of the General Assembly having cognizance of matters relating to environment and commerce, in accordance with the provisions of

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section 11-4a of the general statutes. The task force shall terminate on the date that it submits such report or January 1, 2007, whichever is later.

Sec. 12. (NEW) (*Effective July 1, 2006*) (a) There is established an account to be known as the "Connecticut brownfields remediation account" which shall be a separate, nonlapsing account within the General Fund. The account shall contain any moneys required by law to be deposited in the account and shall be held separate and apart from other moneys, funds and accounts. Investment earnings credited to the account shall become part of the assets of the account. Any balance remaining in the account at the end of any fiscal year shall be carried forward in the account for the next fiscal year.

(b) The Office of Brownfield Remediation and Development, established in section 1 of this act may use amounts in the account established pursuant to subsection (a) of this section to fund remediation and restoration of brownfield sites as part of the pilot program established in subsection (c) of section 1 of this act.

Sec. 13. (NEW) (*Effective July 1, 2006*) The Departments of Economic and Community Development and Environmental Protection shall administer the provisions of sections 1 to 13, inclusive, of this act within available appropriations and any funds allocated pursuant to sections 4-66c and 32-9t of the 2006 supplement to the general statutes, as amended, and section 22a-133t of the general statutes.

Approved June 9, 2006