



General Assembly

Substitute Bill No. 1365

January Session, 2007

* SB01365TRA 050207 *

**AN ACT ESTABLISHING THE BRADLEY INTERNATIONAL AIRPORT
ECONOMIC DEVELOPMENT CORPORATION FOR AIRPORT-DRIVEN
ECONOMIC DEVELOPMENT.**

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

1 Section 1. (NEW) (*Effective September 1, 2007*) (a) There is created a
2 body politic and corporate to be known as the "Bradley International
3 Airport Economic Development Corporation". Said corporation shall
4 be a public instrumentality and political subdivision of this state and
5 the exercise by the corporation of the powers conferred by this section
6 shall be deemed and held to be the performance of an essential public
7 and governmental function. The Bradley International Airport
8 Economic Development Corporation shall not be construed to be a
9 department, institution or agency of the state.

10 (b) (1) The corporation shall be governed by a board of directors
11 consisting of eleven members as follows:

12 (A) The Commissioners of Economic and Community Development
13 and Transportation, or said commissioners' designees;

14 (B) One member of the Bradley Board of Directors, appointed by the
15 Governor;

16 (C) One member representing a regional planning organization
17 serving the Hartford region, and one member representing a regional

18 or multitown economic development organization, appointed by the
19 president pro tempore of the Senate;

20 (D) One member who serves as a member of the subcommittee of
21 the Bradley International Community Advisory Board, established
22 pursuant to subdivision (c) of section 15-101pp of the general statutes,
23 and one member representing a regional or state-wide business
24 association, appointed by the speaker of the House of Representatives;

25 (E) One member from the town of Windsor who serves as a member
26 of said subcommittee, appointed by the majority leader of the House of
27 Representatives;

28 (F) One member from the town of Windsor Locks who serves as a
29 member of said subcommittee, appointed by the minority leader of the
30 House of Representatives;

31 (G) One member from the town of Suffield who serves as a member
32 of said subcommittee, appointed by the majority leader of the Senate;
33 and

34 (H) One member from the town of East Granby who serves as a
35 member of said subcommittee, appointed by the minority leader of the
36 Senate.

37 (2) All appointments shall be made not later than thirty days after
38 September 1, 2007. The terms of the initial board members appointed
39 shall be established in the corporation's bylaws, provided six of the
40 members shall serve four-year terms from said September first and
41 five members shall serve two-year terms from said September first.
42 Thereafter, all members shall be appointed for four-year terms. A
43 member of the board shall be eligible for reappointment. Any member
44 who fails to attend three consecutive meetings or who fails to attend
45 fifty per cent of all meetings held during any calendar year shall be
46 deemed to have resigned from the board.

47 (3) Any member of the board may be removed by the appointing

48 authority for misfeasance, malfeasance or wilful neglect of duty. Each
49 member of the board, before commencing such member's duties, shall
50 take and subscribe the oath or affirmation required by article XI,
51 section 1, of the State Constitution. A record of each such oath shall be
52 filed in the office of the Secretary of the State.

53 (4) The board of directors shall maintain a record of its proceedings
54 in such form as it determines, provided such record indicates
55 attendance and all votes cast by each member. A majority of the
56 members of the board present shall constitute a quorum and the
57 affirmative vote of a majority of the members present at a meeting of
58 the board shall be sufficient for any action taken by the board. No
59 vacancy in the membership of the board shall impair the right of a
60 quorum to exercise all the rights and perform all the duties of the
61 board. Any action taken by the board may be authorized by resolution
62 at any regular or special meeting and shall take effect immediately
63 unless otherwise provided in the resolution. The board may delegate
64 to five or more of its members, or its officers, agents and employees,
65 such board powers and duties as it may deem proper.

66 (c) (1) The chairperson of the board shall be designated by the
67 Governor. The board of directors shall annually elect one of its
68 members as vice-chairperson and shall elect other of its members as
69 officers, adopt a budget and bylaws, designate an executive committee,
70 report semiannually to the appointing authorities with respect to
71 operations, finances and achievement of its economic development
72 objectives, be accountable to and cooperate with the state whenever,
73 pursuant to the provisions of this section, the state may audit the
74 corporation or any project of the corporation, or at any other time as
75 the state may inquire as to either, including allowing the state
76 reasonable access to any such project and to the records of the
77 corporation.

78 (2) The board of directors may appoint an executive director who
79 shall not be a member of the board, and who shall be exempt from the
80 classified service.

81 (3) Members of the board of directors shall receive no compensation
82 for the performance of their duties, but shall be reimbursed for all
83 expenses reasonably incurred in the performance thereof.

84 (d) Each member of the board of directors of the corporation and the
85 executive director shall execute a surety bond in the penal sum of at
86 least one hundred thousand dollars, or, in lieu thereof, the chairperson
87 of the board shall execute a blanket position bond covering each
88 member, the executive director and the employees of the corporation,
89 each surety bond to be conditioned upon the faithful performance of
90 the duties of the office or offices covered, to be executed by a surety
91 company authorized to transact business in this state as a surety and to
92 be approved by the Attorney General and filed in the office of the
93 Secretary of the State. The cost of each bond shall be paid by the
94 corporation.

95 (e) No board member shall have or acquire any financial interest in
96 any project related to economic development at Bradley International
97 Airport, or in any property included or planned to be included in any
98 such project or in any contract or proposed contract for materials or
99 services to be used in such project.

100 (f) The corporation shall have perpetual succession and shall adopt
101 procedures for the conduct of its affairs in accordance with section 3 of
102 this act. Such succession shall continue as long as the corporation shall
103 have bonds, notes or other obligations outstanding and until the
104 existence of the corporation is terminated by law, at which time the
105 rights and properties of the corporation shall pass to and be vested in
106 the state.

107 Sec. 2. (NEW) (*Effective October 1, 2007*) (a) The purpose of the
108 Bradley International Airport Economic Development Corporation
109 shall be to stimulate new investment in Connecticut, to coordinate
110 available economic development resources to attract and retain airport
111 dependent businesses, to facilitate coordination with the Bradley
112 Board of Directors to diversify the state economy, to coordinate local

113 economic development resource efforts, including available enterprise
114 corridor zone benefits, to strengthen the region's ability to attract,
115 retain, and grow business and industry employment, to broaden the
116 base of the tourism effort and stimulate substantial surrounding
117 economic development and corresponding increased tax revenues to
118 the state.

119 (b) For these purposes, the corporation shall have the following
120 powers: (1) To have perpetual succession as a body corporate and to
121 adopt procedures for the regulation of its affairs and the conduct of its
122 business as provided in subsection (f) of section 1 of this act, to adopt a
123 corporate seal and alter the same at its pleasure, and to maintain an
124 office at such place or places within the county of Hartford as it may
125 designate; (2) to sue and be sued, to contract and be contracted with;
126 (3) to employ such assistants, agents and other employees as may be
127 necessary or desirable to carry out its purposes, which employees shall
128 be exempt from the classified service and shall not be employees, as
129 defined in subsection (b) of section 5-270 of the general statutes, to fix
130 their compensation, to establish and modify personnel procedures as
131 may be necessary from time to time and to negotiate and enter into
132 collective bargaining agreements with labor unions; (4) to acquire,
133 lease, hold and dispose of personal property for the purposes set forth
134 in this section; (5) to procure insurance against any liability or loss in
135 connection with its property and other assets, in such amounts and
136 from such insurers as it deems desirable and to procure insurance for
137 employees; and (6) to invest any funds not needed for immediate use
138 or disbursement in obligations issued or guaranteed by the United
139 States of America or the state of Connecticut, including the Short Term
140 Investment Fund, and the Tax-Exempt Proceeds Fund, and in other
141 obligations which are legal investments for savings banks in this state
142 and in time deposits or certificates of deposit or other similar banking
143 arrangements secured in such manner as the corporation determines.

144 Sec. 3. (NEW) (*Effective October 1, 2007*) The board of directors of the
145 Bradley International Airport Economic Development Corporation
146 shall adopt written procedures, in accordance with the provisions of

147 section 1-121 of the general statutes, for: (1) Adopting an annual
148 budget and plan of operations, which shall include a requirement of
149 board approval before the budget or plan may take effect; (2) hiring,
150 dismissing, promoting and compensating employees of the
151 corporation, which shall include an affirmative action policy and a
152 requirement of board approval before a position may be created or a
153 vacancy filled; (3) acquiring real and personal property and personal
154 services, which shall include a requirement of board approval for any
155 nonbudgeted expenditure in excess of five thousand dollars; (4)
156 contracting for financial, legal, bond underwriting and other
157 professional services, which shall include a requirement that the
158 corporation solicit proposals at least once every three years for each
159 such service that it uses; (5) issuing and retiring bonds, notes and other
160 obligations of the corporation; and (6) providing financial assistance,
161 which shall include criteria for eligibility, the application process and
162 the role played by the corporation's staff and board of directors.

163 Sec. 4. (NEW) (*Effective October 1, 2007*) (a) The Bradley International
164 Airport Economic Development Corporation shall conduct a study of
165 comparable airport-driven economic development strategies applied
166 internationally in similarly-sized markets to: (1) Assess potential
167 economic development and job creation strategies where proximity to,
168 or dependence on, Bradley International Airport would be a significant
169 advantage; (2) assess the potential advantages and disadvantages of
170 more fully utilizing Bradley International Airport as an economic
171 driver, including, but not limited to, comparable transportation
172 conditions, local taxing policies, intertown cooperation, state agency
173 cooperation and possible statutory changes; (3) recommend potential
174 strategies for more fully utilizing Bradley International Airport as an
175 economic driver for the region and the state. On or before December
176 15, 2008, the corporation shall deliver such study, in accordance with
177 the provisions of section 11-4a of the general statutes, to the Governor
178 and to the joint standing committees of the General Assembly having
179 cognizance of matters relating to commerce and transportation.

180 (b) On or before December 15, 2008, and biennially thereafter, the

181 corporation shall report to the Governor and the General Assembly, in
182 accordance with the provisions of section 11-4a of the general statutes,
183 with respect to the operations, finances and achievement of its
184 economic development objectives.

185 (c) The corporation shall review, evaluate and include in the
186 biennial report required pursuant to subsection (b) of this section, the
187 progress of any Bradley International Airport Economic Development
188 Corporation project for which financing is provided, and shall devise
189 and employ techniques for forecasting and measuring relevant indices
190 of accomplishment of its goals of economic development, including,
191 but not limited to, (1) the number of jobs created, or to be created, by
192 or as a result of each project, (2) the cost or estimated cost to the
193 corporation for the creation of such jobs, (3) the amount of private
194 capital investment in, or stimulated by, a project, represented in
195 proportion to the public funds invested in such project, (4) the number
196 of additional businesses created and associated jobs, and (5) the impact
197 on tourism.

198 Sec. 5. Subdivision (1) of section 1-120 of the general statutes is
199 repealed and the following is substituted in lieu thereof (*Effective*
200 *October 1, 2007*):

201 (1) "Quasi-public agency" means the Connecticut Development
202 Authority, Connecticut Innovations, Incorporated, Connecticut Health
203 and Educational Facilities Authority, Connecticut Higher Education
204 Supplemental Loan Authority, Connecticut Housing Finance
205 Authority, Connecticut Housing Authority, Connecticut Resources
206 Recovery Authority, Capital City Economic Development Authority,
207 Bradley International Airport Economic Development Corporation,
208 and Connecticut Lottery Corporation.

209 Sec. 6. Section 32-80 of the general statutes is repealed and the
210 following is substituted in lieu thereof (*Effective October 1, 2007*):

211 (a) As used in this section:

212 (1) "Commissioner" means the Commissioner of Economic and
213 Community Development.

214 (2) "Public investment communities" shall have the same meaning
215 as "public investment communities", as defined in section 7-545.

216 (3) "Distressed municipality" shall have the same meaning as
217 "distressed municipality", as defined in section 32-9p.

218 (4) "Eligible municipality" means a municipality that is a distressed
219 municipality and a public investment community, has a population of
220 not more than forty thousand, has an unemployment rate that is more
221 than the unemployment rate of the state, and for which the per capita
222 income is less than the per capita income of the state.

223 (5) "Unemployment rate" means the average unemployment rate of
224 a municipality or the state, as the case may be, as reported by the
225 Labor Commissioner on the preceding July first for the latest available
226 twelve-month period.

227 (6) "Per capita income" means the average per capita income of a
228 municipality or the state, as the case may be, that is enumerated in the
229 most recent (A) federal decennial census of population, or (B) current
230 population report series issued by the United States Department of
231 Commerce, Bureau of the Census available on the preceding January
232 first, whichever is most recent.

233 (b) (1) Before July 1, 2005, the legislative bodies of three or more
234 contiguous municipalities, each of which is a public investment
235 community and has a population of not more than sixty thousand, and
236 at least fifty per cent of which municipalities are located along the
237 same interstate highway, limited access state highway or intersecting
238 interstate or limited access state highways, may, with the approval of
239 the commissioner, designate industrial districts in such municipalities
240 as an enterprise corridor zone.

241 (2) On or after July 1, 2005, the legislative bodies of two or more

242 contiguous eligible municipalities, at least one of which is located
243 along an interstate highway, limited access state highway or
244 intersecting interstate or limited access state highways and is
245 designated as a regional center in the locational guide map included in
246 the state plan of conservation and development adopted pursuant to
247 chapter 297, may, with the approval of the commissioner, designate
248 such municipalities as an enterprise corridor zone.

249 (3) On and after October 1, 2007, the legislative bodies of two or
250 more municipalities contiguous to Bradley International Airport may,
251 with the approval of the commissioner, designate such municipalities
252 as an enterprise corridor zone, provided only businesses located not
253 farther than three-quarters of a mile from the census block containing
254 Bradley International Airport shall be eligible for benefits pursuant to
255 this section.

256 (c) Municipalities seeking the approval of the commissioner for such
257 designation shall execute an intermunicipal agreement specifying how
258 they would cooperatively share in the marketing, promotion and
259 development of the industrial districts that would comprise the
260 enterprise corridor zones, and shall file with the commissioner a
261 preliminary application which includes such executed agreement. Not
262 later than sixty days after receipt of such preliminary application, the
263 commissioner shall indicate to the municipalities, in writing, any
264 recommendations for improving the municipalities' application. Not
265 later than sixty days after receipt of the commissioner's written
266 response, the municipalities shall file a final application with the
267 commissioner.

268 (d) The commissioner shall approve the designation of at least [two]
269 three areas as enterprise corridor zones. The commissioner may
270 remove the designation of any area he has approved as an enterprise
271 corridor zone if such area no longer meets the criteria for such
272 designation, provided no such designation shall be removed less than
273 ten years after the date that such area no longer meets such criteria.

274 (e) Businesses located within an enterprise corridor zone shall be
 275 entitled to the same benefits, subject to the same conditions, under the
 276 general statutes for which businesses located in an enterprise zone
 277 qualify.

278 (f) The commissioner may adopt regulations, in accordance with the
 279 provisions of chapter 54_z to carry out the purposes of this section.

280 Sec. 7. Section 15-101oo of the general statutes is repealed and the
 281 following is substituted in lieu thereof (*Effective October 1, 2007*):

282 For administrative purposes only, the Bradley Board of Directors
 283 shall perform its functions within the Department of [Transportation]
 284 Economic and Community Development. The administrative functions
 285 of the board of directors shall be performed by the Department of
 286 [Transportation] Economic and Community Development, and the
 287 costs thereof, including the cost of consultants recommended to advise
 288 the Bradley Board of Directors, may be reimbursed by the Enterprise
 289 Fund. Consultants recommended by the Bradley Board of Directors
 290 shall be engaged by the Department of [Transportation] Economic and
 291 Community Development, but shall report to the Bradley Board of
 292 Directors. The selection and engagement of consultants for the Bradley
 293 Board of Directors shall be exempt from sections 13b-20b to 13b-20m,
 294 inclusive, and sections 4-212 to 4-219, inclusive.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>September 1, 2007</i>	New section
Sec. 2	<i>October 1, 2007</i>	New section
Sec. 3	<i>October 1, 2007</i>	New section
Sec. 4	<i>October 1, 2007</i>	New section
Sec. 5	<i>October 1, 2007</i>	1-120(1)
Sec. 6	<i>October 1, 2007</i>	32-80
Sec. 7	<i>October 1, 2007</i>	15-101oo

