



General Assembly

February Session, 2006

Raised Bill No. 5685

LCO No. 2624

02624_____CE_

Referred to Committee on Commerce

Introduced by:
(CE)

AN ACT CONCERNING BROWNFIELDS.

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

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

5 (b) The office shall:

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

8 (2) Identify existing and create new sources of funding for
9 brownfield remediation and develop procedures for expediting the
10 application for and release of such funds;

11 (3) Establish a one-stop shop for property owners and potential
12 property owners to facilitate compliance with state and federal clean
13 up requirements and qualification for state funds;

14 (4) Identify brownfield development opportunities;

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

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

20 (7) Not later than December 31, 2006, and annually thereafter,
21 submit a report, in accordance with section 11-4a of the general
22 statutes, on matters relating to brownfield remediation and
23 development to the joint standing committee of the General Assembly
24 having cognizance of matters relating to economic development, and
25 to the Connecticut Development Authority and Connecticut
26 Innovations, Incorporated.

27 (c) The Office of Brownfield Remediation and Development shall
28 establish and operate a state-funded pilot program to identify
29 brownfield remediation economic opportunities in two Connecticut
30 municipalities, one of which shall have a population of more than fifty
31 thousand but less than one hundred thousand and one of which shall
32 have a population of more than one hundred thousand. The Office of
33 Brownfield Remediation and Development shall designate two pilot
34 municipalities in which untreated brownfields hinder economic
35 development and shall make grants under such pilot program that are
36 likely to produce significant economic development benefit for the
37 designated municipality.

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

46 Sec. 2. Section 32-1m of the 2006 supplement to the general statutes
47 is repealed and the following is substituted in lieu thereof (*Effective July*
48 *1, 2006*):

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

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

62 (A) Connecticut employment by industry;

63 (B) Connecticut and national average unemployment;

64 (C) Connecticut gross state product, by industry;

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

67 (E) Connecticut manufacturing activity;

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

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

73 (2) A statement of the department's economic and community

74 development objectives, measures of program success and standards
75 for granting financial and nonfinancial assistance under programs
76 administered by the department.

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

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

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

97 (C) A portfolio analysis, including (i) an analysis of the wages paid
98 by recipients of financial assistance, (ii) the average portfolio wage,
99 median portfolio wage, highest and lowest portfolio wage, (iii)
100 portfolio wage data by industry, and (iv) portfolio wage data by
101 municipality;

102 (D) An investment analysis, including (i) total portfolio value, (ii)
103 total investment by industry, (iii) portfolio dollar per job average, (iv)
104 portfolio leverage ratio, and (v) percentage of financial assistance

105 which was provided to high performance work organizations in the
106 preceding state fiscal year; and

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

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

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

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

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

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

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

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

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

158 (8) (A) A summary of the department's brownfield-related efforts
159 and activities within the Office of Brownfield Remediation and
160 Development established pursuant to section 1 of this act in the
161 preceding state fiscal year, except for activity under the Special
162 Contaminated Property Remediation and Insurance Fund program.
163 Such efforts shall include, but not be limited to, (i) total portfolio
164 investment in brownfield remediation projects, (ii) total investment in
165 brownfield remediation projects in the preceding state fiscal year, (iii)
166 total number of brownfield remediation projects, (iv) total number of

167 brownfield remediation projects in the preceding state fiscal year, (v)
168 total of reclaimed and remediated acreage, (vi) total of reclaimed and
169 remediated acreage in the preceding state fiscal year, (vii) leverage
170 ratio for the total portfolio investment in brownfield remediation
171 projects, and (viii) leverage ratio for the total portfolio investment in
172 brownfield remediation projects in the preceding state fiscal year. Such
173 summary shall include a list of such brownfield remediation projects
174 and, for each such project, the name of the developer and the location
175 by street address and municipality; and

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

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

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

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

192 (C) A report from each municipality that has an enterprise zone,
193 which evaluates the progress of the municipality in meeting the
194 performance standards established under subsection (a) of section 32-
195 70a; and

196 (D) An assessment of the performance of each enterprise zone based

197 on information collected under subparagraph (C) of this subdivision.

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

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

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

210 (C) A list of municipalities that meet the affordable housing criteria
211 set forth in subsection (k) of section 8-30g, as amended, pursuant to
212 regulations that the Commissioner of Economic and Community
213 Development shall adopt pursuant to the provisions of chapter 54. For
214 the purpose of determining the percentage required by subsection (k)
215 of said section 8-30g, as amended, the commissioner shall use as the
216 denominator the number of dwelling units in the municipality, as
217 reported in the most recent United States decennial census;

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

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

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

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

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

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

244 (B) A production and preservation analysis, including the (i) total
245 number of units created, itemized by municipality for the total
246 portfolio and projects receiving an assistance award in the preceding
247 state fiscal year, (ii) total number of elderly units created for the total
248 portfolio and for projects receiving an assistance award in the
249 preceding state fiscal year, (iii) total number of family units created for
250 the total portfolio and for projects receiving an assistance award in the
251 preceding state fiscal year, (iv) total number of units preserved,
252 itemized by municipality for the total portfolio and projects receiving
253 an assistance award in the preceding state fiscal year, (v) total number
254 of elderly units preserved for the total portfolio and for projects
255 receiving an assistance award in the preceding state fiscal year, (vi)
256 total number of family units preserved for the total portfolio and for
257 projects receiving an assistance award in the preceding state fiscal

258 year, (vii) an analysis by income group, of households served by the
259 department's housing construction, substantial rehabilitation, purchase
260 and rental assistance programs, for each housing development, if
261 applicable, and for each program, including number of households
262 served under each program by race and data for all households, and
263 (viii) a summary of the department's efforts in promoting fair housing
264 choice and racial and economic integration including data on the racial
265 composition of the occupants and persons on the waiting list of each
266 housing project that is assisted under any housing program
267 established by the general statutes or a special act or that is supervised
268 by the department, provided no information shall be required to be
269 disclosed by any occupant or person on a waiting list for the
270 preparation of such summary. As used in this subparagraph, "elderly
271 units" means dwelling units for which occupancy is restricted by age,
272 and "family units" means dwelling units for which occupancy is not
273 restricted by age.

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

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

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

282 (C) Personal income in the state.

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

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

288 year under each such component;

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

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

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

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

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

302 Sec. 3. (*Effective July 1, 2006*) The sum of ___ dollars is appropriated
303 to the Department of Economic and Community Development, from
304 the General Fund, for the fiscal year ending June 30, 2007, for the
305 Office of Brownfield Remediation and Development's projects and
306 pilot program, as established in section 1 of this act.

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|---|---------------------|-------------|
| This act shall take effect as follows and shall amend the following sections: | | |
| Section 1 | <i>July 1, 2006</i> | New section |
| Sec. 2 | <i>July 1, 2006</i> | 32-1m |
| Sec. 3 | <i>July 1, 2006</i> | New section |

Statement of Purpose:

To promote economic development.

[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.]