General Assembly

Raised Bill No. 1066

January Session, 2009

LCO No. **4174**

*04174_____CE_*

Referred to Committee on Commerce

Introduced by:
(CE)

AN ACT CONCERNING REORGANIZATION OF THE STATE ECONOMIC DEVELOPMENT AGENCIES.

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

Section 1. Section 32-1b of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2009*):

(a) There is established a Department of **[**Economic and**]** Community Development, which shall be the lead agency for economic development in the state. The department head shall be the Commissioner of **[**Economic and**]** Community Development, who shall be appointed by the Governor in accordance with the provisions of sections 4-5 to 4-8, inclusive, with the powers and duties prescribed in said sections 4-5 to 4-8, inclusive.

(b) Said department shall constitute a successor department to the Department of Housing in accordance with the provisions of sections 4-38d, 4-38e and 4-39.

(c) Said department shall constitute a successor department to the Department of Economic Development in accordance with the

15 provisions of sections 4-38d, 4-38e and 4-39.

16 (d) Whenever the term "Commissioner of Housing" is used or
17 referred to in the general statutes, the term "Commissioner of
18 **[**Economic and**]** Community Development" shall be substituted in lieu
19 thereof. Whenever the term "Department of Housing" is used or
20 referred to in the general statutes, the term "Department of **[**Economic
21 and**]** Community Development" shall be substituted in lieu thereof.

22 (e) Whenever the term "Commissioner of Economic Development"
23 is used or referred to in the general statutes, the term "Commissioner
24 of **[**Economic and**]** Community Development" shall be substituted in
25 lieu thereof. Whenever the term "Department of Economic
26 Development" is used or referred to in the general statutes, the term
27 "Department of **[**Economic and**]** Community Development" shall be
28 substituted in lieu thereof.

29 (f) If the term "Commissioner of Housing" or "Commissioner of
30 Economic Development" is used or referred to in any public or special
31 act of 1995 or 1996, or in any section of the general statutes which is
32 amended in 1995 or 1996, it shall be deemed to mean or refer to the
33 "Commissioner of **[**Economic and**]** Community Development".

34 (g) If the term "Department of Housing" or "Department of
35 Economic Development" is used or referred to in any public or special
36 act of 1995 or 1996, or in any section of the general statutes which is
37 amended in 1995 or 1996, it shall be deemed to mean or refer to the
38 "Department of **[**Economic and**]** Community Development".

39 <u>(h) Whenever the term "Department of Economic and Community</u>
40 <u>Development" is used or referred to in the general statutes, the term</u>
41 <u>"Department of Community Development" shall be substituted in lieu</u>
42 <u>thereof. Whenever the term "Commissioner of Economic and</u>
43 <u>Community Development" is used or referred to in the general</u>
44 <u>statutes, the term "Commissioner of Community Development" shall</u>
45 <u>be substituted in lieu thereof.</u>

Sec. 2. Section 32-1c of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2009*):

(a) In addition to any other powers, duties and responsibilities provided for in this chapter, chapter 131, chapter 579 and section 4-8 and subsection (a) of section 10-409, the commissioner shall have the following powers, duties and responsibilities: (1) To administer and direct the operations of the Department of **[**Economic and**]** Community Development, including, but not limited to, setting the state's economic development policy; (2) to report annually to the Governor, as provided in section 4-60; (3) to conduct and administer the research and planning functions necessary to carry out the purposes of said chapters and sections; (4) to encourage and promote the development of industry and business in the state and to investigate, study and undertake ways and means of promoting and encouraging the prosperous development and protection of the legitimate interest and welfare of Connecticut business, industry and commerce, within and outside the state; (5) to serve, **[**ex officio**]** as **[**a director on**]** the chairperson of the board of Connecticut Innovations, Incorporated, and the board of the Connecticut Development Authority; (6) to serve as a member of the Committee of Concern for Connecticut Jobs; (7) to promote and encourage the location and development of new business in the state as well as the maintenance and expansion of existing business and for that purpose to cooperate with state and local agencies and individuals both within and outside the state; (8) to plan and conduct a program of information and publicity designed to attract tourists, visitors and other interested persons from outside the state to this state and also to encourage and coordinate the efforts of other public and private organizations or groups of citizens to publicize the facilities and attractions of the state for the same purposes; (9) to advise and cooperate with municipalities, persons and local planning agencies within the state for the purpose of promoting coordination between the state and such municipalities as to plans and development; (10) to provide all necessary staff, services, accounting and office space and equipment required by the Connecticut

80 Development Authority subject to the provisions of section 4b-23,
81 where real estate acquisitions are involved; (11) to aid minority
82 businesses in their development; (12) to appoint such assistants,
83 experts, technicians and clerical staff, subject to the provisions of
84 chapter 67, as are necessary to carry out the purposes of said chapters
85 and sections; (13) to employ other consultants and assistants on a
86 contract or other basis for rendering financial, technical or other
87 assistance and advice, provided in implementing the Connecticut
88 economic information system. [the] The commissioner shall, to the
89 maximum extent feasible, contract with private vendors for software,
90 certain data sets and data updating services; (14) to acquire or lease
91 facilities located outside the state subject to the provisions of section
92 4b-23; (15) to advise and inform municipal officials concerning
93 economic development and collect and disseminate information
94 pertaining thereto, including information about federal, state and
95 private assistance programs and services pertaining thereto; (16) to
96 inquire into the utilization of state government resources and
97 coordinate federal and state activities for assistance in and solution of
98 problems of economic development and to inform and advise the
99 Governor about and propose legislation concerning such problems;
100 (17) to conduct, encourage and maintain research and studies relating
101 to industrial and commercial development; (18) to prepare and review
102 model ordinances and charters relating to these areas; (19) to maintain
103 an inventory of data and information and act as a clearinghouse and
104 referral agency for information on state and federal programs and
105 services relative to the purpose set forth herein. The inventory shall
106 include information on all federal programs of financial assistance for
107 defense conversion projects and other projects consistent with a
108 defense conversion strategy and shall identify businesses which would
109 be eligible for such assistance and provide notification to such business
110 of such programs; (20) to conduct, encourage and maintain research
111 and studies and advise municipal officials about forms of cooperation
112 between public and private agencies designed to advance economic
113 development; (21) to promote and assist the formation of municipal

114 and other agencies appropriate to the purposes of this chapter; (22) to
115 require notice of the submission of all applications by municipalities
116 and any agency thereof for federal and state financial assistance for
117 economic development programs as relate to the purposes of this
118 chapter; (23) with the approval of the Commissioner of Administrative
119 Services, to reimburse any employee of the department, including the
120 commissioner, for reasonable business expenses, including but not
121 limited to, mileage, travel, lodging, and entertainment of business
122 prospects and other persons to the extent necessary or advisable to
123 carry out the purposes of subdivisions (4), (7), (8) and (11) of this
124 subsection and other provisions of this chapter; (24) to assist in
125 resolving solid waste management issues; (25) to develop and
126 implement the Connecticut economic information system, in
127 consultation with the Connecticut Economic Information System
128 Steering Committee established under section 32-6i; and (26) (A) to
129 serve as an information clearinghouse for various public and private
130 programs available to assist businesses, and (B) to identify specific
131 micro businesses, as defined in section 32-344, whose growth and
132 success could benefit from state or private assistance and contact such
133 small businesses in order to (i) identify their needs, (ii) provide
134 information about public and private programs for meeting such
135 needs, including, but not limited to, technical assistance, job training
136 and financial assistance, and (iii) arrange for the provision of such
137 assistance to such businesses.

138 (b) The Commissioner of **[**Economic and**]** Community Development
139 may make available technical and financial assistance and advisory
140 services to any appropriate agency, authority or commission for
141 planning and other functions pertinent to economic development
142 provided any financial assistance to a regional planning agency or a
143 regional council of elected officials shall have the prior approval of the
144 Secretary of the Office of Policy and Management or his designee.
145 Financial assistance shall be rendered upon such contractual
146 arrangements as may be agreed upon by the commissioner and any
147 such agency, authority or commission in accordance with their

148 respective needs, and the commissioner may determine the
149 qualifications of personnel or consultants to be engaged for such
150 assistance.

151 (c) The Commissioner of **[**Economic and**]** Community Development
152 is authorized to do all things necessary to apply for, qualify for and
153 accept any federal funds made available or allotted under any federal
154 act for planning or any other projects, programs or activities which
155 may be established by federal law, for any of the purposes, or activities
156 related thereto, of the Department of **[**Economic and**]** Community
157 Development and said Commissioner of **[**Economic and**]** Community
158 Development shall administer any such funds allotted to the
159 department in accordance with federal law. The commissioner may
160 enter into contracts with the federal government concerning the use
161 and repayment of such funds under any such federal act, the
162 prosecution of the work under any such contract and the establishment
163 of any disbursement from a separate account in which federal and
164 state funds estimated to be required for plan preparation or other
165 eligible activities under such federal act shall be kept. Said account
166 shall not be a part of the General Fund of the state or any subdivision
167 of the state.

168 (d) The powers and duties enumerated in this section shall be in
169 addition to and shall not limit any other powers or duties of the
170 Commissioner of **[**Economic and**]** Community Development contained
171 in any other law.

172 <u>(e) In furtherance of the state's economic development policy, as</u>
173 <u>determined by the Commissioner of Community Development, said</u>
174 <u>commissioner may enter into contracts with other state agencies,</u>
175 <u>quasi-public state agencies, for-profit companies or nonprofit</u>
176 <u>organizations.</u>

177 Sec. 3. Section 32-1e of the general statutes is repealed and the
178 following is substituted in lieu thereof (*Effective July 1, 2009*):

179 (a) The Commissioner of **[**Economic and**]** Community Development,
180 in consultation with the Connecticut Resources Recovery Authority
181 and the Commissioner of Environmental Protection, shall prepare a
182 plan for the support and promotion of industries that use, process or
183 transport recycled materials. The plan shall outline ways existing
184 programs of the Department of **[**Economic and**]** Community
185 Development, the Connecticut Resources Recovery Authority and
186 agencies such as the Department of Environmental Protection, the
187 Connecticut Development Authority and Connecticut Innovations,
188 Incorporated will be used to promote such industries.

189 (b) Such plan shall be completed on or before July 1, 2007.

190 Sec. 4. Section 32-1f of the general statutes is repealed and the
191 following is substituted in lieu thereof (*Effective July 1, 2009*):

192 The Commissioner of **[**Economic and**]** Community Development
193 shall have the following duties and powers:

194 (1) To carry out a futures program to study and forecast the quality
195 of life in Connecticut in the future;

196 (2) To build an awareness of, and concern for, Connecticut's future
197 among residents of the state;

198 (3) To identify the opportunities and constraints which may affect
199 the quality of life in Connecticut in the future;

200 (4) To study the effects of changing social, economic, technological
201 and environmental conditions upon the quality of life in Connecticut
202 in the future;

203 (5) To analyze and interpret available information and data
204 concerning Connecticut's future;

205 (6) To develop alternatives for achieving the best possible future for
206 Connecticut;

207 (7) To offer members of the public the opportunity to voice their
208 views, suggestions and ideas on future alternatives;

209 (8) To monitor other public groups involved in research on the
210 future of the state; and

211 (9) To maintain a library containing all records from public and
212 private sectors on the subject of Connecticut's future.

213 Each state agency and department shall cooperate with the
214 commissioner in carrying out such duties and shall permit the
215 Department of **[**Economic and**]** Community Development to have
216 access to records and data needed for the performance of those duties.

217 Sec. 5. Section 32-1g of the general statutes is repealed and the
218 following is substituted in lieu thereof (*Effective July 1, 2009*):

219 (a) The Connecticut Economic Conference Board, in consultation
220 with the Department of **[**Economic and**]** Community Development and
221 The University of Connecticut, shall establish a Connecticut
222 competitiveness index to monitor the competitiveness of Connecticut
223 as a place to do business, including, but not limited to, how programs
224 and policies of the state government affect the economy and the
225 business environment. The board shall use the Connecticut economic
226 information system developed pursuant to section 32-6i and the
227 Regional Economic Models, Inc. (REMI) system to establish and
228 compile the scores for the index.

229 (b) On or before January 1, 1994, the board shall publish a list of the
230 proposed components of the index and the proposed methodology for
231 compiling the score for the index. The board shall seek public
232 comment on the list and methodology and shall publish a final list and
233 methodology by February 15, 1994.

234 (c) Not later than February 15, 1994, and annually thereafter, the
235 board shall submit to the Governor and the General Assembly the
236 score for the index for the preceding calendar year.

237 (d) The expenses incurred by the board pursuant to this section shall
238 be paid by the Department of **[**Economic and**]** Community
239 Development and The University of Connecticut from existing
240 budgetary resources.

241 Sec. 6. Section 32-1k of the general statutes is repealed and the
242 following is substituted in lieu thereof (*Effective July 1, 2009*):

243 As used in sections 8-244b to 8-244d, inclusive, this section and
244 section 32-1*l*, the following terms shall have the following meanings
245 unless the context clearly indicates another meaning and intent:

246 (1) "Department" means the Department of **[**Economic and**]**
247 Community Development;

248 (2) "Commissioner" means the Commissioner of **[**Economic and**]**
249 Community Development;

250 (3) "CDA" means the Connecticut Development Authority, as
251 created under chapter 579;

252 (4) "CHFA" means the Connecticut Housing Finance Authority, as
253 created under chapter 134;

254 (5) "CII" means Connecticut Innovations, Incorporated, as created
255 under chapter 581; and

256 (6) "SHA" means the State Housing Authority as created under
257 section 8-244b.

258 Sec. 7. Section 32-1m of the general statutes is repealed and the
259 following is substituted in lieu thereof (*Effective July 1, 2009*):

260 (a) Not later than February 1, 2006, and annually thereafter, the
261 Commissioner of **[**Economic and**]** Community Development shall
262 submit a report to the Governor and the General Assembly, in
263 accordance with the provisions of section 11-4a. Not later than thirty
264 days after submission of the report to the Governor and the General

265 Assembly, said commissioner shall post the report on the Department
266 of [Economic and] Community Development's web site. Said report
267 shall include, but not be limited to, the following information with
268 regard to the activities of the Department of [Economic and]
269 Community Development during the preceding state fiscal year:

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

273 (A) Connecticut employment by industry;

274 (B) Connecticut and national average unemployment;

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

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

278 (E) Connecticut manufacturing activity;

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

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

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

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

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

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

308 (C) A portfolio analysis, including (i) an analysis of the wages paid
309 by recipients of financial assistance, (ii) the average portfolio wage,
310 median portfolio wage, highest and lowest portfolio wage, (iii)
311 portfolio wage data by industry, and (iv) portfolio wage data by
312 municipality;

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

318 (E) An analysis of the estimated economic effects of the
319 department's economic development investments on the state's
320 economy, including (i) contribution to gross state product for the total
321 economic development portfolio and for any investment activity
322 occurring in the preceding state fiscal year, (ii) direct and indirect
323 employment created by the investments for the total portfolio and for

324 any investment activity occurring in the preceding state fiscal year, (iii)
325 productivity of recipients of financial assistance as a result of the
326 department's investment occurring in the preceding state fiscal year,
327 (iv) directly or indirectly increased property values in the
328 municipalities in which the recipients of assistance are located, and (v)
329 personal income.

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

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

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

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

346 (D) An analysis of the estimated economic effects of the
347 department's economic development investments on the state's
348 economy, including (i) contribution to gross state product for the total
349 portfolio and for any investment activity occurring in the preceding
350 state fiscal year, (ii) direct and indirect employment created by the
351 investments for the total portfolio and for any investment activity
352 occurring in the preceding state fiscal year, (iii) productivity of
353 recipients of financial assistance as a result of the department's
354 investment occurring in the preceding state fiscal year, (iv) directly or

355 indirectly increased property values in the municipalities in which the
356 recipients are located, and (v) personal income.

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

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

365 (7) Identification of existing economic clusters, the formation of new
366 economic clusters, the measures taken by the commissioner during the
367 preceding state fiscal year to encourage the growth of economic
368 clusters and the amount of bond funds expended by the department
369 during the previous fiscal year on each economic cluster.

370 (8) (A) A summary of the department's brownfield-related efforts
371 and activities within the Office of Brownfield Remediation and
372 Development established pursuant to subsections (a) to (f), inclusive,
373 of section 32-9cc in the preceding state fiscal year, except for activity
374 under the Special Contaminated Property Remediation and Insurance
375 Fund program. Such efforts shall include, but not be limited to, (i) total
376 portfolio investment in brownfield remediation projects, (ii) total
377 investment in brownfield remediation projects in the preceding state
378 fiscal year, (iii) total number of brownfield remediation projects, (iv)
379 total number of brownfield remediation projects in the preceding state
380 fiscal year, (v) total of reclaimed and remediated acreage, (vi) total of
381 reclaimed and remediated acreage in the preceding state fiscal year,
382 (vii) leverage ratio for the total portfolio investment in brownfield
383 remediation projects, and (viii) leverage ratio for the total portfolio
384 investment in brownfield remediation projects in the preceding state
385 fiscal year. Such summary shall include a list of such brownfield
386 remediation projects and, for each such project, the name of the

387 developer and the location by street address and municipality and a
388 tracking of all funds administered through or by said office;

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

399 (C) A summary of the department's efforts with regard to the dry
400 cleaning grant program, established pursuant to section 12-263m,
401 including, but not limited to, (i) information as to the number of
402 applications received, (ii) the number and amounts of grants made
403 since the inception of the program, (iii) the names of the applicants,
404 (iv) the time period between submission of application and the
405 decision to grant or deny the loan, (v) which applications were
406 approved and which applications were denied and the reasons for any
407 denials, and (vi) a recommendation as to whether the surcharge and
408 grant program established pursuant to section 12-263m should
409 continue.

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

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

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

416 (C) A report from each municipality that has an enterprise zone,

417 which evaluates the progress of the municipality in meeting the
418 performance standards established under section 32-70a; and

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

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

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

429 (B) A comprehensive assessment of current and future needs for
430 rental assistance under section 8-119kk for housing projects for the
431 elderly and disabled, in consultation with the Connecticut Housing
432 Finance Authority;

433 (C) An analysis of the progress of the public and private sectors
434 toward meeting housing needs in the state, using building permit data
435 from the United States Census Bureau and demolition data from
436 Connecticut municipalities;

437 (D) A list of municipalities that meet the affordable housing criteria
438 set forth in subsection (k) of section 8-30g, pursuant to regulations that
439 the Commissioner of Economic and Community Development shall
440 adopt pursuant to the provisions of chapter 54. For the purpose of
441 determining the percentage required by subsection (k) of said section
442 8-30g, the commissioner shall use as the denominator the number of
443 dwelling units in the municipality, as reported in the most recent
444 United States decennial census; and

445 (E) A statement of the department's housing development
446 objectives, measures of program success and standards for granting

447 financial and nonfinancial assistance under programs administered by
448 said commissioner.

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

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

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

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

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

471 (B) A production and preservation analysis, including (i) the total
472 number of units created, itemized by municipality, for the total
473 portfolio and projects receiving an assistance award in the preceding
474 state fiscal year, (ii) the total number of elderly units created for the
475 total portfolio and for projects receiving an assistance award in the
476 preceding state fiscal year, (iii) the total number of family units created

477 for the total portfolio and for projects receiving an assistance award in
478 the preceding state fiscal year, (iv) the total number of units preserved,
479 itemized by municipality, for the total portfolio and projects receiving
480 an assistance award in the preceding state fiscal year, (v) the total
481 number of elderly units preserved for the total portfolio and for
482 projects receiving an assistance award in the preceding state fiscal
483 year, (vi) the total number of family units preserved for the total
484 portfolio and for projects receiving an assistance award in the
485 preceding state fiscal year, (vii) an analysis by income group of
486 households served by the department's housing construction,
487 substantial rehabilitation, purchase and rental assistance programs, for
488 each housing development, if applicable, and for each program,
489 including number of households served under each program by race
490 and data for all households, and (viii) a summary of the department's
491 efforts in promoting fair housing choice and racial and economic
492 integration, including data on the racial composition of the occupants
493 and persons on the waiting list of each housing project that is assisted
494 under any housing program established by the general statutes or a
495 special act or that is supervised by the department, provided no
496 information shall be required to be disclosed by any occupant or
497 person on a waiting list for the preparation of such summary. As used
498 in this subparagraph, "elderly units" means dwelling units for which
499 occupancy is restricted by age, and "family units" means dwelling
500 units for which occupancy is not restricted by age.

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

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

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

509 (C) Personal income in the state.

510 (14) With regard to the Housing Trust Fund and Housing Trust
511 Fund program, as those terms are defined in section 8-336m:

512 (A) Activities for the prior fiscal year of the Housing Trust Fund and
513 the Housing Trust Fund program; and

514 (B) The efforts of the department to obtain private support for the
515 Housing Trust Fund and the Housing Trust Fund program.

516 (15) With regard to the department's energy conservation loan
517 program:

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

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

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

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

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

530 [(16)] (10) A summary of the total social and economic impact of the
531 department's efforts and activities in the areas of economic [,] and
532 community [and housing] development, and an assessment of the
533 department's performance in terms of meeting its stated goals and
534 objectives.

535 (b) Any annual report that is required from the department by any

536 provision of the general statutes shall be incorporated into the annual
537 report provided pursuant to subsection (a) of this section.

538 Sec. 8. Section 32-1n of the general statutes is repealed and the
539 following is substituted in lieu thereof (*Effective July 1, 2009*):

540 Not later than December 31, 2006, the Commissioner of **[**Economic
541 and**]** Community Development shall prepare a report (1) indicating
542 any amount of funds allocated by the Department of **[**Economic and**]**
543 Community Development during the fiscal year ending June 30, 2006,
544 for economic and industry cluster initiatives, and (2) including
545 recommendations concerning the adequacy of such funds, and shall
546 submit such report to the Governor and the joint standing committees
547 of the General Assembly having cognizance of matters relating to
548 commerce, finance, revenue and bonding and appropriations, in
549 accordance with the provisions of section 11-4a.

550 Sec. 9. Section 32-1o of the general statutes is repealed and the
551 following is substituted in lieu thereof (*Effective July 1, 2009*):

552 (a) On or before July 1, 2009, and every five years thereafter, the
553 Commissioner of **[**Economic and**]** Community Development, within
554 available appropriations, shall prepare an economic strategic plan for
555 the state in consultation with the Secretary of the Office of Policy and
556 Management, the Commissioners of Environmental Protection and
557 Transportation, the Labor Commissioner, the executive directors of the
558 Connecticut Housing Finance Authority, the Connecticut Development
559 Authority, **[**the**]** Connecticut Innovations, Inc., **[**the Commission on
560 Culture and Tourism**]** and the Connecticut Health and Educational
561 Facilities Authority, **[**and the president of the Office of Workforce
562 Competitiveness,**]** or their respective designees, and any other agencies
563 the Commissioner of **[**Economic and**]** Community Development deems
564 appropriate.

565 (b) In developing the plan, the Commissioner of **[**Economic and**]**
566 Community Development shall:

567 (1) Ensure that the plan is consistent with (A) the text and locational
568 guide map of the state plan of conservation and development, adopted
569 pursuant to chapter 297, (B) the long-range state housing plan,
570 adopted pursuant to section 8-37t, and (C) the transportation strategy
571 adopted pursuant to section 13b-57g;

572 (2) Consult regional councils of governments, regional planning
573 organizations, regional economic development agencies, interested
574 state and local officials, entities involved in economic and community
575 development, stakeholders and business, economic, labor, community
576 and housing organizations;

577 (3) Consider (A) regional economic, community and housing
578 development plans, and (B) applicable state and local workforce
579 investment strategies;

580 (4) Assess and evaluate the economic development challenges and
581 opportunities of the state and against the economic development
582 competitiveness of other states and regions; and

583 (5) Host regional forums to provide for public involvement in the
584 planning process.

585 (c) The strategic plan required under this section shall include, but
586 not be limited to, the following:

587 (1) A review and evaluation of the economy of the state. Such
588 review and evaluation shall include, but not be limited to, a sectoral
589 analysis, housing market and housing affordability analysis, labor
590 market and labor quality analysis, demographic analysis and include
591 historic trend analysis and projections;

592 (2) A review and analysis of factors, issues and forces that impact or
593 impede economic development and responsible growth in Connecticut
594 and its constituent regions. Such factors, issues or forces shall include,
595 but not be limited to, transportation, including, but not limited to,
596 commuter transit, rail and barge freight, technology transfer,

597 brownfield remediation and development, health care delivery and
598 costs, early education, primary education, secondary and
599 postsecondary education systems and student performance, business
600 regulation, labor force quality and sustainability, social services costs
601 and delivery systems, affordable and workforce housing cost and
602 availability, land use policy, emergency preparedness, taxation,
603 availability of capital and energy costs and supply;

604 (3) Identification and analysis of economic clusters that are growing
605 or declining within the state;

606 (4) An analysis of targeted industry sectors in the state that (A)
607 identifies those industry sectors that are of current or future
608 importance to the growth of the state's economy and to its global
609 competitive position, (B) identifies what those industry sectors need
610 for continued growth, and (C) identifies, those industry sectors current
611 and potential impediments to growth;

612 (5) A review and evaluation of the economic development structure
613 in the state, including, but not limited to, (A) a review and analysis of
614 the past and current economic, community and housing development
615 structures, budgets and policies, efforts and responsibilities of its
616 constituent parts in Connecticut; and (B) an analysis of the
617 performance of the current economic, community and housing
618 development structure, and its individual constituent parts, in meeting
619 its statutory obligations, responsibilities and mandates and their
620 impact on economic development and responsible growth in
621 Connecticut;

622 (6) Establishment and articulation of a vision for Connecticut that
623 identifies where the state should be in five, ten, fifteen and twenty
624 years;

625 (7) Establishment of clear and measurable goals and objectives for
626 the state and regions, to meet the short and long-term goals established
627 under this section and provide clear steps and strategies to achieve

628 said goals and objectives, including, but not limited to, the following:
629 (A) The promotion of economic development and opportunity, (B) the
630 fostering of effective transportation access and choice including the use
631 of airports and ports for economic development, (C) enhancement and
632 protection of the environment, (D) maximization of the effective
633 development and use of the workforce consistent with applicable state
634 or local workforce investment strategy, (E) promotion of the use of
635 technology in economic development, including access to high-speed
636 telecommunications, and (F) the balance of resources through sound
637 management of physical development;

638 (8) Prioritization of goals and objectives established under this
639 section;

640 (9) Establishment of relevant measures that clearly identify and
641 quantify (A) whether a goal and objective is being met at the state,
642 regional, local and private sector level, and (B) cause and effect
643 relationships, and provides a clear and replicable measurement
644 methodology;

645 (10) Recommendations on how the state can best achieve goals
646 under the strategic plan and provide cost estimates for implementation
647 of the plan and the projected return on investment for those areas; and

648 (11) Any other responsible growth information that the
649 commissioner deems appropriate.

650 (d) On or before July 1, 2009, and every five years thereafter, the
651 Commissioner of **[**Economic and**]** Community Development shall
652 submit an economic development strategic plan for the state to the
653 Governor for approval. The Governor shall review and approve or
654 disapprove such plan not more than sixty days after submission. The
655 plan shall be effective upon approval by the Governor or sixty days
656 after the date of submission.

657 (e) Upon approval, the commissioner shall submit the economic

658 development strategic plan to the joint standing committees of the
659 General Assembly having cognizance of matters relating to commerce,
660 planning and development, appropriations and the budgets of state
661 agencies and finance, revenue and bonding. Not later than thirty days
662 after such submission, the commissioner shall post the plan on the web
663 site of the Department of **[**Economic and**]** Community Development.

664 (f) The commissioner from time to time, may revise and update the
665 strategic plan upon approval of the Governor. The commissioner shall
666 post any such revisions on the web site of the Department of
667 **[**Economic and**]** Community Development.

668 Sec. 10. Section 32-4h of the general statutes is repealed and the
669 following is substituted in lieu thereof (*Effective July 1, 2009*):

670 Not later than August 1, 1997, and annually thereafter, the
671 **[**chairperson of the board of directors of the Connecticut Development
672 Authority and the chairperson of the board of directors of Connecticut
673 Innovations, Incorporated**]** Commissioner of Community
674 Development shall submit a report to the joint standing committee of
675 the General Assembly having cognizance of matters relating to the
676 Department of **[**Economic and**]** Community Development, in
677 accordance with the provisions of section 11-4a, which details the
678 amount of bond funds expended during the previous fiscal year on
679 each economic cluster in the state by the quasi-public agency
680 administered by such chairperson.

681 Sec. 11. Section 32-5a of the general statutes is repealed and the
682 following is substituted in lieu thereof (*Effective July 1, 2009*):

683 The Commissioner of **[**Economic and**]** Community Development
684 and the board of directors of the Connecticut Development Authority
685 shall require, as a condition of any financial assistance provided on
686 and after June 23, 1993, under any program administered by the
687 Department of **[**Economic and**]** Community Development or such
688 authority to any business organization, that such business

689 organization: (1) Shall not relocate outside of the state for ten years
690 after receiving such assistance or during the term of a loan or loan
691 guarantee, whichever is longer, unless the full amount of the assistance
692 is repaid to the state and a penalty equal to five per cent of the total
693 assistance received is paid to the state; and (2) shall, if the business
694 organization relocates within the state during such period, offer
695 employment at the new location to its employees from the original
696 location if such employment is available. For the purposes of
697 subdivision (1) of this section, the value of a guarantee shall be equal to
698 the amount of the state's liability under the guarantee. As used in this
699 section, "relocate" means the physical transfer of the operations of a
700 business in its entirety or of any division of a business which
701 independently receives any financial assistance from the state from the
702 location such business or division occupied at the time it accepted the
703 financial assistance to another location. Notwithstanding the
704 provisions of this section, the Commissioner of **[**Economic and**]**
705 Community Development shall adopt regulations in accordance with
706 chapter 54 to establish the terms and conditions of repayment,
707 including specifying the conditions under which repayment may be
708 deferred, following a determination by the commissioner of a
709 legitimate hardship.

710 Sec. 12. Section 32-5b of the general statutes is repealed and the
711 following is substituted in lieu thereof (*Effective July 1, 2009*):

712 Not later than July 1, 1996, the Commissioner of **[**Economic and**]**
713 Community Development shall adopt regulations in accordance with
714 the provisions of chapter 54, establishing deadlines for the approval or
715 disapproval of applications for financial assistance by the Department
716 of **[**Economic and**]** Community Development.

717 Sec. 13. Section 32-6 of the general statutes is repealed and the
718 following is substituted in lieu thereof (*Effective July 1, 2009*):

719 (a) The **[**management and control of**]** <u>Department of Community</u>
720 <u>Development shall manage and control</u> the operation and affairs of the

721 Connecticut building at the Eastern States Exposition at West
722 Springfield. [shall be in the charge of the Department of Economic and
723 Community Development. Maintenance of] The Department of Public
724 Works shall maintain the land and building. [shall be the responsibility
725 of the Department of Public Works. Coverage] The Comptroller shall
726 be responsible for coverage by fire and casualty insurance. [shall be the
727 responsibility of the Comptroller.] The [building and land shall be
728 used by the] Department of [Economic and] Community
729 Development, in cooperation with public and private agencies, shall
730 use the building and the land to conduct an educational exhibit [which
731 will] to promote the agricultural, industrial, recreational and other
732 physical and natural resources of this state.

733 (b) (1) There is established an account to be known as the
734 Connecticut Eastern States Exposition account. The account shall
735 contain any moneys required by law to be deposited in the account
736 and shall be a separate, nonlapsing account of the General Fund.
737 Investment earnings credited to the account shall become part of the
738 assets of the account. Any balance remaining in said account at the end
739 of any fiscal year shall be carried forward in the account for the next
740 fiscal year.

741 (2) There shall be deposited in the Connecticut Eastern States
742 Exposition account any proceeds realized by the state from activities
743 pursuant to this section.

744 (3) Amounts in the Connecticut Eastern States Exposition account
745 shall be available to fund the cost of any activities of the Department of
746 [Economic and] Community Development pursuant to this section,
747 including administrative costs related to such activities.

748 Sec. 14. Section 32-8a of the general statutes is repealed and the
749 following is substituted in lieu thereof (*Effective July 1, 2009*):

750 The Department of [Economic and] Community Development shall
751 maintain a registry of qualifying electronic commerce or information

752 technology intensive companies for the purposes of sections 10a-169a
753 and 10a-169b. **[**An**]** The department shall make an updated registry
754 **[**shall be made**]** available on the department's web page.

755 Sec. 15. Section 32-9c of the general statutes is repealed and the
756 following is substituted in lieu thereof (*Effective July 1, 2009*):

757 (a) In accordance with the provisions of section 4-38d, all powers
758 and duties of the Connecticut Development Commission under the
759 provisions of chapter 579, shall be transferred to the Connecticut
760 Development Authority and all the powers and duties of said
761 commission under the provisions of this chapter shall be transferred to
762 the Department of **[**Economic and**]** Community Development.

763 (b) In accordance with the provisions of section 4-38d, all powers
764 and duties of the Connecticut Development Commission under the
765 provisions of sections 7-137b, 8-155 to 8-159, inclusive, and 8-170 to 8-
766 185, inclusive, shall be transferred to the Department of **[**Economic
767 and**]** Community Development and the words "Connecticut
768 Development Commission" or "commissioner" used in said sections,
769 shall mean "Department of **[**Economic and**]** Community
770 Development".

771 (c) In accordance with the provisions of section 4-38d, all powers
772 and duties of the Connecticut Development Commission under the
773 provisions of sections 8-163 to 8-167, inclusive, shall be transferred to
774 the Department of **[**Economic and**]** Community Development and the
775 words "Connecticut Development Commission" and "Development
776 Commission" when used in said sections shall mean "Department of
777 **[**Economic and**]** Community Development".

778 Sec. 16. Section 32-9i of the general statutes is repealed and the
779 following is substituted in lieu thereof (*Effective July 1, 2009*):

780 (a) A job incentive account is hereby created within the General
781 Fund. There shall be deposited in said account all moneys received by

782 or appropriated to the Department of **[**Economic and**]** Community
783 Development from time to time therefor. In order to stimulate and
784 encourage the creation and growth of jobs in areas of high
785 unemployment, the state, acting by the Department of **[**Economic and**]**
786 Community Development, may provide job incentive grants to eligible
787 businesses, whose new or expanded facilities are located in an eligible
788 municipality having high unemployment and which facility results in
789 the creation of not less than five full-time jobs, as provided in sections
790 32-9i to 32-9*l*, inclusive.

791 (b) Amounts in the job incentive account shall be used for the
792 purpose of making such grants to businesses which are eligible for
793 such assistance, and which make application for and receive approval
794 for such assistance from the Commissioner of **[**Economic and**]**
795 Community Development.

796 Sec. 17. Section 32-9j of the general statutes is repealed and the
797 following is substituted in lieu thereof (*Effective July 1, 2009*):

798 For the purposes of sections 32-9i to 32-9*l*, inclusive, the following
799 terms shall have the following meanings unless the context indicates
800 another meaning and intent:

801 (a) "Eligible municipality" means any municipality in the state
802 which is a distressed municipality as defined in subsection (b) of
803 section 32-9p, and any other municipality in the state which has a
804 population of not less than ten thousand and which has a rate of
805 unemployment which exceeds one hundred ten per cent of the state's
806 average rate of unemployment, as determined by the Labor
807 Department, for the calendar year preceding the determination of
808 eligibility, provided no such other municipality with an
809 unemployment rate of less than six per cent shall be eligible. Eligible
810 municipalities shall be designated by the Department of **[**Economic
811 and**]** Community Development.

812 (b) "Eligible business facility" means (1) a business facility located in

813 an eligible municipality and for which a certificate of eligibility or
814 commitment letter has been issued by the department prior to March
815 1, 1991; or (2) a business facility for which a certificate of eligibility has
816 been issued by the department and which is located in an enterprise
817 zone designated pursuant to section 32-70. A business facility for
818 which such a certificate is issued shall be deemed an eligible business
819 facility only during the twenty-four-month period following the day
820 on which the certificate of eligibility is issued. A business facility may
821 not become an eligible business facility for the purposes of sections 32-
822 9i to 32-9*l*, inclusive, unless it meets each of the following
823 requirements: (A) It is a facility which does not primarily serve said
824 eligible municipality in which it is located. A facility shall be deemed
825 to meet this requirement if it is used primarily for the manufacturing,
826 processing or assembling of raw materials or manufactured products,
827 or for research or industrial warehousing, or any combination thereof
828 or, if located in an enterprise zone designated pursuant to section 32-
829 70, it is to be used by an establishment, an auxiliary or an operating
830 unit of an establishment, as such terms are defined in the Standard
831 Industrial Classification Manual, in the categories of depository
832 institutions, nondepository credit institutions, insurance carriers,
833 holding or other investment offices, business services, health services,
834 fishing, hunting and trapping, motor freight transportation and
835 warehousing, water transportation, transportation by air,
836 transportation services, security and commodity brokers, dealers,
837 exchanges and services or engineering, accounting, research,
838 management and related services from the Standard Industrial
839 Classification Manual, which establishment, auxiliary or operating unit
840 shows a strong performance in exporting goods and services, as
841 defined by the commissioner through regulations adopted in
842 accordance with the provisions of chapter 54. A facility shall not be
843 deemed to meet this requirement if (i) it is used primarily in making
844 retail sales of goods or services to customers who personally visit such
845 facility to obtain such goods or services, or (ii) it is used primarily as a
846 hotel, apartment house or other place of business which furnishes

847 dwelling space or accommodations to either residents or transients; (B)
848 it is a facility which is newly constructed or has undergone major
849 expansion or renovation as determined by the Commissioner of
850 **[**Economic and**]** Community Development, and (C) it is a facility
851 which will create in the eligible municipality in which it is located, as a
852 direct result of such construction, expansion or renovation, not less
853 than five new employment positions, or in the case of a facility located
854 in an enterprise zone designated pursuant to section 32-70, not less
855 than three new employment positions in the enterprise zone.

856 (c) "Commissioner" means the Commissioner of **[**Economic and**]**
857 Community Development.

858 (d) "Department" means the Department of **[**Economic and**]**
859 Community Development.

860 (e) "Eligibility period" means the twenty-four-month period
861 following the day on which the certificate of eligibility is issued.

862 (f) "Full-time employee" means an employee who works a minimum
863 of thirty-five hours per week.

864 Sec. 18. Section 32-9n of the general statutes is repealed and the
865 following is substituted in lieu thereof (*Effective July 1, 2009*):

866 **[**(a) There is established within the**]** <u>The</u> Department of **[**Economic
867 and**]** Community Development **[**an Office of Small Business Affairs**]**
868 <u>may, in the course of implementing the economic development policy</u>
869 <u>of the state, contract with other state agencies, for-profit companies or</u>
870 <u>nonprofit organizations to provide services related to small business</u>
871 <u>affairs</u>. Such **[**office**]** <u>contracts</u> shall aid and encourage small business
872 enterprises, particularly those owned and operated by minorities and
873 other socially or economically disadvantaged individuals in
874 Connecticut. As used in this section, minority means: (1) Black
875 Americans, including all persons having origins in any of the Black
876 African racial groups not of Hispanic origin; (2) Hispanic Americans,

877 including all persons of Mexican, Puerto Rican, Cuban, Central or
878 South American, or other Spanish culture or origin, regardless of race;
879 (3) all persons having origins in the Iberian Peninsula, including
880 Portugal, regardless of race; (4) women; (5) Asian Pacific Americans
881 and Pacific islanders; or (6) American Indians and persons having
882 origins in any of the original peoples of North America and
883 maintaining identifiable tribal affiliations through membership and
884 participation or community identification.

885 **[**(b) Said Office of Small Business Affairs shall: (1) Administer the
886 small business development center program run by the Department of
887 Economic and Community Development; (2) coordinate the flow of
888 information within the technical and management assistance program
889 run by the Department of Economic and Community Development; (3)
890 encourage the Connecticut Development Authority to grant loans to
891 small businesses, particularly those owned and operated by minorities
892 and other socially or economically disadvantaged individuals; (4)
893 coordinate and serve as a liaison between all federal, state, regional
894 and municipal agencies and programs affecting small business affairs;
895 and (5) administer any business management training program
896 established under section 32-352 or section 32-355 as the Commissioner
897 of Economic and Community Development may determine.**]**

898 Sec. 19. Section 32-9q of the general statutes is repealed and the
899 following is substituted in lieu thereof (*Effective July 1, 2009*):

900 (a) An Employment Incentive Revolving Fund is hereby created. In
901 order to encourage business expansion and location in distressed
902 municipalities, the state, acting through the Department of **[**Economic
903 and**]** Community Development may make working capital loans to
904 any industrial business organization in a distressed municipality
905 which has or is reasonably expected to create new employment in the
906 municipality. The business organization will be considered to have
907 created new employment in such municipality if the number of
908 persons employed by such business organization as a result of such

909 loan has increased or is expected to increase by more than five.
910 Working capital loans under this section shall not exceed seventy-five
911 thousand dollars in amount nor ten years in term for any single loan
912 and shall not be made unless the borrower receives concurrently with
913 such loan another working capital loan from a private financial
914 institution or local development corporation, as defined in Sections
915 501, 502 and 503 of the Small Business Investment Act, Public Law 699,
916 as amended, in an amount at least equal to the amount of the working
917 capital loan made by the state. Such working capital loans made by the
918 state or by a private financial institution may be either secured or
919 unsecured. Any business organization receiving a working capital loan
920 from the state under this section shall demonstrate to the satisfaction of
921 the Commissioner of **[**Economic and**]** Community Development that
922 the availability of such loan was an important factor in the decision of
923 such business organization to locate or expand in such distressed
924 municipality.

925 (b) The state, acting through the Commissioner of **[**Economic and**]**
926 Community Development, may make loans under this section to any
927 nonprofit state or local development corporation. The purposes of such
928 loans shall include, but not be limited to, working capital, start-ups
929 and fixed assets. Such loans shall not exceed in the aggregate five
930 hundred thousand dollars.

931 (c) The Commissioner of **[**Economic and**]** Community Development
932 shall charge and collect interest on each loan extended by the state
933 under this section at a rate not in excess of one per cent above the rate
934 of interest borne by the bonds of the state last issued prior to the date
935 such loan is made. Payments of principal and interest on such loans
936 paid to the Treasurer for deposit in the Employment Incentive
937 Revolving Fund shall be transferred to the Connecticut Growth Fund
938 established under section 32-23v.

939 (d) The Commissioner of **[**Economic and**]** Community Development
940 shall adopt regulations in accordance with chapter 54 to carry out the

941 provisions of this section. Such regulations shall establish loan
942 procedures, repayment terms, security requirements, default and
943 remedy provisions and such other terms and conditions as said
944 commissioner shall deem appropriate.

945 (e) For the purposes of this section the State Bond Commission shall
946 have power from time to time to authorize the issuance of bonds of the
947 state in one or more series and in principal amounts not exceeding in
948 the aggregate five hundred thousand dollars. All provisions of section
949 3-20 and the exercise of any right or power granted thereby which is
950 not inconsistent with the provisions of this section, are hereby adopted
951 and shall apply to all bonds authorized by the State Bond Commission
952 pursuant to this section. Temporary notes in anticipation of the money
953 to be derived from the sale of any bonds so authorized may be issued
954 in accordance with said section 3-20 and from time to time renewed.
955 Such bonds shall mature at such time or times not exceeding twenty
956 years from their respective dates as may be provided in or pursuant to
957 the resolution or resolutions of the State Bond Commission authorizing
958 such bonds. None of said bonds shall be authorized except upon a
959 finding by the State Bond Commission that there has been filed with it
960 a request for such authorization, which is signed by the Secretary of
961 the Office of Policy and Management or by or on behalf of such state
962 officer, department or agency and stating such terms and conditions as
963 said commission, in its discretion, may require. Bonds issued pursuant
964 to this section shall be general obligations of the state and the full faith
965 and credit of the state of Connecticut are pledged for the payment of
966 the principal of and interest on said bonds as the same become due.
967 Accordingly, and as part of the contract of the state with the holders of
968 said bonds, appropriation of all amounts necessary for punctual
969 payment of such principal and interest is hereby made, and the
970 Treasurer shall pay such principal and interest as the same become
971 due.

972 Sec. 20. Subdivision (1) of subsection (a) of section 32-9t of the
973 general statutes is repealed and the following is substituted in lieu

974 thereof (*Effective July 1, 2009*):

975 (1) "Commissioner" means the Commissioner of **[**Economic and**]**
976 Community Development.

977 Sec. 21. Section 32-9cc of the general statutes is repealed and the
978 following is substituted in lieu thereof (*Effective July 1, 2009*):

979 (a) **[**There is established, within the**]** The Department of **[**Economic
980 and**]** Community Development **[**, an Office of Brownfield Remediation
981 and Development**]** may, in the course of implementing the economic
982 development policy of the state, contract with other state agencies, for-
983 profit companies or nonprofit organizations to provide services related
984 to brownfield remediation and development.

985 (b) **[**The office**]** On its own or through such contracts, the
986 department shall:

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

989 (2) Identify existing and potential sources of funding for brownfield
990 remediation and develop procedures for expediting the application for
991 and release of such funds;

992 (3) **[**Establish an office to provide**]** Provide assistance and
993 information concerning the state's technical assistance, funding,
994 regulatory and permitting programs;

995 (4) Provide a single point of contact for financial and technical
996 assistance from the state and quasi-public agencies;

997 (5) Develop a common application to be used by all state and quasi-
998 public entities providing financial assistance for brownfield
999 assessment, remediation and development; **[**and**]**

1000 (6) Identify and prioritize state-wide brownfield development
1001 opportunities; and

1002 (7) Develop and execute a communication and outreach program to
1003 educate municipalities, economic development agencies, property
1004 owners and potential property owners and other organizations and
1005 individuals with regard to state policies and procedures for brownfield
1006 remediation.

1007 (c) Subject to the availability of funds, **[**there**]** the department shall
1008 **[**be**]** contract with another state agency, for-profit company or
1009 nonprofit organization to administer a state-funded pilot program to
1010 identify brownfield remediation economic opportunities in five
1011 Connecticut municipalities, one of which shall have a population of
1012 less than fifty thousand, one of which shall have a population of more
1013 than fifty thousand but less than one hundred thousand, two of which
1014 shall have populations of more than one hundred thousand and one of
1015 which shall be selected without regard to population. The
1016 Commissioner of **[**Economic and**]** Community Development shall
1017 designate five pilot municipalities in which untreated brownfields
1018 hinder economic development and shall make grants under such pilot
1019 program to these municipalities or economic development agencies
1020 associated with each of the five municipalities that are likely to
1021 produce significant economic development benefit for the designated
1022 municipality.

1023 (d) The Department of Environmental Protection, the Connecticut
1024 Development Authority and the Department of Public Health shall
1025 each designate one or more staff members to act as a liaison between
1026 their offices and the **[**Office of Brownfield Remediation and
1027 Development. The Commissioners of Economic and**]** Department of
1028 Community Development. **[**, Environmental Protection and Public
1029 Health and the executive director of the Connecticut Development
1030 Authority shall enter into a memorandum of understanding
1031 concerning each entity's responsibilities with respect to the Office of
1032 Brownfield Remediation and Development. The Office of Brownfield
1033 Remediation and Development may develop and**]** The department
1034 may recruit two volunteers from the private sector, including a person

1035 from the Connecticut chapter of the National Brownfield Association,
1036 with experience in different aspects of brownfield remediation and
1037 development [. Said volunteers may] to assist [the Office of Brownfield
1038 Remediation and Development] in achieving the goals of this section.

1039 (e) The [Office of Brownfield Remediation and Development]
1040 department may call upon any other department, board, commission
1041 or other agency of the state to supply such reports, information and
1042 assistance as said office determines is appropriate to carry out its
1043 duties and responsibilities. Each officer or employee of such office,
1044 department, board, commission or other agency of the state is
1045 authorized and directed to cooperate with the [Office of Brownfield
1046 Remediation and Development] department and to furnish such
1047 reports, information and assistance.

1048 (f) Brownfield sites identified for funding under the pilot program
1049 established in subsection (c) of this section shall receive priority review
1050 status from the Department of Environmental Protection. Each
1051 property funded under this program shall be investigated in
1052 accordance with prevailing standards and guidelines and remediated
1053 in accordance with the regulations established for the remediation of
1054 such sites adopted by the Commissioner of Environmental Protection
1055 or pursuant to section 22a-133k and under the supervision of the
1056 department or in accordance with the voluntary remediation program
1057 established in section 22a-133x. In either event, the department shall
1058 determine that remediation of the property has been fully
1059 implemented upon submission of a report indicating that remediation
1060 has been verified by an environmental professional licensed in
1061 accordance with section 22a-133v. Not later than ninety days after
1062 submission of the verification report, the Commissioner of
1063 Environmental Protection shall notify the municipality or economic
1064 development agency as to whether the remediation has been
1065 performed and completed in accordance with the remediation
1066 standards or whether any additional remediation is warranted. For
1067 purposes of acknowledging that the remediation is complete, the

1068 commissioner may indicate that all actions to remediate any pollution
1069 caused by any release have been taken in accordance with the
1070 remediation standards and that no further remediation is necessary to
1071 achieve compliance except postremediation monitoring, natural
1072 attenuation monitoring or the recording of an environmental land use
1073 restriction.

1074 (g) All relevant terms in this subsection, subsection (h) of this
1075 section, sections 32-9dd to 32-9ff, inclusive, and section 11 of public act
1076 06-184* shall be defined in accordance with the definitions in chapter
1077 445. For purposes of subdivision (12) of subsection (a) of section 32-9t,
1078 this subsection, subsection (h) of this section, sections 32-9dd to 32-9gg,
1079 inclusive, and section 11 of public act 06-184*, "brownfields" means any
1080 abandoned or underutilized site where redevelopment and reuse has
1081 not occurred due to the presence of pollution in the soil or
1082 groundwater that requires remediation prior to or in conjunction with
1083 the restoration, redevelopment and reuse of the property.

1084 (h) The Departments of **[**Economic and**]** Community Development
1085 and Environmental Protection shall administer the provisions of
1086 subdivision (1) of section 22a-134, section 32-1m, subdivision (12) of
1087 subsection (a) of section 32-9t, sections 32-9cc to 32-9gg, inclusive, and
1088 section 11 of public act 06-184* within available appropriations and
1089 any funds allocated pursuant to sections 4-66c, 22a-133t and 32-9t.

1090 Sec. 22. Section 32-9kk of the general statutes is repealed and the
1091 following is substituted in lieu thereof (*Effective July 1, 2009*):

1092 (a) As used in subsections (b) to (k), inclusive, of this section:

1093 (1) "Brownfield" means any abandoned or underutilized site where
1094 redevelopment and reuse has not occurred due to the presence or
1095 potential presence of pollution in the buildings, soil or groundwater
1096 that requires remediation before or in conjunction with the restoration,
1097 redevelopment and reuse of the property;

1098 (2) "Commissioner" means the Commissioner of [Economic and]
1099 Community Development;

1100 (3) "Department" means the Department of [Economic and]
1101 Community Development;

1102 (4) "Eligible applicant" means any municipality, a for-profit or
1103 nonprofit organization or entity, a local or regional economic
1104 development entity acting on behalf of a municipality or any
1105 combination thereof;

1106 (5) "Financial assistance" means grants, extensions of credit, loans or
1107 loan guarantees, participation interests in loans made to eligible
1108 applicants by the Connecticut Development Authority or combinations
1109 thereof;

1110 (6) "Municipality" means a town, city, consolidated town and city or
1111 consolidated town and borough;

1112 (7) "Eligible brownfield project" means the foreclosure,
1113 investigation, assessment, remediation and development of a
1114 brownfield undertaken pursuant to this subsection and subsections (b)
1115 to (k), inclusive, of this section;

1116 (8) "Project area" means the area within which a brownfield
1117 development project is located;

1118 (9) "Real property" means land, buildings and other structures and
1119 improvements thereto, subterranean or subsurface rights, any and all
1120 easements, air rights and franchises of any kind or nature;

1121 (10) "State" means the state of Connecticut; and

1122 (11) "Eligible grant recipients" means municipalities, economic
1123 development authorities, regional economic development authorities,
1124 or qualified nonprofit community and economic development
1125 corporations.

1126 (b) Subject to the availability of funds, the Commissioner of
1127 [Economic and] Community Development may, in consultation with
1128 the Commissioner of Environmental Protection, contract with other
1129 state agencies, for-profit companies and nonprofit organizations to
1130 provide financial assistance pursuant to subsections (e) and (f) of this
1131 section in support of eligible brownfield projects, as defined in
1132 subdivision (7) of subsection (a) of this section.

1133 (c) An eligible applicant, as defined in subdivision (4) of subsection
1134 (a) of this section, shall submit an application for financial assistance to
1135 the Commissioner of [Economic and] Community Development on
1136 forms provided by said commissioner and with such information said
1137 commissioner deems necessary, including, but not limited to: (1) A
1138 description of the proposed project; (2) an explanation of the expected
1139 benefits of the project in relation to the purposes of subsections (a) to
1140 (i), inclusive, of this section; (3) information concerning the financial
1141 and technical capacity of the eligible applicant to undertake the
1142 proposed project; (4) a project budget; (5) a description of the condition
1143 of the property involved including the results of any environmental
1144 assessment of the property; and (6) the names of any persons known to
1145 be liable for the remediation of the property.

1146 (d) The commissioner may approve, reject or modify any
1147 application properly submitted. In reviewing an application and
1148 determining the type and amount of financial assistance, if any, to be
1149 provided, the commissioner shall consider the following criteria: (1)
1150 The availability of funds; (2) the estimated costs of assessing and
1151 remediating the site, if known; (3) the relative economic condition of
1152 the municipality; (4) the relative need of the eligible project for
1153 financial assistance; (5) the degree to which financial assistance is
1154 necessary as an inducement to the eligible applicant to undertake the
1155 project; (6) the public health and environmental benefits of the project;
1156 (7) relative economic benefits of the project to the municipality, the
1157 region and the state, including, but not limited to, the extent to which
1158 the project will likely result in a contribution to the municipality's tax

1159 base and the retention and creation of jobs; (8) the time frame in which
1160 the contamination occurred; (9) the relationship of the applicant to the
1161 person or entity that caused the contamination; (10) the length of time
1162 the property has been abandoned; (11) the taxes owed and the
1163 projected revenues that may be restored to the community; (12) the
1164 type of financial assistance requested pursuant to this section; and (13)
1165 such other criteria as the commissioner may establish consistent with
1166 the purposes of subsection (a) to (k), inclusive, of this section.

1167 (e) (1) There is established a remedial action and redevelopment
1168 municipal grant program to be administered by the Department of
1169 **[**Economic and**]** Community Development for the purpose of
1170 providing financial assistance in the form of grants to eligible grant
1171 recipients. Eligible grant recipients may use grant funds for any
1172 development project, including manufacturing, retail, residential,
1173 municipal, educational, parks, community centers and mixed-use
1174 development, and the project's associated costs, including (A) soil,
1175 groundwater and infrastructure investigation, (B) assessment, (C)
1176 remediation, (D) abatement, (E) hazardous materials or waste disposal,
1177 (F) long-term groundwater or natural attenuation monitoring, (G)
1178 environmental land use restrictions, (H) attorneys' fees, (I) planning,
1179 engineering and environmental consulting, and (J) building and
1180 structural issues, including demolition, asbestos abatement,
1181 polychlorinated biphenyls removal, contaminated wood or paint
1182 removal, and other infrastructure remedial activities.

1183 (2) The Commissioner of **[**Economic and**]** Community Development
1184 shall <u>contract with other state agencies, for-profit companies and</u>
1185 <u>nonprofit organizations to</u> award grants on a competitive basis, based
1186 at a minimum on an annual request for applications, the first of which
1187 shall be issued on October 1, 2008, and the following to be issued on
1188 June first each year, with awards being made by the following January
1189 first. The commissioner, at the commissioner's discretion, may increase
1190 the frequency of requests for applications and awards depending upon
1191 the number of applicants and the availability of funding.

1192 (3) A grant awarded pursuant to this section shall not exceed four
1193 million dollars. If the eligible costs exceed four million dollars, the
1194 commissioner may request and seek funding through other state
1195 programs.

1196 (4) If the eligible grant recipient develops and sells the property,
1197 such applicant shall return any money received pursuant to this
1198 subsection, to the brownfield remediation and development account
1199 established pursuant to subsection (l) of this section, minus twenty per
1200 cent, which such eligible grant recipient shall retain to cover costs of
1201 oversight, administration, development and, if applicable, lost tax
1202 revenue.

1203 (5) Any eligible grant recipient shall be immune from liability to the
1204 extent provided in subsection (a) of section 32-9ee.

1205 (6) The eligible grant recipient may make low-interest loans to a
1206 redeveloper, if the future reuse is known and an agreement with the
1207 redeveloper is in place and the private party is a coapplicant. Loan
1208 principal and interest payments shall be returned to the brownfield
1209 remediation and development account established pursuant to
1210 subsection (l) of this section, minus twenty per cent of the principal,
1211 which the eligible grant recipient shall retain. If the eligible grant
1212 recipient provides a loan, such loan may be secured by a state or
1213 municipal lien on the property.

1214 (7) Any eligible grant recipients that provide a loan pursuant to
1215 subdivision (6) of this subsection shall require the loan recipient to
1216 enter a voluntary program pursuant to section 22a-133x or 22a-133y
1217 with the Commissioner of Environmental Protection for brownfield
1218 remediation. The commissioner may use not more than five per cent of
1219 eligible grant or loan proceeds for reasonable administrative expenses.

1220 (8) Notwithstanding section 22a-134a, the eligible grant recipient
1221 may acquire and convey its interest in the property without such
1222 recipient or the subsequent purchaser incurring liability, including any

1223 such liability incurred pursuant to section 22a-134a, provided the
1224 property was remediated pursuant to section 22a-133x or 22a-133y or
1225 pursuant to an order issued by the Commissioner of Environmental
1226 Protection and such remediation was performed in accordance with
1227 the standards adopted pursuant to section 22a-133k as determined by
1228 said commissioner or, if authorized by said commissioner, verified by
1229 a licensed environmental professional unless such verification has
1230 been rejected by said commissioner subsequent to an audit conducted
1231 by said commissioner and provided the subsequent purchaser has no
1232 direct or related liability for the site conditions.

1233 (f) (1) The Department of **[**Economic and**]** Community Development
1234 shall contract with other state agencies, for-profit companies and
1235 nonprofit organizations to develop a targeted brownfield development
1236 loan program to provide financial assistance in the form of low-interest
1237 loans to eligible applicants who are potential brownfield purchasers
1238 who have no direct or related liability for the site conditions and
1239 eligible applicants who are existing property owners who (A) are
1240 currently in good standing and otherwise compliant with the
1241 Department of Environmental Protection's regulatory programs, (B)
1242 demonstrate an inability to fund the investigation and cleanup
1243 themselves, and (C) cannot retain or expand jobs due to the costs
1244 associated with the investigating and remediating of the
1245 contamination.

1246 (2) The commissioner shall provide low-interest loans to eligible
1247 applicants who are purchasers or existing property owners pursuant to
1248 this section who seek to develop property for purposes of retaining or
1249 expanding jobs in the state or for developing housing to serve the
1250 needs of first-time home buyers. Loans shall be available to
1251 manufacturing, retail, residential or mixed-use developments,
1252 expansions or reuses. The commissioner shall provide loans based
1253 upon project merit and viability, the economic and community
1254 development opportunity, municipal support, contribution to the
1255 community's tax base, number of jobs, past experience of the applicant,

1256 compliance history and ability to pay.

1257 (3) Any loan recipient who is a brownfields purchaser and who (A)
1258 receives a loan in excess of thirty thousand dollars, or (B) uses loan
1259 proceeds to perform a Phase II environmental investigation, shall be
1260 subject to section 22a-134a or shall enter a voluntary program for
1261 remediation of the property with the Department of Environmental
1262 Protection. Any loan recipient who is an existing property owner shall
1263 enter a voluntary program with the Department of Environmental
1264 Protection.

1265 (4) Loans made pursuant to this subsection shall have such terms
1266 and conditions and shall be subject to such eligibility, loan approval
1267 and criteria, as determined by the commissioner. Such conditions shall
1268 include, but not be limited to, performance requirements and
1269 commitments to maintain or retain jobs. Loan repayment shall coincide
1270 with the restoration of the site to a productive use or the completion of
1271 the expansion. Such loans shall be for a period not to exceed twenty
1272 years.

1273 (5) If the property is sold before loan repayment, the loan is payable
1274 upon closing, with interest, unless the commissioner agrees otherwise.
1275 The commissioner may carry the loan forward as an encumbrance to
1276 the purchaser with the same terms and conditions as the original loan.

1277 (6) Loans made pursuant to this subsection may be used for any
1278 purpose, including the present or past costs of investigation,
1279 assessment, remediation, abatement, hazardous materials or waste
1280 disposal, long-term groundwater or natural attenuation monitoring,
1281 costs associated with an environmental land use restriction, attorneys'
1282 fees, planning, engineering and environmental consulting costs, and
1283 building and structural issues, including demolition, asbestos
1284 abatement, polychlorinated biphenyls removal, contaminated wood or
1285 paint removal, and other infrastructure remedial activities.

1286 (7) For any loan made pursuant to this subsection that is greater

1287 than fifty thousand dollars, the applicant shall submit a redevelopment
1288 plan that describes how the property will be used or reused for
1289 commercial, industrial or mixed-use development and how it will
1290 result in jobs and private investment in the community. For any
1291 residential development loan pursuant to this subsection, the
1292 developer shall agree that the development will provide the housing
1293 needs reasonable and appropriate for first-time home buyers or recent
1294 college graduates looking to remain in this state.

1295 (8) The loan program established pursuant to this subsection shall
1296 be available to all qualified new and existing property owners.
1297 Recipients who use loans for commercial, industrial or mixed-use
1298 development shall agree to retain or add jobs, during the term of the
1299 loan, unless otherwise agreed to by the Department of **[**Economic and**]**
1300 Community Development, the Connecticut Development Authority
1301 and the Connecticut Brownfield Redevelopment Authority. The
1302 residential developer shall agree to retire the loan upon sale of the
1303 units unless the development will be apartments.

1304 (9) Each loan recipient pursuant to this subsection may be eligible
1305 for up to two million dollars per year for up to two years, subject to
1306 agency underwriting and reasonable and customary requirements to
1307 assure performance. If additional funds are needed, the Commissioner
1308 of **[**Economic and**]** Community Development may recommend that the
1309 project be funded through the State Bond Commission.

1310 (g) The Commissioner of **[**Economic and**]** Community Development
1311 shall approve applications submitted in accordance with subsection (c)
1312 of this section before awarding any financial assistance to an eligible
1313 applicant or purchasing any participation interest in a loan made by
1314 the Connecticut Development Authority for the benefit of an eligible
1315 applicant. Notwithstanding any other provision of this section, if the
1316 applicant's request for financial assistance involves the department
1317 purchasing a participation interest in a loan made by the Connecticut
1318 Development Authority, such authority may submit such application

1319 and other information as is required of eligible applicants under
1320 subsection (c) of this section on behalf of such eligible applicant and no
1321 further application shall be required of such eligible applicant. No
1322 financial assistance shall exceed fifty per cent of the total project cost,
1323 provided in the case of (1) planning or site evaluation projects, and (2)
1324 financial assistance to any project in a targeted investment community,
1325 such assistance shall not exceed ninety per cent of the project cost.
1326 Upon approval of the commissioner, a nonstate share of the total
1327 project cost, if any, may be satisfied entirely or partially from noncash
1328 contributions, including contributions of real property, from private
1329 sources or, to the extent permitted by federal law, from moneys
1330 received by the municipality under any federal grant program.

1331 (h) Financial assistance may be made available for (1) site
1332 investigation and assessment, (2) planning and engineering, including,
1333 but not limited to, the reasonable cost of environmental consultants,
1334 laboratory analysis, investigatory and remedial contractors, architects,
1335 attorneys' fees, feasibility studies, appraisals, market studies and
1336 related activities, (3) the acquisition of real property, provided
1337 financial assistance for such acquisition shall not exceed fair market
1338 value as appraised as if clean, (4) the construction of site and
1339 infrastructure improvements related to the site remediation, (5)
1340 demolition, asbestos abatement, hazardous waste removal, PCB
1341 removal and related infrastructure remedial activities, (6) remediation,
1342 groundwater monitoring, including, but not limited to, natural
1343 attenuation groundwater monitoring and costs associated with filing
1344 an environmental land use restriction, (7) environmental insurance,
1345 and (8) other reasonable expenses the commissioner determines are
1346 necessary or appropriate for the initiation, implementation and
1347 completion of the project. The department may purchase participation
1348 interests in loans made by the Connecticut Development Authority for
1349 the foregoing purposes.

1350 (i) The commissioner may establish the terms and conditions of any
1351 financial assistance provided pursuant to subsections (a) to (k),

1352 inclusive, of this section. The commissioner may make any stipulation
1353 in connection with an offer of financial assistance the commissioner
1354 deems necessary to implement the policies and purposes of such
1355 sections, including, but not limited to the following: (1) Providing
1356 assurances that the eligible applicant will discharge its obligations in
1357 connection with the project; and (2) requiring that the eligible
1358 applicant provide the department with appropriate security for such
1359 financial assistance, including, but not limited to, a letter of credit, a
1360 lien on real property or a security interest in goods, equipment,
1361 inventory or other property of any kind.

1362 (j) The commissioner may use any available funds for financial
1363 assistance under the provisions of subsections (a) to (k), inclusive, of
1364 this section.

1365 (k) Whenever funds are used pursuant to subsections (a) to (k),
1366 inclusive, of this section for purposes of environmental assessments or
1367 remediation of a brownfield, the Commissioner of Environmental
1368 Protection may seek reimbursement of the costs and expenses incurred
1369 by requesting the Attorney General to bring a civil action to recover
1370 such costs and expenses from any party responsible for such pollution
1371 provided no such action shall be brought separately from any action to
1372 recover costs and expenses incurred by the Commissioner of
1373 Environmental Protection in pursuing action to contain, remove or
1374 mitigate any pollution on such site. The costs and expenses recovered
1375 may include, but shall not be limited to, (1) the actual cost of
1376 identifying, evaluating, planning for and undertaking the remediation
1377 of the site; (2) any administrative costs not exceeding ten per cent of
1378 the actual costs; (3) the costs of recovering the reimbursement; and (4)
1379 interest on the actual costs at a rate of ten per cent a year from the date
1380 such expenses were paid. The defendant in any civil action brought
1381 pursuant to this subsection shall have no cause of action or claim for
1382 contribution against any person with whom the Commissioner of
1383 Environmental Protection has entered into a covenant not to sue
1384 pursuant to sections 22a-133aa and 22a-133bb with respect to pollution

1385 on or emanating from the property that is the subject of said civil
1386 action. Funds recovered pursuant to this section shall be deposited in
1387 the brownfield remediation and development account established
1388 pursuant to subsections (l) to (o), inclusive, of this section. The
1389 provisions of this subsection shall be in addition to any other remedies
1390 provided by law.

1391 (l) There is established a separate nonlapsing account within the
1392 General Fund to be known as the "brownfield remediation and
1393 development account". There shall be deposited in the account: (1) The
1394 proceeds of bonds issued by the state for deposit into said account and
1395 used in accordance with this section; (2) repayments of assistance
1396 provided pursuant to subsection (c) of section 22a-133u; (3) interest or
1397 other income earned on the investment of moneys in the account; (4)
1398 funds recovered pursuant to subsection (i) of this section; and (5) all
1399 funds required by law to be deposited in the account. Repayment of
1400 principal and interest on loans made pursuant to subsections (a) to (k),
1401 inclusive, of this section shall be credited to such account and shall
1402 become part of the assets of the account. Any balance remaining in
1403 such account at the end of any fiscal year shall be carried forward in
1404 the account for the fiscal year next succeeding.

1405 (m) All moneys received in consideration of financial assistance,
1406 including payments of principal and interest on any loans, shall be
1407 credited to the account. At the discretion of the Commissioner of
1408 **[**Economic and**]** Community Development and subject to the approval
1409 of the Secretary of the Office of Policy and Management, any federal,
1410 private or other moneys received by the state in connection with
1411 projects undertaken pursuant to subsections (a) to (k), inclusive, of this
1412 section shall be credited to the assets of the account.

1413 (n) Notwithstanding any provision of law, proceeds from the sale of
1414 bonds available pursuant to subdivision (1) of subsection (b) of section
1415 4-66c may, with the approval of the Governor and the State Bond
1416 Commission, be used to capitalize the brownfield remediation and

1417 development account created by subsections (l) to (o), inclusive, of this
1418 section.

1419 (o) The commissioner may, with the approval of the Secretary of the
1420 Office of Policy and Management, provide financial assistance
1421 pursuant to subsections (a) to (k), inclusive, of this section from the
1422 account established under subsection (l) to (o), inclusive, of this
1423 section.

1424 Sec. 23. Section 32-9qq of the general statutes is repealed and the
1425 following is substituted in lieu thereof (*Effective July 1, 2009*):

1426 (a) It is hereby found and declared as a matter of legislative
1427 determination that there is a continuing need in the state for
1428 stimulation and encouragement of economic growth and development
1429 within the state through the establishment of business outreach centers
1430 located in certain regions of the state or for certain industry sectors to
1431 assist in providing services to small businesses and minority business
1432 enterprises as defined in section 4a-60g in the areas of business plan
1433 development, financial projection and planning, loan packaging,
1434 business counseling and related follow-up services, including the
1435 monitoring of any of the foregoing.

1436 (b) **[**The business outreach center challenge grant program is hereby
1437 created.**]** In order to stimulate and encourage economic growth and
1438 development, the state, acting through the Department of **[**Economic
1439 and**]** Community Development, may <u>contract with other state</u>
1440 <u>agencies, for-profit companies or nonprofit organizations to</u> make
1441 grants for the establishment of business outreach centers located in
1442 certain regions of the state or for certain industry sectors to assist in
1443 providing services to small businesses and minority business
1444 enterprises. Such grants shall be made under such terms and
1445 conditions as the department deems appropriate and shall be payable
1446 from the proceeds of the sale of bonds authorized under subsection (f)
1447 of this section and funds received by the department from any other
1448 source, in accordance with the following provisions:

1449 (1) [A] The department may contract with another state agency, a
1450 for-profit company or a nonprofit organization to develop a business
1451 outreach center [shall be any nonprofit or governmental entity
1452 providing or able] to provide assistance to small businesses and
1453 minority business enterprises in the areas of business plan
1454 development, financial projection, loan package planning, including
1455 loan packaging for small businesses and minority business enterprises
1456 which are seeking financial assistance from the Connecticut
1457 Development Authority, business counseling and related monitoring
1458 and follow-up services.

1459 (2) The department may require any entity receiving a grant
1460 pursuant to this section to obtain a matching grant in such amount as
1461 the department determines in its discretion. Such matching grant may
1462 include cash and in-kind contributions.

1463 (c) Grants may be made under this section to municipalities and
1464 other organizations for the purpose of providing funds to develop
1465 greenways, including, but not limited to, transportation-related
1466 greenways supported by the federal Transportation Equity Act for the
1467 21st Century, as amended from time to time. The amount of any grant
1468 shall be as follows: (1) For transportation greenways projects that are
1469 part of interstate greenways, not more than twenty per cent of the
1470 project cost; (2) for transportation greenways projects that are local
1471 spurs from interstate greenways or that are intertown greenways
1472 projects, not more than ten per cent of the project cost; and (3) for
1473 greenways that are not transportation greenways, not more than half
1474 of the capital costs of the project.

1475 (d) Applications for grants under this section shall be submitted on
1476 forms provided by the department. When reviewing applications, the
1477 department shall consider such factors as the impact on certain regions
1478 of the state or certain industry sectors, the applicant's plan for outreach
1479 efforts designed to inform small businesses and minority business
1480 enterprises of available sources of financial and technical assistance

1481 and the commitment and capacity of the applicant to provide
1482 assistance to small businesses and minority business enterprises under
1483 this section.

1484 (e) Each grant made under this section shall be authorized pursuant
1485 to regulations adopted by the Department of **[**Economic and**]**
1486 Community Development in accordance with the provisions of chapter
1487 54, which regulations may include, but shall not be limited to,
1488 provisions concerning application requirements, grant amounts and
1489 eligible use of funds, provided the amount of any grant under
1490 subsection (b) of this section shall be not more than the amount
1491 specified in said subsection.

1492 (f) For the purposes of this section, the State Bond Commission shall
1493 have the power, from time to time, to authorize the issuance of bonds
1494 of the state in one or more series and in principal amounts not
1495 exceeding in the aggregate two million five hundred thousand dollars.
1496 The proceeds of the sale of said bonds shall be used by the Department
1497 of **[**Economic and**]** Community Development for grants under the
1498 business outreach center challenge grant program created under this
1499 section. All provisions of section 3-20 or the exercise of any right or
1500 power granted thereby which are not inconsistent with the provisions
1501 of this section are hereby adopted and shall apply to all bonds
1502 authorized by the State Bond Commission pursuant to this section, and
1503 temporary notes in anticipation of the money to be derived from the
1504 sale of any such bonds so authorized may be issued in accordance with
1505 said section 3-20 and from time to time renewed. Said bonds shall
1506 mature at such time or times not exceeding twenty years from their
1507 respective dates as may be provided in or pursuant to the resolution or
1508 resolutions of the State Bond Commission authorizing such bonds.
1509 None of such bonds shall be authorized except upon a finding by the
1510 State Bond Commission that there has been filed with it a request for
1511 such authorization, which is signed by or on behalf of the Secretary of
1512 the Office of Policy and Management and states such terms and
1513 conditions as said commission in its discretion may require. Said

1514 bonds issued pursuant to this section shall be general obligations of the
1515 state and the full faith and credit of the state of Connecticut are
1516 pledged for the payment of the principal of and interest on said bonds
1517 as the same become due, and accordingly and as part of the contract of
1518 the state with the holders of said bonds, appropriation of all amounts
1519 necessary for punctual payment of such principal and interest is
1520 hereby made, and the Treasurer shall pay such principal and interest
1521 as the same become due. Net earnings on investments or
1522 reinvestments of proceeds, accrued interest and premiums on the
1523 issuance of such bonds, after payment therefrom of expenses incurred
1524 by the Treasurer or State Bond Commission in connection with their
1525 issuance, shall become part of the business outreach center challenge
1526 grant program.

1527 Sec. 24. Section 32-9vv of the general statutes is repealed and the
1528 following is substituted in lieu thereof (*Effective July 1, 2009*):

1529 The Department of **[**Economic and**]** Community Development shall
1530 establish, in consultation with the Connecticut Center for Advanced
1531 Technology, a Connecticut Hydrogen-Fuel Cell Coalition.

1532 Sec. 25. Section 32-11a of the general statutes is repealed and the
1533 following is substituted in lieu thereof (*Effective July 1, 2009*):

1534 (a) There is hereby created as a body politic and corporate,
1535 constituting a public instrumentality and political subdivision of the
1536 state created for the performance of an essential public and
1537 governmental function, the Connecticut Development Authority
1538 which is empowered to carry out the purposes of the authority, as
1539 defined in subsection (t) of section 32-23d, which are hereby
1540 determined to be public purposes for which public funds may be
1541 expended. The Connecticut Development Authority shall not be
1542 construed to be a department, institution or agency of the state.

1543 (b) All notes, bonds or other obligations issued by the Connecticut
1544 Development Commission for the financing of any project or projects

1545 shall be in accordance with their terms of full force and effect and valid
1546 and binding upon the authority as the successor to the Connecticut
1547 Development Commission and with respect to any resolution,
1548 contract, deed, trust agreement, mortgage, conditional sale or loan
1549 agreement, commitment, obligation or liability or other such
1550 document, public record, right, remedy, special act or public act,
1551 obligation, liability or responsibility pertaining thereto, the authority
1552 shall be, and shall be deemed to be, the successor to the Connecticut
1553 Development Commission. All properties, rights in land, buildings
1554 and equipment and any funds, moneys, revenues and receipts or
1555 assets of such commission pledged or otherwise securing any such
1556 notes, bonds or other obligations shall belong to the authority as
1557 successor to the Connecticut Development Commission, subject to
1558 such pledges and other security arrangements and to agreements with
1559 the holders of the outstanding notes, bonds or other obligations. Any
1560 resolution with respect to the issuance of bonds of the commission for
1561 the purposes of the act and any other action taken by the commission
1562 with respect to assisting in the financing of any project shall be, or shall
1563 be deemed to be, a resolution of the authority or an action taken by the
1564 authority subject only to any agreements with the holders of
1565 outstanding notes, bonds or other obligations of the commission.

1566 (c) The board of directors of the authority shall consist of **[**the
1567 Commissioner of Economic and Community Development,**]** the State
1568 Treasurer and the Secretary of the Office of Policy and Management,
1569 each serving ex officio, four members appointed by the Governor who
1570 shall be experienced in the field of financial lending or the
1571 development of commerce, trade and business and four members
1572 appointed as follows: One by the president pro tempore of the Senate,
1573 one by the minority leader of the Senate, one by the speaker of the
1574 House of Representatives and one by the minority leader of the House
1575 of Representatives. Each ex-officio member may designate a deputy or
1576 any member of the agency staff to represent the member at meetings of
1577 the authority with full powers to act and vote on the member's behalf.
1578 The chairperson of the board shall be **[**appointed by the Governor,

1579 with the advice and consent of both houses of the General Assembly]
1580 the Commissioner of Community Development. The board shall
1581 annually elect one of its members as vice chairperson. Each member
1582 appointed by the Governor shall serve at the pleasure of the Governor
1583 but no longer than the term of office of the Governor or until the
1584 member's successor is appointed and qualified, whichever is longer.
1585 Each member appointed by a member of the General Assembly shall
1586 serve in accordance with the provisions of section 4-1a. Members shall
1587 receive no compensation but shall be reimbursed for necessary
1588 expenses incurred in the performance of their duties under the
1589 authority legislation, as defined in subsection (hh) of section 32-23d.
1590 The Governor shall fill any vacancy for the unexpired term of a
1591 member appointed by the Governor. The appropriate legislative
1592 appointing authority shall fill any vacancy for the unexpired term of a
1593 member appointed by such authority. A member of the board shall be
1594 eligible for reappointment. Any member of the board may be removed
1595 by the Governor for misfeasance, malfeasance or wilful neglect of
1596 duty. Each member of the authority before entering upon his or her
1597 duties shall take and subscribe the oath or affirmation required by
1598 article XI, section 1, of the State Constitution. A record of each such
1599 oath shall be filed in the office of the Secretary of the State. Meetings of
1600 the board shall be held at such times as shall be specified in the bylaws
1601 adopted by the board and at such other time or times as the
1602 chairperson deems necessary. The board is empowered to adopt
1603 bylaws and regulations for putting into effect the provisions of said
1604 chapters and sections. Not later than November first, annually, the
1605 authority shall submit a report to the Commissioner of [Economic and]
1606 Community Development, the Auditors of Public Accounts and the
1607 joint standing committees of the General Assembly having cognizance
1608 of matters relating to the Department of [Economic and] Community
1609 Development, appropriations and capital bonding, which shall include
1610 the following information with respect to new and outstanding
1611 financial assistance provided by the authority during the twelve-
1612 month period ending on June thirtieth next preceding the date of the

1613 report for each financial assistance program administered by the
1614 authority: (1) A list of the names, addresses and locations of all
1615 recipients of such assistance, (2) for each recipient: (A) The business
1616 activities, (B) the Standard Industrial Classification Manual codes, (C)
1617 the gross revenues during the recipient's most recent fiscal year, (D)
1618 the number of employees at the time of application, (E) whether the
1619 recipient is a minority or woman-owned business, (F) a summary of
1620 the terms and conditions for the assistance, including the type and
1621 amount of state financial assistance, job creation or retention
1622 requirements, and anticipated wage rates, and (G) the amount of
1623 investments from private and other nonstate sources that have been
1624 leveraged by the assistance, (3) the economic benefit criteria used in
1625 determining which applications have been approved or disapproved,
1626 and (4) for each recipient of assistance on or after July 1, 1991, a
1627 comparison between the number of jobs to be created, the number of
1628 jobs to be retained and the average wage rates for each such category
1629 of jobs, as projected in the recipient's application, versus the actual
1630 number of jobs created, the actual number of jobs retained and the
1631 average wage rates for each such category. The report shall also
1632 indicate the actual number of full-time jobs and the actual number of
1633 part-time jobs in each such category and the benefit levels for each
1634 such subcategory. In addition, the report shall state (A) for each final
1635 application approved during the twelve-month period covered by the
1636 report, (i) the date that the final application was received by the
1637 authority, and (ii) the date of such approval; (B) for each final
1638 application withdrawn during the twelve-month period covered by
1639 the report, (i) the municipality in which the applicant is located, (ii) the
1640 Standard Industrial Classification Manual code for the applicant, (iii)
1641 the date that the final application was received by the authority, and
1642 (iv) the date of such withdrawal; (C) for each final application
1643 disapproved during the twelve-month period covered by the report, (i)
1644 the municipality in which the applicant is located, (ii) the Standard
1645 Industrial Classification Manual code for the applicant, (iii) the date
1646 that the final application was received by the authority, and (iv) the

1647 date of such disapproval; and (D) for each final application on which
1648 no action has been taken by the applicant or the agency in the twelve-
1649 month period covered by the report and for which no report has been
1650 submitted under this subsection, (i) the municipality in which the
1651 applicant is located, (ii) the Standard Industrial Classification Manual
1652 code for the applicant, and (iii) the date that the final application was
1653 received by the authority. The November first report shall include a
1654 summary of the activities of the authority, including all activities to
1655 assist small businesses and minority business enterprises, as defined in
1656 section 4a-60g, a complete operating and financial statement and
1657 recommendations for legislation to promote the purposes of the
1658 authority. The authority shall furnish such additional reports upon the
1659 written request of any such committee at such times and containing
1660 such information as the committee may request. The accounts of the
1661 authority shall be subject to annual audit by the state Auditors of
1662 Public Accounts. The authority may cause an audit of its books and
1663 accounts to be made at least once each fiscal year by certified public
1664 accountants. The powers of the authority shall be vested in and
1665 exercised by not less than six of the members of the board of directors
1666 then in office. Such number of members shall constitute a quorum and
1667 the affirmative vote of a majority of the members present at a meeting
1668 of the board shall be necessary for any action taken by the authority.
1669 No vacancy in the membership of the board shall impair the right to
1670 exercise all the rights and perform all the duties of the authority. Any
1671 action taken by the board under the provisions of said chapters and
1672 sections may be authorized by resolution at any regular or special
1673 meeting, and each such resolution shall take effect immediately and
1674 need not be published or posted. The authority shall be exempt from
1675 the provisions of section 4-9a.

1676 (d) The board of directors of the authority may delegate to three or
1677 more of its members such board powers and duties as it may deem
1678 proper. At least one of such members shall not be a state employee.

1679 (e) The board of directors of the authority shall adopt written

1680 procedures, in accordance with the provisions of section 1-121, for: (1)
1681 Adopting an annual budget and plan of operations, including a
1682 requirement of board approval before the budget or plan may take
1683 effect; (2) hiring, dismissing, promoting and compensating employees
1684 of the authority, including an affirmative action policy and a
1685 requirement of board approval before a position may be created or a
1686 vacancy filled; (3) acquiring real and personal property and personal
1687 services, including a requirement of board approval for any
1688 nonbudgeted expenditure in excess of five thousand dollars; (4)
1689 contracting for financial, legal, bond underwriting and other
1690 professional services, including a requirement that the authority solicit
1691 proposals at least once every three years for each such service which it
1692 uses; (5) issuing and retiring bonds, bond anticipation notes and other
1693 obligations of the authority; (6) awarding loans, grants and other
1694 financial assistance, including eligibility criteria, the application
1695 process and the role played by the authority's staff and board of
1696 directors and including deadlines for the approval or disapproval of
1697 applications for such assistance by the authority on and after July 1,
1698 1996; and (7) the use of surplus funds to the extent authorized under
1699 this chapter or other provisions of the general statutes.

1700 (f) The board of directors of the authority shall appoint an executive
1701 director who shall not be a member of the board and who shall serve at
1702 the pleasure of the board and receive such compensation as shall be
1703 fixed by the board. The executive director may but need not be the
1704 deputy appointed under section 32-1d. He shall be the chief
1705 administrative officer of the authority and shall direct and supervise
1706 administrative affairs and technical activities in accordance with the
1707 directives of the board. He shall perform such other duties as may be
1708 directed by the board in carrying out the purposes of said chapters and
1709 sections. The executive director shall be exempt from the classified
1710 service. The executive director shall attend all meetings of the board,
1711 keep a record of the proceedings of the board and shall maintain and
1712 be custodian of all books, documents and papers filed with the
1713 authority and of the minute book or journal of the authority and of its

1714 official seal. He may cause copies to be made of all minutes and other
1715 records and documents of the authority and may give certificates
1716 under the official seal of the authority to the effect that such copies are
1717 true copies, and all persons dealing with the authority may rely upon
1718 such certificates.

1719 (g) Each member of the board of directors of the authority shall
1720 execute a surety bond in the penal sum of fifty thousand dollars, or, in
1721 lieu thereof, the chairman of the board shall execute a blanket position
1722 bond covering each member and the executive director and the
1723 employees of the authority, each surety bond to be conditioned upon
1724 the faithful performance of the duties of the office or offices covered, to
1725 be executed by a surety company authorized to transact business in
1726 this state as surety and to be approved by the Attorney General and
1727 filed in the office of the Secretary of the State. The cost of each such
1728 bond shall be paid by the authority.

1729 (h) Notwithstanding any provision of the law to the contrary, it
1730 shall not constitute a conflict of interest for a trustee, director, partner,
1731 officer, stockholder, proprietor, counsel or employee of any person, or
1732 for any other individual having a financial interest in any person, to
1733 serve as a member of the board of directors of the authority; provided
1734 such trustee, director, partner, officer, stockholder, proprietor, counsel,
1735 employee or individual shall file with the authority a record of his
1736 capacity with or interest in such person and abstain and absent himself
1737 from any deliberation, action and vote by the board in specific respect
1738 to such person.

1739 (i) The authority shall continue, as long as it shall have bonds or
1740 other obligations outstanding and until its existence is terminated by
1741 law. Upon the termination of the existence of the authority, all its
1742 rights and properties shall pass to and be vested in the state of
1743 Connecticut.

1744 (j) Neither members of the board of directors of the authority nor
1745 any person executing the notes and bonds shall be liable personally on

1746 the notes or bonds or be subject to any personal liability or
1747 accountability by reason of the issuance thereof.

1748 (k) Repealed by P.A. 00-136, S. 9.

1749 (l) (1) The authority may establish one or more subsidiaries to
1750 stimulate, encourage and carry out the remediation, development and
1751 financing of contaminated property within this state, in coordination
1752 with the Department of Environmental Protection, and to provide
1753 financial, development and environmental expertise to others
1754 including, but not limited to, municipalities, interested in or
1755 undertaking such remediation, development or financing which are
1756 determined to be public purposes for which public funds may be
1757 expended. Each subsidiary shall be deemed a quasi-public agency for
1758 purposes of chapter 12. The authority may transfer to any such
1759 subsidiary any moneys and real or personal property. Each such
1760 subsidiary shall have all the privileges, immunities, tax exemptions
1761 and other exemptions of the authority.

1762 (2) Each such subsidiary may sue and shall be subject to suit
1763 provided the liability of each such subsidiary shall be limited solely to
1764 the assets, revenues and resources of such subsidiary and without
1765 recourse to the general funds, revenues, resources or any other assets
1766 of the authority or any other subsidiary. No such subsidiary may
1767 provide for any bonded indebtedness of the state for the cost of any
1768 liability or contingent liability for the remediation of contaminated real
1769 property unless such indebtedness is specifically authorized by an act
1770 of the General Assembly. Each such subsidiary shall have the power to
1771 do all acts and things necessary or convenient to carry out the
1772 purposes of this subsection, section 12-81r, subsection (h) of section
1773 22a-133m, subsection (a) of section 22a-133x, sections 22a-133aa, 22a-
1774 133bb and 22a-133dd, subsection (l) of section 22a-134, and sections
1775 22a-452f, 32-7e and 32-23pp to 32-23rr, inclusive, including, but not
1776 limited to, (i) solicit, receive and accept aid, grants or contributions
1777 from any source of money, property or labor or other things of value,

1778 to be held, used and applied to carry out the purposes of this
1779 subsection, section 12-81r, subsection (h) of section 22a-133m,
1780 subsection (a) of section 22a-133x, sections 22a-133aa, 22a-133bb and
1781 22a-133dd, subsection (l) of section 22a-134, and sections 22a-452f, 32-
1782 7e and 32-23pp to 32-23rr, inclusive, subject to the conditions upon
1783 which such grants and contributions may be made, including but not
1784 limited to, gifts, grants or loans, from any department, agency or
1785 quasi-public agency of the United States or the state; (ii) enter into
1786 agreements with persons upon such terms and conditions as are
1787 consistent with the purposes of such subsidiary to acquire or facilitate
1788 the remediation, development or financing of contaminated real or
1789 personal property; (iii) to acquire, take title, lease, purchase, own,
1790 manage, hold and dispose of real and personal property and lease,
1791 convey or deal in or enter into agreements with respect to such
1792 property; (iv) examine, inspect, rehabilitate, remediate or improve real
1793 or personal property or engage others to do so on such subsidiary's
1794 behalf, or enter into contracts therefor; (v) mortgage, convey or dispose
1795 of its assets and pledge its revenues in order to secure any borrowing,
1796 for the purpose of financing, refinancing, rehabilitating, remediating,
1797 improving or developing its assets, provided each such borrowing or
1798 mortgage shall be a special obligation of such subsidiary, which
1799 obligation may be in the form of notes, bonds, bond anticipation notes
1800 and other obligations issued by or to such subsidiary to the extent
1801 permitted under this chapter to fund and refund the same and provide
1802 for the rights of the holders thereof, and to secure the same by pledge
1803 of revenues, notes or other assets and which shall be payable solely
1804 from the assets, revenues and other resources of such subsidiary; (vi)
1805 to create real estate investment trusts or similar entities or to become a
1806 member of a limited liability company or to become a partner in
1807 limited or general partnerships or establish other contractual
1808 arrangements with private and public sector entities as such subsidiary
1809 deems necessary to remediate, develop or finance environmentally
1810 contaminated property in the state; and (vii) any other powers
1811 enumerated in subsection (e) of section 32-23 necessary or appropriate

1812 to carry out the purposes of this subsection, subsection (h) of section
1813 22a-133m, subsection (a) of section 22a-133x, sections 22a-133aa, 22a-
1814 133bb and 22a-133dd, subsection (l) of section 22a-134, and sections
1815 22a-452f, 32-7e, and 32-23pp to 32-23rr, inclusive. The board of
1816 directors, executive director, officers and staff of the authority may
1817 serve as members of any advisory or other board which may be
1818 established to carry out the purposes of this subsection, subsection (h)
1819 of section 22a-133m, subsection (a) of section 22a-133x, sections 22a-
1820 133aa, 22a-133bb and 22a-133dd, subsection (l) of section 22a-134, and
1821 sections 22a-452f, 32-7e, and 32-23pp to 32-23rr, inclusive.

1822 (3) Each such subsidiary shall act through its board of directors at
1823 least one-half of which shall be members of the board of directors of
1824 the authority or their designees or officers or employees of the
1825 authority. A resolution of the authority shall prescribe the purposes for
1826 which each such subsidiary is formed.

1827 (4) The provisions of section 1-125 and this subsection shall apply to
1828 any officer, director, designee, or employee appointed as a member,
1829 director, or officer of any such subsidiary. Neither any such persons so
1830 appointed nor the directors, officers or employees of the authority
1831 shall be personally liable for the debts, obligations, or liabilities of any
1832 such subsidiary as provided in said section 1-125. Each subsidiary shall
1833 and the authority may provide for the indemnification to protect, save
1834 harmless and indemnify such officer, director, designee or employee as
1835 provided by said section 1-125.

1836 (5) The authority or any such subsidiary may take such actions as
1837 are necessary to comply with the provisions of the Internal Revenue
1838 Code of 1986 or any subsequent corresponding internal revenue code
1839 of the United States, as from time to time amended, to qualify and
1840 maintain any such subsidiary as a corporation exempt from taxation
1841 under said Internal Revenue Code.

1842 (6) The authority may make loans or grants to, and may guarantee
1843 specified obligations of, any such subsidiary, following standard

1844 authority procedures, from the authority's assets and the proceeds of
1845 its bonds, notes, and other obligations, provided however, that the
1846 source and security, if any, for the repayment of any such loans or
1847 guarantees is derived from the assets, revenues and resources of such
1848 subsidiary.

1849 (7) Notwithstanding any other provisions of law, the Commissioner
1850 of Environmental Protection shall issue to the authority or any
1851 subsidiary a covenant not to sue, pursuant to section 22a-133aa or
1852 section 22a-133bb, as applicable, without fee, as otherwise required in
1853 subsection (c) of said section 22a-133aa for the remediation of a facility
1854 in accordance with an approved remediation plan.

1855 Sec. 26. Subsection (a) of section 32-16 of the general statutes is
1856 repealed and the following is substituted in lieu thereof (*Effective July*
1857 *1, 2009*):

1858 (a) (1) The authority may (A) upon application of the proposed
1859 mortgagee, insure and make advance commitments to insure all or a
1860 portion of mortgage payments required by a mortgage on any (i)
1861 economic development project, exclusive of machinery, equipment,
1862 furniture, fixtures and other personal property, or (ii) any information
1863 technology project, and (B) upon application of a borrower, insure and
1864 make advance commitments to insure, (i) all or a portion of loan
1865 payments required for an information technology project, (ii) a loan for
1866 an economic development project used for manufacturing, industrial,
1867 research, retail, small business, product development, product
1868 warehousing, distribution or other purposes which will create or retain
1869 jobs, maintain or diversify industry, including new or emerging
1870 technologies, or maintain or increase the tax base, or (iii) a secured or
1871 unsecured working capital loan necessary for the start-up or
1872 continuation of such a project, upon such terms and conditions as the
1873 authority may prescribe, provided the aggregate amount of contracts
1874 of insurance or advance commitments issued under this section,
1875 together with contracts of insurance or advance commitments insured

1876 under subsection (b) or (d) of this section, outstanding at any one time
1877 shall not exceed four times the sum of the amounts available in the
1878 Mortgage and Loan Insurance Fund plus the amount of any unpaid
1879 grants authorized to be made by the Department of **[**Economic and**]**
1880 Community Development to the authority for deposit in such fund
1881 which remain available for purposes of the fund pursuant to the bond
1882 authorization in section 32-22, provided the amount of any such
1883 contract of insurance or advance commitment shall be measured by the
1884 portion of unpaid principal which is insured by the authority and shall
1885 exclude for purposes of such limitation the amount of any contract of
1886 insurance or advance commitment to the extent that the liability of the
1887 authority with respect thereto has been reinsured by, or participated in
1888 by, an eligible financial institution with a long-term credit rating equal
1889 to or higher than that of the state. The aggregate amount of principal
1890 obligations of all mortgages and loans so insured shall not constitute
1891 indebtedness of the state of Connecticut for purposes of computing the
1892 debt limit under section 3-21, provided bonds authorized to be issued
1893 pursuant to section 32-22 shall constitute indebtedness of the state of
1894 Connecticut for such purposes, whether or not obligations of the state
1895 of Connecticut are issued and outstanding in anticipation of the sale of
1896 such bonds. Any contract of insurance executed by the authority under
1897 this section shall be conclusive evidence of eligibility for such
1898 mortgage or loan insurance, and the validity of any contract of
1899 insurance so executed or of an advance commitment to insure shall be
1900 incontestable in the hands of an approved mortgagee or lender from
1901 the date of the execution of such contract of insurance or advance
1902 commitment, except for (I) fraud or misrepresentation on the part of
1903 such approved mortgagee or lender, or (II) noncompliance with the
1904 terms of the contract of insurance or advance commitment and
1905 authority written procedures in force at the time of issuance of the
1906 contract or the advance commitment.

1907 (2) To be eligible for insurance under the provisions of this chapter,
1908 a mortgage or agreement for the extension of credit or making of a
1909 loan by the authority or other lender shall: (A) Be one which is made to

1910 and held by the authority or an eligible financial institution approved
1911 by the authority as responsible and able to service the mortgage or
1912 loan properly; (B) in the case of a mortgage under subparagraph (A) of
1913 subdivision (1) of this subsection, involve principal not to exceed
1914 twenty-five million dollars for any one economic development project
1915 exclusive of machinery, equipment, furniture, fixtures and other
1916 personal property, and not to exceed ninety per cent of the cost of such
1917 project, except that the authority may insure a portion of a mortgage or
1918 agreement for the extension of credit or making of a loan by the
1919 authority that otherwise satisfies the requirements of this section and
1920 the requirements prescribed by the authority by written procedure if
1921 such mortgage or agreement involves principal in excess of twenty-
1922 five million dollars, provided any approved contract of insurance shall
1923 not exceed twenty-five million dollars and in the case of a loan under
1924 subparagraph (B) of subdivision (1) of this subsection, involve
1925 principal not to exceed ten million dollars; (C) have a maturity
1926 satisfactory to the authority but in no case later than twenty-five years
1927 from the date of the issuance of the insurance; (D) contain amortization
1928 provisions satisfactory to the authority requiring payments by the
1929 borrower or mortgagor, not in excess of the borrower's or mortgagor's
1930 reasonable ability to pay as determined by the authority; (E) be in such
1931 form and contain such terms and provisions with respect to property
1932 insurance, repairs, alterations, payment of taxes and assessments,
1933 default reserves, delinquency charges, default remedies, anticipation of
1934 maturity, additional and secondary liens and other matters as the
1935 authority may prescribe.

1936 Sec. 27. Section 32-22 of the general statutes is repealed and the
1937 following is substituted in lieu thereof (*Effective July 1, 2009*):

1938 (a) The State Bond Commission may authorize the issuance of
1939 bonds of the state in one or more series in accordance with section 3-20
1940 and in principal amounts necessary to carry out the purposes of
1941 section 32-16 but not in excess of the aggregate amount of twenty-six
1942 million dollars. All of said bonds shall be payable at such place or

1943 places as may be determined by the Treasurer pursuant to section 3-19
1944 and shall bear such date or dates, mature at such time or times, not
1945 exceeding twenty years from their respective dates, bear interest at
1946 such rate or different or varying rates and payable at such time or
1947 times, be in such denominations, be in such form with or without
1948 interest coupons attached, carry such registration and transfer
1949 privileges, be payable in such medium of payment and be subject to
1950 such terms of redemption with or without premium as, irrespective of
1951 the provisions of said section 3-20, may be provided by the
1952 authorization of the State Bond Commission or fixed in accordance
1953 therewith.

1954 (b) The proceeds of the sale of such bonds shall be used by the
1955 Department of **[**Economic and**]** Community Development to make
1956 grants to the authority for deposit in the Mortgage and Loan Insurance
1957 Fund created by section 32-14. The terms and conditions of said grants
1958 shall be governed in accordance with a grant contract between the
1959 department and the authority. Payments of principal on such bonds as
1960 they mature and interest thereon shall be payable first from the
1961 Mortgage and Loan Insurance Fund and secondly from the state
1962 General Fund.

1963 Sec. 28. Section 32-23c of the general statutes is repealed and the
1964 following is substituted in lieu thereof (*Effective July 1, 2009*):

1965 It is hereby found and declared that there is a continuing need in the
1966 state for: (1) Economic development and activity to provide and
1967 maintain employment and tax revenues, promote the export of
1968 products and services beyond state boundaries, encourage innovation
1969 in products and services, and support or broaden the economic base of
1970 the state, the control, abatement and prevention of pollution to protect
1971 the public health and safety, and the development and use of
1972 indigenous and renewable energy resources to assist industrial and
1973 commercial businesses in meeting their energy requirements; (2) the
1974 development of recreation facilities to promote tourism, to provide and

1975 maintain employment and tax revenues and to promote the public
1976 welfare; (3) the development of commercial and retail sales and
1977 services facilities in urban areas to provide and maintain construction,
1978 permanent employment and tax revenues, to improve conditions of
1979 deteriorated physical development, slow economic growth and eroded
1980 financial health of the public and private sectors in urban areas and to
1981 revitalize the economy of urban areas; (4) assistance to public service
1982 businesses providing transportation and utility services in the state; (5)
1983 development of the commercial fishing industry to provide and
1984 maintain employment and tax revenues; (6) the development of high-
1985 technology businesses and business incubators that assist high-
1986 technology businesses; (7) assistance to consortia consisting of
1987 businesses creating partnerships with higher education facilities; and
1988 (8) assistance to nonprofit and governmental entities in financing
1989 facilities providing health, educational, charitable, community,
1990 cultural, agricultural, consumer or other services benefiting the citizens
1991 of the state; that the availability of financial assistance and suitable
1992 facilities are important inducements to industrial, commercial and
1993 nonprofit enterprises to remain or locate in this state and to provide
1994 economic development projects, recreation projects, urban projects,
1995 public service projects, commercial fishing projects, health care projects
1996 and nonprofit projects; that there are significant barriers inhibiting
1997 access by the authority and eligible financial institutions to the public
1998 capital markets and expansion of the secondary loan market to assist in
1999 financing economic development and other projects in the state; that
2000 the exercise by the authority of the powers in this chapter will promote
2001 economic development by increasing access to the public capital
2002 markets for the authority and eligible financial institutions; and that
2003 therefore the necessity in the public interest and for the public benefit
2004 and good for the provisions of this chapter is hereby declared as a
2005 matter of legislative determination. It is further found and declared
2006 that there is a necessity in the state of creating a Department of
2007 **[**Economic and**]** Community Development to coordinate and be
2008 responsible for matters affecting the growth of business and industry

2009 in the state and the maintenance and development of industry in the
2010 state as well as the promotion of tourism in the state and for the
2011 establishment and creation of an authority to assist the department
2012 and the state to carry out the needs and policies of the state as set forth
2013 in this section. It is further found and declared that existing, pending
2014 and proposed federal legislation has limited and restricted and may
2015 further limit and restrict the power of the authority to issue obligations
2016 the interest on which is exempt from federal income taxation; that the
2017 ability of the authority to issue obligations to provide financing for
2018 projects is essential to the maintenance and expansion of employment
2019 and the tax base in the state and to the economic development and
2020 health, education and general welfare of the state; and that the
2021 issuance of obligations the interest on which may be includable in the
2022 holder's gross income for the purposes of federal income taxation
2023 serves a needed public purpose; and therefore the necessity in the
2024 public interest and for the public benefit and good for the provisions of
2025 this chapter is hereby declared as a matter of legislative determination.

2026 Sec. 29. Section 32-23d of the general statutes is repealed and the
2027 following is substituted in lieu thereof (*Effective July 1, 2009*):

2028 For the purposes of this chapter, the following terms shall have the
2029 following meanings unless the context indicates another meaning and
2030 intent:

2031 (a) "Department" means the Department of **[**Economic and**]**
2032 Community Development or its successor agency.

2033 (b) "State" means the state of Connecticut.

2034 (c) "Municipality" means any town, city or borough in the state.

2035 (d) "Project" means any facility, plant, works, system, building,
2036 structure, utility, fixture or other real property improvement located in
2037 the state, any machinery, equipment, furniture, fixture or other
2038 personal property to be located in the state and the land on which it is

2039 located or which is reasonably necessary in connection therewith,
2040 which is of a nature or which is to be used or occupied by any person
2041 for purposes which would constitute it as an economic development
2042 project, information technology project, public service project, urban
2043 project, recreation project, commercial fishing project, health care
2044 project, the convention center project, as defined in subdivision (3) of
2045 section 32-600, nonprofit project or remediation project, and any real
2046 property improvement reasonably related thereto. A project may be
2047 acquired (1) directly, or (2) indirectly through the purchase of all or
2048 substantially all of the stock of a corporation.

2049 (e) "Eligible financial institution" means any trust company, bank,
2050 savings bank, credit union, savings and loan association, insurance
2051 company, investment company, mortgage banker, trustee, executor,
2052 pension fund, retirement fund or other fiduciary or financial
2053 institution, the state or, to the extent otherwise permitted by law, any
2054 municipality, or any political subdivision, instrumentality, agency or
2055 body politic and corporate thereof, which is approved by the authority
2056 to participate in the financing of a project.

2057 (f) "Cost of project" as determined by the authority means the cost or
2058 fair market value of construction, lands, property rights, utility
2059 extensions, disposal facilities, access roads, easements, franchises,
2060 financing charges, interest, engineering and legal services, plans,
2061 specifications, surveys, cost estimates, studies and other expenses
2062 necessary or incident to the development, construction, financing and
2063 placing in operation of a project and, subject to the provisions of
2064 section 32-16, the cost or fair market value of machinery, equipment,
2065 furniture, fixtures or other personal property of a project.

2066 (g) "Insurance fund" means the Mortgage and Loan Insurance Fund
2067 created by section 32-14.

2068 (h) "Maturity date" means the date on which the mortgage
2069 indebtedness would be extinguished if paid in accordance with
2070 periodic payments provided for in the mortgage.

2071 (i) "Mortgage" means a mortgage or lien on a project together with
2072 credit instruments, if any, secured thereby, or any other agreement for
2073 the extension of credit or making of a loan related to the financing of a
2074 project or any portions thereof or interest therein, however evidenced,
2075 including financing by means of a lease or a conditional or installment
2076 sales agreement, or any pool of or interest in any of the foregoing
2077 financed from any source.

2078 (j) "Mortgagee" means the original lender or other provider of credit
2079 under the mortgage or participants therein, and their successors and
2080 assigns, approved by the authority and may include, but is not limited
2081 to, all eligible financial institutions and, except as used in section 32-
2082 17a, the authority as defined in subsection (w) of this section.

2083 (k) "Mortgagor" includes the successors and assigns of the
2084 mortgagor.

2085 (l) "Mortgage payments" means payments called for by a mortgage,
2086 and may include, but is not limited to, interest, installments of
2087 principal, taxes and assessments, mortgage insurance premiums and
2088 hazard insurance premiums.

2089 (m) "Mortgage year" means the annual period measured by the date
2090 or the anniversary of the date of the execution of the mortgage.

2091 (n) "Principal obligation" means the sum total of all mortgage
2092 payments due from the mortgagor.

2093 (o) "Municipal planning commission" means a municipal planning
2094 commission created under chapter 126.

2095 (p) "Regional planning agency" means a regional planning agency
2096 created under chapter 127.

2097 (q) "Federal agency" means the United States, the president of the
2098 United States and any department of, or corporation, agency or
2099 instrumentality designated or established by, the United States.

2100 (r) "Revenues" means receipts, revenues, service charges, rentals or
2101 other payments to be received on account of lease, mortgage,
2102 conditional sale, sale or loan agreements and payments and any other
2103 income derived from the lease, sale or other disposition of a project,
2104 moneys in such reserve and insurance funds or accounts or other
2105 funds and accounts and income from the investment thereof,
2106 established in connection with the issuance of bonds, notes or other
2107 obligations for a project or projects, and fees, charges or other moneys
2108 to be received by the authority in respect of projects and contracts with
2109 persons.

2110 (s) "Person" means any person, including individuals, firms,
2111 partnerships, associations, cooperatives, limited liability companies or
2112 corporations, public or private, for profit or nonprofit, organized or
2113 existing under the laws of the state or any other state, and, to the
2114 extent otherwise permitted by law, any municipality, district,
2115 including any special district having taxing powers, agency, authority,
2116 instrumentality, or other governmental entity or political subdivision
2117 in the state.

2118 (t) "Purposes of the authority", means the purposes of the authority
2119 expressed in and pursuant to the authority legislation, including with
2120 respect to the promotion, planning and designing, developing,
2121 encouraging, assisting, acquiring, constructing, reconstructing,
2122 improving, maintaining and equipping and furnishing of a project and
2123 assisting directly or indirectly in the financing of the cost thereof.

2124 (u) "Economic development project" means any project which is to
2125 be used or occupied by any person for (1) manufacturing, industrial,
2126 research, office or product warehousing or distribution purposes or
2127 hydroponic or aquaponic food production purposes and which the
2128 authority determines will tend to maintain or provide gainful
2129 employment, maintain or increase the tax base of the economy, or
2130 maintain, expand or diversify industry in the state, or (2) controlling,
2131 abating, preventing or disposing land, water, air or other

2132 environmental pollution, including without limitation thermal,
2133 radiation, sewage, wastewater, solid waste, toxic waste, noise or
2134 particulate pollution, except resources recovery facilities, as defined in
2135 section 22a-219a, used for the principal purpose of processing
2136 municipal solid waste and which are not expansions or additions to
2137 resources recovery facilities operating on July 1, 1990, or (3) the
2138 conservation of energy or the utilization of cogeneration technology or
2139 solar, wind, hydro, biomass or other renewable sources to produce
2140 energy for any industrial or commercial application, or (4) any other
2141 purpose which the authority determines will materially contribute to
2142 the economic base of the state by creating or retaining jobs, promoting
2143 the export of products or services beyond state boundaries,
2144 encouraging innovation in products or services, or otherwise
2145 contributing to, supporting or enhancing existing activities that are
2146 important to the economic base of the state.

2147 (v) "Commissioner" means the Commissioner of **[**Economic and**]**
2148 Community Development.

2149 (w) "Authority" means the Connecticut Development Authority or
2150 its successor as established and created under section 32-11a.

2151 (x) "Capital reserve fund bond" means any bond of the authority
2152 secured by a special capital reserve fund established pursuant to this
2153 chapter.

2154 (y) "Recreation project" means any project which is to be primarily
2155 available for the use of the general public including without limitation
2156 stadiums, sports complexes, amusement parks, museums, theaters,
2157 civic, concert, cultural and exhibition centers, centers for the visual and
2158 performing arts, hotels, motels, resorts, inns and other public lodging
2159 accommodations and which the authority determines will tend to (1)
2160 promote tourism, (2) provide a special enhancement of recreation
2161 facilities in the state, or (3) contribute to the business or industrial
2162 development of the state.

2163 (z) "Public service project" means any project which is to be used or
2164 occupied by a common carrier or public utility to provide bus, truck,
2165 rail, limousine, water or air transportation services or water, sewer,
2166 gas, electricity, or telephone utility services, and which the authority
2167 determines will tend to assist the common carrier or public utility in
2168 providing service to the general public in the state. A public service
2169 project may include ferry boats or railroad rolling stock, but may not
2170 include any other vehicle, aircraft or watercraft.

2171 (aa) "Urban project" means any project which is to be used or
2172 occupied by any person for commercial or retail sales or service
2173 purposes located wholly or partly within an urban municipality in the
2174 state and which the authority determines will tend (1) to maintain or
2175 provide gainful construction or permanent employment, maintain or
2176 expand the tax base of the economy or maintain, expand or diversify
2177 industry in the state, or (2) to otherwise revitalize the economy of the
2178 urban municipality. An "urban municipality", for the purposes of this
2179 definition, means any municipality which is a "distressed
2180 municipality" as defined in subsection (b) of section 32-9p.

2181 (bb) "Commercial fishing project" means any project which is to be
2182 used or occupied by any person for commercial fishing purposes or for
2183 support, maintenance, storage, production, or manufacturing purposes
2184 reasonably related to commercial fishing activity, including without
2185 limitation commercial fishing vessels, docks, wharves, piers, land or
2186 floating processing facilities, transportation terminals, facilities for the
2187 maintenance, storage, and construction of vessels and equipment, and
2188 fish storage and handling facilities.

2189 (cc) "Health care project" means any project which is to be used or
2190 occupied by any person for the providing of services in any residential
2191 care home, nursing home or rest home, as defined in subsection (c) of
2192 section 19a-490, or for the providing of living space for physically
2193 handicapped persons or persons sixty years of age or older.

2194 (dd) "Nonprofit project" means any project which (1) is to be used or

2195 occupied by any person organized and operated not for profit but
2196 exclusively for health, educational, charitable, community, cultural,
2197 agricultural, consumer or other purposes benefiting the citizens of the
2198 state, or as an agricultural or hospital cooperative or service
2199 organization or as a chamber of commerce or trade or professional
2200 association, and (2) which the authority determines satisfies a public
2201 need not adequately met by businesses operating for profit.

2202 (ee) "Information technology project" means any project (1)
2203 providing information technology intensive office or laboratory space,
2204 including, but not limited to, smart buildings, incubator facilities, or
2205 any project that is to be used or occupied by any person specializing in
2206 e-commerce technologies or other technologies using high-speed
2207 communications infrastructure, and (2) which the authority deems will
2208 materially contribute to the economic base of the state by creating or
2209 retaining jobs, promoting the export of products or services beyond
2210 state borders, encouraging innovation in products or services, or
2211 otherwise contributing to, supporting or enhancing existing activities
2212 that are important to the economic base of the state.

2213 (ff) "Incubator facilities" has the same meaning as incubator facilities
2214 in subdivision (5) of section 32-34.

2215 (gg) "Smart building" means a building that houses, for use by its
2216 tenants, an information or communications infrastructure capable of
2217 transmitting digital video, voice and data content over a high-speed
2218 wired, wireless or other communications intranet and provides the
2219 capability of delivering and receiving high-speed digital video, voice
2220 and data transmissions over the Internet.

2221 (hh) "Authority legislation" means this chapter, chapters 578, 584,
2222 588*l*, 588n, 588r and 588u, sections 8-134, 8-134a, 8-192, 8-192a, 25-33a,
2223 32-23zz and 32-68a, and any other provisions of the general statutes or
2224 any public or special act setting forth or governing the powers and
2225 duties of the authority.

2226 (ii) "Remediation project" means any project (1) involving the
2227 development, redevelopment or productive reuse of real property
2228 within this state that (A) has been subject to a spill, as defined in
2229 section 22a-452c, (B) is an establishment, as defined in subdivision (3)
2230 of section 22a-134, (C) is a facility, as defined in 42 USC 9601(9), or (D)
2231 is eligible to be treated as polluted real property for purposes of
2232 section 22a-133m or contaminated real property for purposes of section
2233 22a-133aa or section 22a-133bb, provided the development,
2234 redevelopment or productive reuse is undertaken pursuant to a
2235 remediation plan meeting all applicable standards and requirements of
2236 the Department of Environmental Protection, (2) that the authority
2237 determines will add or support significant new economic activity or
2238 employment in the municipality in which such project is located or
2239 will otherwise materially contribute to the economic base of the state
2240 or the municipality or will provide a residential or mixed-use
2241 development pursuant to chapter 828, and (3) for which assistance
2242 from the authority will be needed to attract necessary private
2243 investment.

2244 Sec. 30. Section 32-23o of the general statutes is repealed and the
2245 following is substituted in lieu thereof (*Effective July 1, 2009*):

2246 (a) A Small Contractors' Revolving Loan Fund is created. In order to
2247 stimulate and encourage the growth and development of the state
2248 economy through the private enterprise of small contractors, the **[**state,
2249 acting by the Department of Economic and**]** <u>Department of</u>
2250 Community Development **[**,**]** may <u>contract with other state agencies,</u>
2251 <u>for-profit companies or nonprofit organizations to</u> provide working
2252 capital loans or provide lines of credit to small contractors from the
2253 Small Contractors' Revolving Loan Fund. For the purposes of this
2254 section, "small contractor" means contractors, subcontractors, minority
2255 business enterprises, manufacturers or service companies who have
2256 been doing business and have maintained their principal office and
2257 place of business in the state for a period of at least one year prior to
2258 the date of their application for assistance under this section, whose

2259 gross revenues in their most recently completed fiscal year did not
2260 exceed one million five hundred thousand dollars and which are
2261 considered small in accordance with such size standards as shall be
2262 established by regulations adopted by the department. In establishing
2263 such standards, the department shall consider the number of
2264 employees of the concern, provided any maximum number of
2265 employees which a small contractor may have under such definition
2266 shall vary from business to business to the extent necessary to reflect
2267 different characteristics of such business and to take proper account of
2268 other relevant factors. Not less than twenty-five per cent of the
2269 working capital loans and lines of credit provided under this section
2270 shall be made available to minority business enterprises. The
2271 department shall charge and collect interest on each such working
2272 capital loan or line of credit at a rate to be determined in accordance
2273 with subsection (t) of section 3-20. In no event shall the total amount of
2274 such working capital loans or lines of credit provided to any single
2275 small contractor in any period of twelve consecutive months exceed
2276 two hundred thousand dollars. Payments made by small contractors
2277 on all working capital loans and lines of credit paid to the Treasurer
2278 for deposit in the Small Contractors' Revolving Loan Fund shall be
2279 transferred to the Connecticut Growth Fund established under section
2280 32-23v. The department shall promulgate rules and regulations in
2281 accordance with chapter 54 to carry out the provisions of this section.
2282 Such rules and regulations shall establish size standards for different
2283 types of small contractors, loan procedures, repayment terms, security
2284 requirements, default and remedy provisions and such other terms
2285 and conditions as the department shall deem appropriate.

2286 (b) Each such loan or extension of credit shall be authorized by the
2287 Connecticut Development Authority or, if the authority so determines,
2288 by a committee of the authority consisting of the chairman and either
2289 one other member of the authority or its executive director, as
2290 specified in the determination of the authority. Any administrative
2291 expenses incurred in carrying out the provisions of this section, to the
2292 extent not paid by the authority or from moneys appropriated to the

2293 department, shall be paid from the Small Contractors' Revolving Loan
2294 Fund. Payments from the Small Contractors' Revolving Loan Fund to
2295 small contractors or to pay such administrative expenses shall be made
2296 by the Treasurer upon certification by the Commissioner of **[**Economic
2297 and**]** Community Development that the payment is authorized under
2298 the provisions of this section, under the applicable rules and
2299 regulations of the department, and, if made to a small contractor,
2300 under the terms and conditions established by the authority or the
2301 duly appointed committee thereof in authorizing the making of the
2302 loan or the extension of credit.

2303 (c) The State Bond Commission may authorize the issuance of bonds
2304 of the state in one or more series in accordance with section 3-20 and in
2305 a principal amount necessary to carry out the purposes of this section,
2306 but not in excess of an aggregate amount of one million five hundred
2307 thousand dollars, provided said commission may not authorize the
2308 issuance of any bonds under the provisions of this section in excess of
2309 one million five hundred thousand dollars on or after June 2, 1986. All
2310 of said bonds shall be payable at such place or places as may be
2311 determined by the Treasurer pursuant to section 3-19 and shall bear
2312 such date or dates, mature at such time or times, not exceeding five
2313 years from their respective dates, bear interest at such rate or different
2314 or varying rates and payable at such time or times, be in such
2315 denominations, be in such form with or without interest coupons
2316 attached, carry such registration and transfer privileges, be payable in
2317 such medium of payment and be subject to such terms of redemption
2318 with or without premium as, irrespective of the provisions of said
2319 section 3-20, may be provided by the authorization of the State Bond
2320 Commission or fixed in accordance therewith. The proceeds of the sale
2321 of such bonds, together with premium and interest on sale, if any, shall
2322 be deposited in the Small Contractors' Revolving Loan Fund created
2323 by this section. Such bonds shall be general obligations of the state and
2324 the full faith and credit of the state of Connecticut are pledged for the
2325 payment of the principal of and interest on such bonds as the same
2326 become due. Accordingly, and as part of the contract of the state with

2327 the holders of such bonds, appropriation of all amounts necessary for
2328 punctual payment of such principal and interest is hereby made, and
2329 the Treasurer shall pay such principal and interest as the same become
2330 due. Net earnings on investments or reinvestments of proceeds,
2331 accrued interest and premiums on the issuance of such bonds, after
2332 payment therefrom of expenses incurred by the Treasurer or State
2333 Bond Commission in connection with their issuance, shall become part
2334 of the Small Contractors' Revolving Loan Fund.

2335 Sec. 31. Section 32-23t of the general statutes is repealed and the
2336 following is substituted in lieu thereof (*Effective July 1, 2009*):

2337 It is hereby found and declared as a matter of legislative
2338 determination that there is a continuing need for stimulation and
2339 encouragement of the growth and development of the state economy
2340 through the provision of two comprehensive loan programs and the
2341 establishment of a locally administered business outreach center
2342 challenge grant program which address the economic needs of a wide
2343 variety of business enterprises located throughout the state, including,
2344 but not limited to, development corporations, small contractors, small
2345 manufacturers, small business investment companies, employee
2346 groups, small water companies, small exporters, businesses affected by
2347 emergencies or disasters, small farmers, small retailers or service firms,
2348 high risk small businesses, start-up businesses, businesses located in
2349 various regions of the state, and other businesses that may be unable to
2350 obtain adequate financing from conventional sources. It is further
2351 found and declared that consolidating many of the separate loan
2352 programs currently administered by the Department of **[**Economic
2353 and**]** Community Development into two revolving loan funds to be
2354 administered by the Connecticut Development Authority will enhance
2355 such programs for all borrowers, permit better targeting of state
2356 assistance to firms important to the economic base of the state,
2357 improve marketing, accounting and administration, alleviate certain
2358 administrative and technical problems created by changes in federal
2359 tax law, permit more effective use of existing resources and better

2360 enable the state to protect itself from losses through the establishment
2361 of a loan loss reserve and an improved loan work-out capability. It is
2362 further found and declared that major changes in the financial markets
2363 have altered the availability of capital to small and medium firms in
2364 the state, that assistance to high risk small and start-up businesses is
2365 important to the state economy and that such loan consolidation will
2366 better enable the Connecticut Development Authority to leverage state
2367 assistance through active participation of private sector investments in
2368 small businesses.

2369 Sec. 32. Section 32-23v of the general statutes is repealed and the
2370 following is substituted in lieu thereof (*Effective July 1, 2009*):

2371 (a) As used in this section:

2372 (1) "Affiliate" means a business concern which directly controls or is
2373 controlled by another business concern, or a third party which controls
2374 both business concerns;

2375 (2) "Appraised value" means the cost or fair market value of an asset
2376 as determined in the discretion of the Connecticut Development
2377 Authority;

2378 (3) "Authority" means the Connecticut Development Authority
2379 established under section 32-11a or its successor;

2380 (4) "Department" means the Department of **[**Economic and**]**
2381 Community Development or its successor agency;

2382 (5) "Eligible borrower" means any person who, in the discretion of
2383 the authority, demonstrates (A) financial need by either its inability to
2384 obtain conventional financial assistance in satisfactory amounts or
2385 satisfactory terms, or to remain or locate or continue operations in this
2386 state without the assistance provided for in this section; and (B) that
2387 the project for which the assistance provided for in this section is being
2388 requested will materially contribute or provide support to the
2389 economic base of the state, as evidenced by one or more of the

2390 following criteria: (i) That such project will create or retain high quality
2391 jobs within the state and not simply replace existing jobs in other
2392 locations or businesses within the state; (ii) that such project will
2393 effectuate or facilitate the export of goods or services beyond the state
2394 boundaries; (iii) that such project represents a new product or service
2395 that has the potential for significant future contribution to the state's
2396 economic base; or (iv) that such project will significantly contribute to,
2397 support or enhance existing activities which are important to the
2398 economic base of the state;

2399 (6) "Loans" means (A) loans and extensions of lines of credit, (B) any
2400 and all forms of equity investments in any business entity, and (C) any
2401 combination of such loans, lines of credit and equity investments;

2402 (7) "Person" means any person or entity, including affiliates,
2403 engaged in or for the purpose of acquiring a for-profit activity or
2404 activities in this state, and whose gross revenues, including revenues
2405 of affiliates, did not exceed twenty-five million dollars in its most
2406 recently completed fiscal year prior to the date of its application for
2407 assistance under this section, or if such person has not been in business
2408 for at least one year prior to the date of such application, if the
2409 authority determines in its discretion that such person's gross
2410 revenues, including revenues of affiliates, are not likely to exceed
2411 twenty-five million dollars in its first fiscal year;

2412 (8) "Small business investment company" means any entity defined
2413 in 15 USCA 662(3); and

2414 (9) "State or local development corporation" means any entity
2415 organized under the laws of this state which has the authority to
2416 promote and assist the growth and development of business concerns
2417 in the areas covered by their operations.

2418 (b) In order to stimulate and encourage the growth and
2419 development of the state economy, the Connecticut Growth Fund is
2420 hereby created to provide fixed asset financing, working capital and

2421 high risk and start-up capital to firms important to the state's economic
2422 base. The state, acting through the authority, may make, or participate
2423 with private sector financial institutions in making loans from said
2424 fund to eligible borrowers, state and local development corporations
2425 and small business investment companies, in accordance with the
2426 provisions of this section. Payments of principal and interest or other
2427 payments on such loans, and funds received by the authority from any
2428 other source for the purposes of the Connecticut Growth Fund, shall be
2429 deposited into said fund and shall be used to make additional loans
2430 and for such other purposes authorized by this section.

2431 (c) The state, acting through the authority, may make, or participate
2432 with private sector financial institutions in making loans from the
2433 Connecticut Growth Fund to eligible borrowers in accordance with the
2434 following provisions:

2435 (1) The aggregate outstanding amount of any loans made under this
2436 section to any one eligible borrower, including affiliates, shall not
2437 exceed four million dollars;

2438 (2) The amount of any loan made under this section shall not (A) for
2439 real property exceed ninety per cent of either the cost or appraised
2440 value of the real property; (B) for machinery and equipment exceed
2441 eighty per cent of either the cost or appraised value of the machinery
2442 and equipment; and (C) for working capital, which may include, but
2443 need not be limited to, capital for expansion or restructuring of a
2444 business, exceed such eligible borrower's total working capital needs
2445 as determined by the authority in its discretion at the time of
2446 application for assistance under this section;

2447 (3) The maximum term for repayment of any loan made under this
2448 section shall not exceed (A) twenty years for real property; (B) ten
2449 years for machinery and equipment; and (C) seven years for working
2450 capital; and

2451 (4) Subdivisions (2) and (3) of this subsection shall not apply if and

2452 to the extent that the authority determines in its discretion that such
2453 provisions are inappropriate for the purpose of providing either start-
2454 up, high risk or acquisition financing.

2455 (d) The state, acting through the authority, may make loans to state
2456 or local development corporations and small business investment
2457 companies for the purpose of providing funds to enable such state or
2458 local development corporations or small business investment
2459 companies to make loans to eligible borrowers. The aggregate
2460 outstanding amount of any loan made under this subsection to a state
2461 or local development corporation or small business investment
2462 company for a loan to any one eligible borrower shall not exceed one
2463 million dollars, provided such aggregate limit shall not apply in the
2464 case of a loan in the form of an equity investment made under this
2465 subsection to a small business investment company for a loan in the
2466 form of an equity investment. Assets of the Connecticut Growth Fund
2467 may be allocated for such equity investments.

2468 (e) To carry out the purposes of this section, the authority shall have
2469 those powers set forth in section 32-23e. The authority shall also have
2470 the power to take all reasonable steps and exercise all available
2471 remedies necessary or desirable to protect the obligations or interest of
2472 the authority including, but not limited to, the purchase or redemption
2473 in foreclosure proceedings, bankruptcy proceedings or in other judicial
2474 proceedings of any property on which it holds a mortgage or other lien
2475 or in which it has an interest, and for such purposes payment may be
2476 made from the Connecticut Growth Fund.

2477 (f) The borrowers shall pay such costs of processing applications for
2478 loans made under this section, including closing costs, as the authority
2479 determines are reasonable and necessary. The department may assist
2480 the authority in carrying out the provisions of this section and any
2481 administrative expenses incurred by the department for services
2482 provided to the authority or expenses incurred by the authority in
2483 carrying out the provisions of this section, to the extent not paid by the

2484 borrower or from moneys appropriated to the department or the
2485 authority for such purposes, may be paid from the Connecticut
2486 Growth Fund.

2487 (g) Each loan may be authorized by the authority or, if the authority
2488 so determines, by a committee of the authority, one of whose members
2489 may be its executive director. The rate of interest and other terms of
2490 each loan to the extent not specifically provided for herein shall be
2491 determined by the authority in its discretion.

2492 (h) Payments from the Connecticut Growth Fund to eligible
2493 borrowers, state and local development corporations or small business
2494 investment companies or to pay administrative expenses shall be made
2495 upon certification by the executive director of the authority that
2496 payment is authorized under the provisions of this section and under
2497 any applicable regulations or program criteria of the authority.

2498 (i) For the purposes of this section, the State Bond Commission shall
2499 have the power, from time to time, to authorize the issuance of bonds
2500 of the state in one or more series and in principal amounts not
2501 exceeding in the aggregate fifty million five hundred eighty thousand
2502 dollars. The proceeds from the sale of said bonds shall be used by the
2503 department to make grants to the authority for deposit in the
2504 Connecticut Growth Fund for the purposes authorized under this
2505 section. The terms and conditions of said grants shall be governed in
2506 accordance with a grant contract entered into between the department
2507 and authority. All provisions of section 3-20, or the exercise of any
2508 right or power granted thereby which are not inconsistent with the
2509 provisions of this section are hereby adopted and shall apply to all
2510 bonds authorized by the State Bond Commission pursuant to this
2511 section, and temporary notes in anticipation of the money to be
2512 derived from the sale of any such bonds so authorized may be issued
2513 in accordance with said section 3-20 and from time to time renewed.
2514 Said bonds shall mature at such time or times not exceeding twenty
2515 years from their respective dates as may be provided in or pursuant to

2516 the resolution or resolutions of the State Bond Commission authorizing
2517 such bonds. None of such bonds shall be authorized except upon a
2518 finding by the State Bond Commission that there has been filed with it
2519 a request for such authorization, which is signed by or on behalf of the
2520 Secretary of the Office of Policy and Management and states such
2521 terms and conditions as said commission in its discretion may require.
2522 Said bonds issued pursuant to this section shall be general obligations
2523 of the state and the full faith and credit of the state of Connecticut are
2524 pledged for the payment of the principal of and interest on said bonds
2525 as the same become due, and accordingly and as part of the contract of
2526 the state with the holders of said bonds, appropriation of all amounts
2527 necessary for the punctual payment of such principal and interest is
2528 hereby made, and the Treasurer shall pay such principal and interest
2529 as the same become due. Net earnings on any assets of the Connecticut
2530 Growth Fund, including investments or reinvestments of proceeds,
2531 accrued interest and premiums on the issuance of such bonds, after
2532 payment therefrom of expenses incurred by the Treasurer or State
2533 Bond Commission in connection with their issuance, shall become part
2534 of the Connecticut Growth Fund.

2535 Sec. 33. Section 32-23x of the general statutes is repealed and the
2536 following is substituted in lieu thereof (*Effective July 1, 2009*):

2537 (a) As used in this section:

2538 (1) "Affiliate" means a business concern which directly controls or is
2539 controlled by another business concern, or a third party which controls
2540 both business concerns;

2541 (2) "Authority" means the Connecticut Development Authority
2542 established under section 32-11a or its successor;

2543 (3) "Department" means the Department of **[**Economic and**]**
2544 Community Development or its successor agency;

2545 (4) "Enterprise zone" has the same meaning as provided in section

2546 32-70;

2547 (5) "Impacted business" means any person impacted by (A) a
2548 disaster caused by natural forces including, but not limited to, floods
2549 or hurricanes, or (B) an economic emergency including, but not limited
2550 to, an existing or threatened major plant shutdown, business
2551 disruption from a major road or bridge repair project or other existing
2552 or potential economic emergency, provided such disaster or
2553 emergency described in subparagraph (A) or (B) of this subdivision is
2554 proclaimed as such by declaration of the Commissioner of [Economic
2555 and] Community Development, with the consent of the Secretary of
2556 the Office of Policy and Management, upon a determination by the
2557 Commissioner of [Economic and] Community Development that such
2558 disaster or emergency is of a magnitude that could materially affect the
2559 health or well-being of the citizens of the impacted area and that the
2560 financial assistance provided for under this section is necessary to
2561 assure timely and effective relief and restoration;

2562 (6) "Loans" means loans and extensions of lines of credit;

2563 (7) "Minority business enterprise" means any person who meets the
2564 criteria contained in section 4a-60g and who is receiving a state
2565 contract award;

2566 (8) "Person" means any person or entity, including affiliates,
2567 engaged in a for-profit activity or activities in this state and who,
2568 except for an impacted business, is not an eligible borrower for
2569 assistance under the provisions of the Connecticut Growth Fund
2570 established under section 32-23v;

2571 (9) "Rate of interest" means the interest rate which the authority
2572 shall charge and collect on each loan made by the state under this
2573 section, which rate shall not exceed one per cent above the interest rate
2574 borne by the general obligation bonds of the state last issued prior to
2575 the date such loan is made, provided, such rate shall not exceed the
2576 maximum allowable under federal law;

2577 (10) "Small contractor" means any person who is a contractor,
2578 subcontractor, manufacturer or service company who has been in
2579 business for at least one year prior to the date of its application for
2580 assistance under this section and whose gross revenues, including
2581 revenues of affiliates, did not exceed three million dollars in its most
2582 recently completed fiscal year prior to the date of its application for
2583 assistance under this section;

2584 (11) "State or local development corporation" means any entity
2585 organized under the laws of this state which has the authority to
2586 promote and assist the growth and development of business concerns
2587 in the areas covered by their operations;

2588 (12) "Targeted business" means a person located in an enterprise
2589 zone whose gross revenues did not exceed three million dollars in its
2590 most recently completed fiscal year prior to the date of its application
2591 for assistance under this section, or if such person has not been in
2592 business for at least one year prior to the date of such application, if
2593 the authority determines in its discretion that such person's gross
2594 revenues, including revenues of affiliates, are not likely to exceed three
2595 million dollars in its first fiscal year;

2596 (13) "Water facilities" means (A) investor-owned water companies
2597 which supply water to at least twenty-five but less than ten thousand
2598 customers, (B) municipally-owned water companies, and (C) owners
2599 of privately and municipally-owned dams which the Commissioner of
2600 Environmental Protection has determined benefit the public.

2601 (b) In order to stimulate and encourage the growth and
2602 development of the state economy, the Comprehensive Business
2603 Assistance Fund is hereby created to provide financial assistance to
2604 targeted businesses, businesses impacted by economic emergencies
2605 and natural disasters, businesses located in certain regions of the state
2606 and certain industry sectors, including businesses located in
2607 entertainment districts designated under section 32-76 or established
2608 under section 2 of public act 93-311*, and to assist in the development

2609 of clean water facilities. The state, acting through the authority, may
2610 make or participate with private sector financial institutions in making
2611 loans from said fund to persons in accordance with the provisions of
2612 this section. Payments of principal and interest on such loans, and
2613 funds received by the authority from any other source for the purposes
2614 of the Comprehensive Business Assistance Fund, shall be deposited
2615 into said fund and shall be used to make additional loans and for such
2616 other purposes authorized by this section.

2617 (c) The state, acting through the authority, may make, or participate
2618 with private sector financial institutions in making loans from the
2619 Comprehensive Business Assistance Fund to any person who in the
2620 discretion of the authority, demonstrates financial need by either its
2621 inability to obtain conventional financial assistance in satisfactory
2622 amounts or on satisfactory terms in accordance with the following
2623 provisions:

2624 (1) The authority may make loans at the rate of interest to small
2625 contractors and minority business enterprises for the purpose of
2626 financing labor and material costs only. The aggregate outstanding
2627 amount of any loans made under this subdivision to any one person,
2628 including affiliates, shall not exceed two hundred fifty thousand
2629 dollars. The maximum term for repayment of any loan made under
2630 this subdivision shall not exceed one year.

2631 (2) The authority may make loans at the rate of interest to targeted
2632 businesses. The aggregate outstanding amount of any loans made
2633 under this subdivision to any one person, including affiliates, shall not
2634 exceed three hundred thousand dollars. The maximum term for
2635 repayment of any loan made under this subdivision shall not exceed
2636 (A) twenty years for real property; (B) ten years for machinery and
2637 equipment; and (C) seven years for working capital. For the purposes
2638 of this subdivision and subdivision (3), working capital may include,
2639 but shall not be limited to, capital for expansion or restructuring of a
2640 business.

2641 (3) The authority may make loans at the rate of interest to impacted
2642 businesses. The aggregate outstanding amount of any loans made
2643 under this subdivision to any one person, including affiliates, shall not
2644 exceed five hundred thousand dollars, except the authority, with the
2645 consent of the Secretary of the Office of Policy and Management, may
2646 increase the maximum loan amount under this subdivision to one
2647 million dollars if the authority in its discretion determines that the
2648 particular needs and conditions of such impacted business warrant
2649 such increase. The maximum term for repayment of any loan made
2650 under this subdivision shall not exceed (A) twenty years for real
2651 property; (B) ten years for machinery and equipment; and (C) seven
2652 years for working capital.

2653 (4) The authority may make loans at the rate of interest to water
2654 facilities. Such loans shall be used for the planning, design,
2655 modification or construction of drinking water facilities made
2656 necessary by the requirements of the Safe Water Act of 1974 or by an
2657 order of the Department of Public Health, which drinking water
2658 facilities shall include, but shall not be limited to, collection facilities,
2659 treatment facilities, wells, tanks, mains, pumps, transmission facilities
2660 and any other machinery and equipment necessary to meet the
2661 requirements of said act. Such loans shall also be used for the repair of
2662 dams subject to the jurisdiction of the Department of Environmental
2663 Protection under chapter 446j. For the purposes of this subdivision,
2664 repair costs include, but shall not be limited to, fees and expenses of
2665 architects, engineers, attorneys, accountants and other professional
2666 consultants, and costs of preparing surveys, studies, site plans and
2667 specifications for such repair. The aggregate outstanding amount of
2668 any loans made under this subdivision to any water facility, including
2669 affiliates, shall not exceed two hundred fifty thousand dollars. The
2670 maximum term for repayment of any loan made under this
2671 subdivision shall not exceed (A) twenty years for real property; and (B)
2672 ten years for machinery and equipment.

2673 (5) The authority may make loans at zero per cent interest to

2674 municipal economic development commissions established under
2675 section 7-136 or business outreach centers described in section 32-9qq,
2676 that establish or participate in loan pools that lend funds to (A)
2677 persons or groups of persons who complete entrepreneurial training
2678 programs funded or approved by the Commissioner of **[**Economic
2679 and**]** Community Development**,** or (B) business support groups. As
2680 used in this subdivision, "business support group" means a group of
2681 five or more persons, firms or corporations which plans to start or
2682 expand separate businesses, has community or other ties
2683 demonstrating a common mission or purpose, agrees to undergo an
2684 entrepreneurial training program funded or approved by the
2685 commissioner, and each member of which agrees to provide business
2686 support to other members of the group. The aggregate outstanding
2687 amount of any loans made under this subdivision to any one person,
2688 group of persons or business support group shall not exceed twenty-
2689 five thousand dollars. The maximum term for repayment of any loan
2690 made under this subdivision shall not exceed ten years.

2691 (6) The authority shall make loans at the rate of interest to
2692 entertainment or entertainment support service businesses located in
2693 the municipality with the pilot entertainment district established
2694 pursuant to section 2 of public act 93-311*, and on and after July 1,
2695 1995, may make loans at the rate of interest to entertainment or
2696 entertainment support service businesses located in municipalities
2697 with entertainment districts designated under section 32-76.

2698 (d) The state, acting through the authority, may make loans to state
2699 or local development corporations, for the purpose of providing funds
2700 to enable such state or local development corporations to make loans
2701 to any person eligible for assistance under subsection (c) hereof. The
2702 aggregate outstanding amount of any loan made under this subsection
2703 to a state or local development corporation for a loan with respect to
2704 any one project shall not exceed one million dollars.

2705 (e) To carry out the purposes of this section, the authority shall have

2706 those powers set forth in section 32-23e. The authority shall also have
2707 the power to take all reasonable steps and exercise all available
2708 remedies necessary or desirable to protect the obligations or interests
2709 of the authority including, but not limited to, the purchase or
2710 redemption on foreclosure proceedings, bankruptcy proceedings or in
2711 other judicial proceedings of any property on which it holds a
2712 mortgage or other lien or in which it has an interest, and for such
2713 purposes payment may be made from the Comprehensive Business
2714 Assistance Fund.

2715 (f) The borrower shall pay such costs of processing applications for
2716 loans made under this section, including closing costs, as the authority
2717 determines are reasonable and necessary. The department may assist
2718 the authority in carrying out the provisions of this section and any
2719 administrative expenses incurred by the department for services
2720 provided to the authority or expenses incurred by the authority in
2721 carrying out the provisions of this section to the extent not paid by the
2722 borrower or from moneys appropriated to the department or the
2723 authority for such purposes, may be paid from the Comprehensive
2724 Business Assistance Fund.

2725 (g) Each loan may be authorized by the authority or, if the authority
2726 so determines, by a committee of the authority, one of whose members
2727 may be its executive director.

2728 (h) Payments from the Comprehensive Business Assistance Fund to
2729 eligible borrowers or to pay administrative expenses shall be made
2730 upon certification by the executive director of the authority that
2731 payment is authorized under the provisions of this section and under
2732 any applicable regulations or program criteria of the authority.

2733 (i) For the purposes of this section, the State Bond Commission shall
2734 have the power, from time to time, to authorize the issuance of bonds
2735 of the state in one or more series and in principal amounts not
2736 exceeding in the aggregate seventeen million three hundred fifty
2737 thousand dollars. The proceeds from the sale of said bonds shall be

2738 used by the department to make grants to the authority for deposit in
2739 the Comprehensive Business Assistance Fund for the purposes
2740 authorized under this section. The terms and conditions of said grants
2741 shall be governed in accordance with a grant contract entered into
2742 between the department and authority. All provisions of section 3-20
2743 or the exercise of any right or power granted thereby which are not
2744 inconsistent with the provisions of this section are hereby adopted and
2745 shall apply to all bonds authorized by the State Bond Commission
2746 pursuant to this section, and temporary notes in anticipation of the
2747 money to be derived from the sale of any such bonds so authorized
2748 may be issued in accordance with said section 3-20 and from time to
2749 time renewed. Said bonds shall mature at such time or times not
2750 exceeding twenty years from their respective dates as may be provided
2751 in or pursuant to the resolution or resolutions of the State Bond
2752 Commission authorizing such bonds. None of such bonds shall be
2753 authorized except upon a finding by the State Bond Commission that
2754 there has been filed with it a request for such authorization, which is
2755 signed by or on behalf of the Secretary of the Office of Policy and
2756 Management and states such terms and conditions as said commission
2757 in its discretion may require. Said bonds issued pursuant to this
2758 section shall be general obligations of the state and the full faith and
2759 credit of the state of Connecticut are pledged for the payment of the
2760 principal of and interest on said bonds as the same become due, and
2761 accordingly and as part of the contract of the state with the holders of
2762 said bonds, appropriation of all amounts necessary for punctual
2763 payment of such principal and interest is hereby made, and the
2764 Treasurer shall pay such principal and interest as the same become
2765 due. Net earnings on any assets of the Comprehensive Business
2766 Assistance Fund, including investments or reinvestments of proceeds,
2767 accrued interest and premiums on the issuance of such bonds, after
2768 payment therefrom of expenses incurred by the Treasurer or State
2769 Bond Commission in connection with their issuance, shall become part
2770 of the Comprehensive Business Assistance Fund.

2771 Sec. 34. Section 32-23ii of the general statutes is repealed and the

2772 following is substituted in lieu thereof (*Effective July 1, 2009*):

2773 (a) There is created within the authority the Connecticut Works
2774 Fund. The state acting through the authority may provide financial
2775 assistance for economic development projects directly or in
2776 participation with any other financial institutions, funds or other
2777 persons or other sources of financing, public or private, and may enter
2778 into any agreements or contracts it deems necessary or convenient in
2779 connection therewith. Within the Connecticut Works Fund, a loan
2780 subfund is created solely to provide any form of loan or other form of
2781 financial assistance as provided in this section except for any guarantee
2782 or contract of insurance, and a guarantee subfund is created solely to
2783 provide any form of guarantee or contract of insurance as provided in
2784 this section. No financial assistance, nor any commitment to provide
2785 financial assistance, shall be provided or entered into by the authority
2786 pursuant to sections 32-23gg to 32-23*ll*, inclusive, which would cause
2787 the aggregate amount of all such financial assistance and commitments
2788 then outstanding to exceed the sum of the amounts available in the
2789 applicable subfund of the Connecticut Works Fund plus the amount of
2790 any unpaid grants authorized to be made by the Department of
2791 **[**Economic and**]** Community Development to the authority for deposit
2792 in the applicable subfund of the Connecticut Works Fund which
2793 remain available for purposes of such subfund pursuant to the bond
2794 authorization in section 32-23*ll*, provided the amount of financial
2795 assistance in the form of any guarantee or contract of insurance shall
2796 be measured by the portion of unpaid principal which is insured or
2797 guaranteed by the authority. Notwithstanding the above, the
2798 aggregate amount of financial assistance in the form of guarantees and
2799 contracts of insurance and commitments with respect thereto,
2800 calculated as above, may be up to four times the sum of the amounts
2801 available in the guarantee subfund of the Connecticut Works Fund
2802 plus the amount of any unpaid grants which remain available and are
2803 specifically designated by the department for purposes of such
2804 subfund pursuant to the bond authorization in section 32-23*ll*.
2805 Payments of insurance premiums, principal, interest or other forms of

2806 return on investment received by the authority shall be deposited in or
2807 held on behalf of said fund and shall be either used to provide
2808 financial assistance for economic development projects or shall be
2809 returned to the state in whole or in part at the discretion of the
2810 Secretary of the Office of Policy and Management, pursuant to any
2811 such restrictions or financial obligations existing as a result of
2812 agreements entered into by the authority under sections 32-23gg to 32-
2813 23*ll*, inclusive.

2814 (b) The authority may provide financial assistance in such amounts,
2815 in such form and under such terms and conditions as the authority
2816 shall prescribe, in written procedures adopted in accordance with
2817 section 1-121. Such procedures shall provide for returns on investment
2818 as the authority deems appropriate to reflect the nature of the risk,
2819 provided a single project shall not receive an amount in excess of
2820 twenty-five million dollars and shall not be for a term longer than
2821 twenty-five years.

2822 (c) In addition to other forms of financial assistance, the authority
2823 may insure or make advance commitments to insure all or any portion
2824 of the payments required under any loan, bond or other form of
2825 indebtedness for an economic development project upon such terms
2826 and conditions as the authority may establish. Such financial assistance
2827 may be in such amounts, including provisions for the payment of fees,
2828 expenses or other costs, insurance, payment of taxes and assessments,
2829 delinquency charges, default remedies and other matters, as the
2830 authority determines, except that the maximum amount paid by the
2831 authority under any guarantee or insurance agreement for any one
2832 project under sections 32-23gg to 32-23*ll*, inclusive, shall not exceed
2833 fifteen million dollars.

2834 (d) The authority may take all reasonable steps and exercise all
2835 reasonable remedies necessary or desirable to protect the obligations
2836 or interests of the authority, including, but not limited to, the purchase
2837 or redemption in foreclosure proceedings, bankruptcy proceedings or

2838 in other judicial proceedings of any property on which it holds a
2839 mortgage or other lien or in which it has an interest, and for such
2840 purposes and any other purposes provided in sections 32-23gg to 32-
2841 23*ll*, inclusive, payment may be made from the Connecticut Works
2842 Fund upon certification by the executive director that payment is
2843 authorized under the provisions of said sections, or other sections of
2844 the general statutes, applicable procedures or other programs of the
2845 authority.

2846 (e) Any contract of insurance or guarantee agreement, including
2847 advance commitments executed by the executive director, shall be
2848 conclusive evidence of eligibility and its validity shall be incontestable
2849 in the hands of an approved borrower or the party so insured or
2850 guaranteed from the date of execution and delivery of the contract,
2851 agreement or commitment, except for fraud and misrepresentation on
2852 the part of the borrower and as to commitments, noncompliance with
2853 the commitment or any rules, or procedures of the authority or
2854 provisions of sections 32-23gg to 32-23*ll*, inclusive, in force at the time
2855 of issuance of the commitment.

2856 (f) Applicants for financial assistance shall pay the costs the
2857 authority deems reasonable and necessary incurred in processing
2858 applications made under this section, including application and
2859 commitment fees, closing costs or other costs. In carrying out the
2860 provisions of this section, any administrative expenses incurred by the
2861 authority, to the extent not paid by the borrower or from moneys
2862 appropriated to the authority for such purposes, may be paid from the
2863 Connecticut Works Fund.

2864 (g) In providing financial assistance under this section, the authority
2865 shall give priority to manufacturing projects and to projects that
2866 encourage defense dependent industries to diversify.

2867 Sec. 35. Section 32-23*ll* of the general statutes is repealed and the
2868 following is substituted in lieu thereof (*Effective July 1, 2009*):

2869 (a) For the purposes described herein the State Bond Commission
2870 shall have the power, from time to time to authorize the issuance of
2871 bonds of the state in one or more series and in principal amounts not
2872 exceeding in the aggregate ninety-five million dollars, provided
2873 twenty-one million nine hundred thousand dollars of said
2874 authorization shall be effective on June 21, 1994.

2875 (b) The proceeds of the sale of said bonds shall be used by the
2876 Department of **[**Economic and**]** Community Development to make
2877 grants to the authority for deposit in the Connecticut Works Fund to be
2878 used for the purpose of sections 32-23gg to 32-23*ll*, inclusive, and to the
2879 Connecticut job training finance program created pursuant to section
2880 32-23uu. The terms and conditions of said grants shall be governed in
2881 accordance with a grant contract between the department and the
2882 authority.

2883 (c) All provisions of section 3-20, or the exercise of any right or
2884 power granted thereby which are not inconsistent with the provisions
2885 of this section are hereby adopted and shall apply to all bonds
2886 authorized by the State Bond Commission pursuant to this section, and
2887 temporary notes in anticipation of the money to be derived from the
2888 sale of any such bonds so authorized may be issued in accordance with
2889 said section 3-20 and from time to time renewed. Such bonds shall
2890 mature at such time or times not exceeding twenty years from their
2891 respective dates as may be provided in or pursuant to the resolution or
2892 resolutions of the State Bond Commission authorizing such bonds.
2893 None of said bonds shall be authorized except upon a finding by the
2894 State Bond Commission that there has been filed with it a request for
2895 such authorization, which is signed by or on behalf of the Secretary of
2896 the Office of Policy and Management and states such terms and
2897 conditions as said commission, in its discretion, may require. Said
2898 bonds issued pursuant to this section shall be general obligations of the
2899 state and the full faith and credit of the state of Connecticut are
2900 pledged for the payment of the principal of and interest on said bonds
2901 as the same become due, and accordingly and as part of the contract of

2902 the state with the holders of said bonds, appropriation of all amounts
2903 necessary for punctual payment of such principal and interest is
2904 hereby made.

2905 Sec. 36. Section 32-23qq of the general statutes is repealed and the
2906 following is substituted in lieu thereof (*Effective July 1, 2009*):

2907 (a) An Environmental Assistance Revolving Loan Fund is created.
2908 The state, acting through the Connecticut Development Authority, or
2909 any subsidiary of the authority may provide grants, loans, lines of
2910 credit or loan guarantees to municipalities or businesses from the
2911 Environmental Assistance Revolving Loan Fund for the purposes of
2912 pollution prevention activities, as defined in section 32-23rr, for
2913 purchases and the costs associated with compliance with the Clean Air
2914 Act Amendments of 1990 (42 USC 7401, et seq.), as amended, or for
2915 remediation of contaminated real property. Within the Environmental
2916 Assistance Revolving Loan Fund, a loan subfund is created solely to
2917 provide loans and lines of credit as provided in this section, a
2918 guarantee subfund is created solely to provide loan guarantees as
2919 provided in this section and a grant subfund is created solely to
2920 provide grants as provided under this section. No financial assistance,
2921 nor any commitment to provide financial assistance, shall be provided
2922 by or entered into by the authority or any subsidiary of the authority
2923 pursuant to sections 32-23pp to 32-23ss, inclusive, which would cause
2924 the aggregate amount of all such financial assistance and commitments
2925 then outstanding to exceed the sum of the amounts in the applicable
2926 subfund of the Environmental Assistance Revolving Loan Fund plus
2927 the amount of any unpaid grants authorized to be made by the
2928 Department of **[**Economic and**]** Community Development to the
2929 authority or any subsidiary of the authority for deposit in the
2930 applicable subfund of the Environmental Assistance Revolving Loan
2931 Fund, provided the amount of financial assistance in the form of any
2932 guarantee shall be measured by the portion of unpaid loan principal
2933 which is guaranteed by the authority. Notwithstanding the above, the
2934 aggregate amount of financial assistance in the form of guarantees and

2935 commitments with respect thereto, calculated as above, may be up to
2936 four times the sum of the amounts available in the guarantee subfund
2937 of the Environmental Assistance Revolving Loan Fund plus the
2938 amount of any unpaid grants which remain available and are
2939 specifically designated by the department for purposes of such
2940 subfund pursuant to the bond authorization in section 32-23ss. For the
2941 purposes of this section, "business" means any business which (1) has
2942 gross revenues of less than twenty-five million dollars in its fiscal year
2943 ending prior to the application for any such loans, lines of credit or
2944 loan guarantees or (2) has fewer than one hundred fifty employees.
2945 The Connecticut Development Authority or any subsidiary of the
2946 authority shall charge and collect interest on each such loan or line of
2947 credit at a rate to be determined in accordance with procedures
2948 adopted pursuant to subsection (b) of this section. Payments made by
2949 businesses on all loans, lines of credit and loan guarantees shall be
2950 paid to the authority or any subsidiary of the authority for deposit in
2951 the Environmental Assistance Revolving Loan Fund.

2952 (b) The Connecticut Development Authority and any subsidiary of
2953 the authority shall adopt written procedures, in accordance with the
2954 provisions of section 1-121, to carry out the provisions of this section.
2955 Such procedures shall establish requirements for grants, loans,
2956 guarantees, interest, repayment terms, security requirements, default
2957 and remedies and such other terms and conditions as the authority or
2958 any subsidiary of the authority shall deem appropriate.

2959 (c) Each such grant, loan, guarantee or extension of credit shall be
2960 authorized by the Connecticut Development Authority or any
2961 subsidiary of the authority or, if the authority or any subsidiary of the
2962 authority so determines, by a committee of the authority or any
2963 subsidiary of the authority consisting of the chairman and either one
2964 other member of the authority or subsidiary or its executive director,
2965 as specified in the determination of the authority or subsidiary. Any
2966 administrative expenses incurred in carrying out the provisions of this
2967 section, to the extent not paid by the authority or any subsidiary of the

2968 authority or from moneys appropriated to the authority or any
2969 subsidiary of the authority, shall be paid from the Environmental
2970 Assistance Revolving Loan Fund. Payments from the Environmental
2971 Assistance Revolving Loan Fund to businesses or municipalities or to
2972 pay such administrative expenses shall be made by the authority or
2973 any subsidiary of the authority upon certification by the chairman of
2974 the authority or such subsidiary that the payment is authorized under
2975 the provisions of this section, under the applicable rules and
2976 regulations of the authority or subsidiary, and, if made to a business or
2977 municipality under the terms and conditions established by the
2978 authority or subsidiary or the duly appointed committee thereof in
2979 authorizing the making of the grant, loan or the extension of credit.

2980 Sec. 37. Section 32-23ss of the general statutes is repealed and the
2981 following is substituted in lieu thereof (*Effective July 1, 2009*):

2982 (a) For the purposes described in subsection (b) of this section, the
2983 State Bond Commission shall have the power, from time to time to
2984 authorize the issuance of bonds of the state in one or more series and
2985 in principal amounts not exceeding in the aggregate two million
2986 dollars.

2987 (b) The proceeds of the sale of said bonds, to the extent of the
2988 amount stated in subsection (a) of this section, shall be used by the
2989 Department of **[**Economic and**]** Community Development to make
2990 grants to the Connecticut Development Authority for deposit in the
2991 Environmental Assistance Revolving Loan Fund to be used for the
2992 purpose of sections 32-23pp to 32-23rr, inclusive, and this section. The
2993 terms and conditions of said grants shall be governed in accordance
2994 with a grant contract between the department and the authority.

2995 (c) All provisions of section 3-20, or the exercise of any right or
2996 power granted thereby which are not inconsistent with the provisions
2997 of this section are hereby adopted and shall apply to all bonds
2998 authorized by the State Bond Commission pursuant to this section, and
2999 temporary notes in anticipation of the money to be derived from the

3000 sale of any such bonds so authorized may be issued in accordance with
3001 said section 3-20 and from time to time renewed. Such bonds shall
3002 mature at such time or times not exceeding twenty years from their
3003 respective dates as may be provided in or pursuant to the resolution or
3004 resolutions of the State Bond Commission authorizing such bonds.
3005 None of said bonds shall be authorized except upon a finding by the
3006 State Bond Commission that there has been filed with it a request for
3007 such authorization, which is signed by or on behalf of the Secretary of
3008 the Office of Policy and Management and states such terms and
3009 conditions as said commission, in its discretion, may require. Said
3010 bonds issued pursuant to this section shall be general obligations of the
3011 state and the full faith and credit of the state of Connecticut are
3012 pledged for the payment of the principal of and interest on said bonds
3013 as the same become due, and accordingly and as part of the contract of
3014 the state with the holders of said bonds, appropriation of all amounts
3015 necessary for punctual payment of such principal and interest is
3016 hereby made, and the Treasurer shall pay such principal and interest
3017 as the same become due.

3018 Sec. 38. Section 32-35 of the general statutes is repealed and the
3019 following is substituted in lieu thereof (*Effective July 1, 2009*):

3020 (a) There is hereby created a body politic and corporate to be known
3021 as "Connecticut Innovations, Incorporated". Such corporation is
3022 constituted a public instrumentality and political subdivision of the
3023 state and the exercise by the corporation of the powers conferred in
3024 this chapter shall be deemed and held to be the performance of an
3025 essential public and governmental function. Connecticut Innovations,
3026 Incorporated shall not be construed to be a department, institution or
3027 agency of the state.

3028 (b) The corporation shall be governed by a board of **[**fifteen**]**
3029 <u>fourteen</u> directors. Eight members shall be appointed by the Governor,
3030 at least six of whom shall be knowledgeable, and have favorable
3031 reputations for skill, knowledge and experience, in the development of

3032 innovative technology and technological processes including, but not
3033 limited to, expertise in academic research, technology transfer and
3034 application, the development of technological invention and new
3035 enterprise development. **[**Three**]** Two members shall be **[**the
3036 Commissioner of Economic and Community Development,**]** the
3037 Commissioner of Higher Education and the Secretary of the Office of
3038 Policy and Management, who shall serve ex officio and shall have all
3039 of the powers and privileges of a member of the board of directors.
3040 Each ex-officio member may designate his deputy or any member of
3041 his staff to represent him at meetings of the corporation with full
3042 power to act and vote in his behalf. Four members shall be appointed
3043 as follows: One by the president pro tempore of the Senate, one by the
3044 minority leader of the Senate, one by the speaker of the House of
3045 Representatives and one by the minority leader of the House of
3046 Representatives. Each member appointed by the Governor shall serve
3047 at the pleasure of the Governor but no longer than the term of office of
3048 the Governor or until the member's successor is appointed and
3049 qualified, whichever is longer. Each member appointed by a member
3050 of the General Assembly shall serve in accordance with the provisions
3051 of section 4-1a. A director shall be eligible for reappointment. The
3052 Governor shall fill any vacancy for the unexpired term of a member
3053 appointed by the Governor. The appropriate legislative appointing
3054 authority shall fill any vacancy for the unexpired term of a member
3055 appointed by such authority.

3056 (c) The chairperson of the board shall be **[**appointed by the
3057 Governor, with the advice and consent of both houses of the General
3058 Assembly**]** the Commissioner of Community Development. The
3059 directors shall annually elect one of their number as secretary. The
3060 board may elect such other officers of the board as it deems proper.
3061 Members shall receive no compensation for the performance of their
3062 duties hereunder but shall be reimbursed for necessary expenses
3063 incurred in the performance thereof.

3064 (d) Each director of the corporation before entering upon his duties

3065 shall take and subscribe the oath or affirmation required by article
3066 eleventh, section 1, of the Constitution. A record of each such oath or
3067 affirmation shall be filed in the office of the Secretary of the State. The
3068 board of directors of the corporation shall adopt written procedures, in
3069 accordance with the provisions of section 1-121, for: (1) Adopting an
3070 annual budget and plan of operations, including a requirement of
3071 board approval before the budget or plan may take effect; (2) hiring,
3072 dismissing, promoting and compensating employees of the
3073 corporation including an affirmative action policy and a requirement
3074 of board approval before a position may be created or a vacancy filled;
3075 (3) purchasing, leasing or acquiring real and personal property and
3076 personal services, including a requirement of board approval for any
3077 nonbudgeted expenditure in excess of five thousand dollars; (4)
3078 contracting for financial, legal, bond underwriting and other
3079 professional services, including a requirement that the corporation
3080 solicit proposals at least once every three years for each such service
3081 which it uses; (5) awarding loans, grants and other financial assistance,
3082 including eligibility criteria, the application process and the role
3083 played by the corporation's staff and board of directors and the
3084 Department of **[**Economic and**]** Community Development and
3085 including deadlines for the approval or disapproval of applications for
3086 such assistance by the corporation on and after July 1, 1996; and (6) the
3087 use of surplus funds to the extent authorized under this chapter, or
3088 other provisions of the general statutes.

3089 (e) Notwithstanding the provisions of any other law to the contrary,
3090 it shall not constitute a conflict of interest for a trustee, director,
3091 partner or officer of any person, firm or corporation, or any individual
3092 having a financial interest in a person, firm or corporation, to serve as a
3093 member of the board of directors of Connecticut Innovations,
3094 Incorporated, provided such trustee, director, partner, officer or
3095 individual shall abstain from deliberation, action or vote by
3096 Connecticut Innovations, Incorporated in specific respect to such
3097 person, firm or corporation.

3098 (f) The corporation shall have the authority to contract with the
3099 Department of **[**Economic and**]** Community Development for
3100 administrative or other services.

3101 (g) As of October 1, 1989, all powers, duties and personnel of the
3102 Connecticut Product Development Corporation shall be transferred to
3103 Connecticut Innovations, Incorporated, in accordance with the
3104 provisions of section 4-38d. As of October 1, 1989, all cash, notes,
3105 receivables, liabilities, appropriations, authorizations, allocations, and
3106 all other assets and properties of the Connecticut Product
3107 Development Corporation shall be transferred to Connecticut
3108 Innovations, Incorporated. Such transfer shall not affect the validity,
3109 enforceability or binding nature of any contract or agreement for
3110 financial aid made by the Connecticut Product Development
3111 Corporation under the authorization of this chapter prior to October 1,
3112 1989.

3113 Sec. 39. Section 32-47a of the general statutes is repealed and the
3114 following is substituted in lieu thereof (*Effective July 1, 2009*):

3115 Not later than January first in each year, Connecticut Innovations,
3116 Incorporated shall submit a business plan containing a summary of its
3117 projected operations for the year to the joint standing committees of
3118 the General Assembly having cognizance of matters relating to the
3119 Department of **[**Economic and**]** Community Development,
3120 appropriations and capital bonding. Not later than November first,
3121 annually, the corporation shall submit a report to the Commissioner of
3122 **[**Economic and**]** Community Development, the Auditors of Public
3123 Accounts and said joint standing committees, which shall include the
3124 following information with respect to new and outstanding financial
3125 assistance provided by the corporation during the twelve-month
3126 period ending on June thirtieth next preceding the date of the report
3127 for each financial assistance program administered by the corporation:
3128 (1) A list of the names, addresses and locations of all recipients of such
3129 assistance, (2) for each such recipient: (A) The business activities, (B)

3130 the Standard Industrial Classification Manual codes, (C) the gross
3131 revenues during the recipient's most recent fiscal year, (D) the number
3132 of employees at the time of application, (E) whether the recipient is a
3133 minority or woman-owned business, (F) a summary of the terms and
3134 conditions for the assistance, including the type and amount of state
3135 financial assistance, job creation or retention requirements, and
3136 anticipated wage rates, and (G) the amount of investments from
3137 private and other nonstate sources that have been leveraged by the
3138 assistance, (3) the economic benefit criteria used in determining which
3139 applications have been approved or disapproved, and (4) for each
3140 recipient of assistance on or after July 1, 1991, a comparison between
3141 the number of jobs to be created, the number of jobs to be retained and
3142 the average wage rates for each such category of jobs, as projected in
3143 the recipient's application, versus the actual number of jobs created,
3144 the actual number of jobs retained and the average wage rates for each
3145 such category. The report shall also indicate the actual number of full-
3146 time jobs and the actual number of part-time jobs in each such category
3147 and the benefit levels for each such subcategory. The November first
3148 report shall include a summary of the activities of the corporation,
3149 including all activities to assist small businesses and minority business
3150 enterprises, as defined in section 4a-60g, a complete operating and
3151 financial statement and recommendations for legislation to promote
3152 the purposes of the corporation. The corporation shall furnish such
3153 additional information upon the written request of any such
3154 committee at such times as the committee may request.

3155 Sec. 40. Section 32-58 of the general statutes is repealed and the
3156 following is substituted in lieu thereof (*Effective July 1, 2009*):

3157 The Department of **[**Economic and**]** Community Development shall
3158 advise and cooperate with any municipal or regional agency,
3159 commission or authority responsible for economic planning in order to
3160 formulate and implement plans to reduce the dependency of a
3161 municipal or regional economy on prime defense contracts and to
3162 alleviate the effects of a possible prime defense contract cutback. The

3163 Commissioner of [Economic and] Community Development shall
3164 submit on or before September first of each year to the Governor and
3165 the General Assembly a report which evaluates the extent to which the
3166 economy of the state is dependent on prime defense contracts,
3167 designates the municipalities or regions whose economies are
3168 particularly dependent on prime defense contracts, describes the
3169 adequacy of the steps being taken to meet potential problems resulting
3170 from such dependency and shall include recommendations as to the
3171 need for further legislative and administrative action to reduce such
3172 dependency and to aid areas which have been or may be impacted by
3173 prime defense contract cutbacks.

3174 Sec. 41. Section 32-58b of the general statutes is repealed and the
3175 following is substituted in lieu thereof (*Effective July 1, 2009*):

3176 [(a) There is established an Office of Military Affairs within the] The
3177 Department of [Economic and] Community Development [for
3178 administrative purposes only] may, in the course of implementing the
3179 economic development policy of the state, contract with another state
3180 agency, a for-profit company or a non profit organization to provide
3181 services related to military affairs. [The Office of Military Affairs] Such
3182 contracts shall promote and coordinate state-wide activities that
3183 enhance the quality of life of all branches of military personnel and
3184 their families and to expand the military and homeland security
3185 presence in this state.

3186 [(b) The Governor, in consultation with the Commissioner of
3187 Economic and Community Development, shall appoint an executive
3188 director to manage the daily activities and duties of the Office of
3189 Military Affairs. The executive director shall have the necessary
3190 qualifications to perform the duties of said office, including, but not
3191 limited to, having prior military experience, and having attained the
3192 rank of an officer within a branch of the armed forces. The Governor
3193 shall give preference to any person with the necessary training and
3194 experience who has served in the Navy or who has knowledge or prior

3195 experience with the federal Base Realignment and Closure or "BRAC"
3196 process. Within available appropriations, the executive director shall:
3197 (1) Appoint, employ and remove such assistants, employees and
3198 personnel as deemed necessary for the efficient and effective
3199 administration of the activities of the office; (2) coordinate state and
3200 local efforts to prevent the closure or downsizing of Connecticut
3201 military facilities, particularly United States Naval Submarine Base-
3202 New London, located in Groton; (3) maximize the state's input into the
3203 federal Base Realignment and Closure or "BRAC" process, including,
3204 but not limited to, (A) acting as liaison to the state's congressional
3205 delegation on defense, military and BRAC issues, and (B) acting as
3206 liaison to consultant lobbyists hired by the state to assist in monitoring
3207 activities related to BRAC; (4) encourage the relocation of military
3208 missions to the state; (5) coordinate state and local efforts to enhance
3209 the quality of life of all branches of military personnel and their
3210 families living or working in Connecticut; (6) review and make
3211 recommendations for state policies that affect Connecticut's military
3212 facilities and defense and homeland security industries; (7) coordinate
3213 state, regional and local efforts to encourage the growth of
3214 Connecticut's defense and homeland security industry; (8) support the
3215 development of a Defense and Homeland Security Industry Cluster;
3216 (9) establish and coordinate a Connecticut Military and Defense
3217 Advisory Council to provide technical advice and assistance; (10)
3218 oversee the implementation of recommendations of the Governor's
3219 Commission for the Economic Diversification of Southeastern
3220 Connecticut; and (11) prepare and submit a report of activities,
3221 findings and recommendations annually to the Governor and the joint
3222 standing committees of the General Assembly having cognizance of
3223 matters relating to commerce and public safety, in accordance with the
3224 provisions of section 11-4a.**]**

3225 Sec. 42. Section 32-59 of the general statutes is repealed and the
3226 following is substituted in lieu thereof (*Effective July 1, 2009*):

3227 There is established within the **[**Department of Economic and

3228 Community Development] Office of Policy and Management's Office
3229 of Business Development and Advocacy a defense readjustment task
3230 force which shall consist of the Commissioner of [Economic and]
3231 Community Development and the Labor Commissioner and the
3232 Secretary of the Office of Policy and Management, or their designees.
3233 The [Commissioner of Economic and Community Development] head
3234 of the Office of Business Development and Advocacy shall serve as
3235 chairman. The defense readjustment task force shall advise and assist
3236 the Governor and the [Department of Economic and Community
3237 Development] Office of Business Development and Advocacy with
3238 respect to economic planning for any municipality or region which is
3239 or may be severely impacted by prime defense contract cutbacks. The
3240 defense readjustment task force shall design procedures for expedient
3241 and effective aid to businesses and their employees that are severely
3242 impacted by prime defense contract cutbacks. Such procedures shall
3243 include, but not be limited to: (1) Expediting unemployment claims; (2)
3244 finding alternative employment for affected employees; (3)
3245 recommending priority in such state assistance as job training
3246 programs; and (4) technical assistance. The task force may contract
3247 with another state agency, a for-profit company or a non profit
3248 organization to provide services related to duties of the task force
3249 under this section, if the Commissioner of Community Development
3250 deems it necessary to implement the economic development policy of
3251 the state. The procedures developed by the defense readjustment task
3252 force may be implemented at the direction of the Governor.

3253 Sec. 43. Section 32-70 of the general statutes is repealed and the
3254 following is substituted in lieu thereof (*Effective July 1, 2009*):

3255 (a) Any municipality that was a distressed municipality under the
3256 provisions of subsection (b) of section 32-9p on February 1, 1986, may,
3257 with the approval of the Commissioner of [Economic and] Community
3258 Development, designate an area of such municipality as an enterprise
3259 zone. Any such area shall consist of one or two contiguous United
3260 States census tracts, contiguous portions of such census tracts or a

3261 portion of an individual census tract, as determined in accordance with
3262 the most recent United States census and, if such area is covered by
3263 zoning, a portion of it shall be zoned to allow commercial or industrial
3264 activity. The census tracts within which such designated area is located
3265 shall also meet at least one of the following criteria: (1) Twenty-five per
3266 cent or more of the persons within the individual census tracts shall
3267 have income below the poverty level, as determined by the most recent
3268 United States census, as officially updated by the appropriate state
3269 agency or institution; (2) twenty-five per cent or more of the families
3270 within the individual census tracts shall receive public assistance or
3271 welfare income, as determined by the most recent United States
3272 census, as officially updated by the appropriate state agency or
3273 institution; or (3) the unemployment rate of the individual census
3274 tracts shall be at least two hundred per cent of the state's average, as
3275 determined by the most recent United States census, as officially
3276 updated by the appropriate state agency or institution. In calculating
3277 any such percentage for one or two contiguous census tracts,
3278 contiguous portions of census tracts or a portion of an individual
3279 census tract, the commissioner shall round up to the nearest whole
3280 percentage number. If a census tract qualifies under the eligibility
3281 criteria for designation as an enterprise zone and if the commissioner
3282 determines that a census tract which is contiguous to such tract has
3283 significant job creation potential, the commissioner may include such
3284 contiguous census tract, or a portion thereof, in the enterprise zone in
3285 lieu of a second qualified census tract if such contiguous census tract
3286 meets at least one of the following reduced criteria: (A) Fifteen per cent
3287 or more of the persons within the census tract shall have income below
3288 the poverty level, as determined by the most recent United States
3289 census, as officially updated by the appropriate state agency or
3290 institution; (B) fifteen per cent or more of the families within the census
3291 tract shall receive public assistance or welfare income, as determined
3292 by the most recent United States census, as officially updated by the
3293 appropriate state agency or institution; or (C) the unemployment rate
3294 of the census tract shall be at least one hundred fifty per cent of the

3295 state's average, as determined by the most recent United States census,
3296 as officially updated by the appropriate state agency or institution. If a
3297 census tract boundary line is the center line of a street, the
3298 commissioner may include within the enterprise zone that portion of
3299 the property fronting on such street which is outside of but adjacent to
3300 the census tract. The depth of such property so included in the
3301 enterprise zone shall be determined by the commissioner at the time of
3302 the designation of the zone. If a census tract boundary line is located
3303 along a railroad right-of-way, railroad property or natural stream of
3304 water, the commissioner may include within the enterprise zone any
3305 private properties under common ownership which are traversed by
3306 the railroad right-of-way, railroad property or natural stream of water.
3307 Any private properties so affected shall be included in the enterprise
3308 zone at the time of the designation of the zone except, in the case of an
3309 enterprise zone designated prior to October 1, 1983, the commissioner
3310 may include within the zone any such property if the municipality in
3311 which the zone is located requests the commissioner to include such
3312 property not later than sixty days after October 1, 1983. If more than
3313 twenty-five per cent of the project area of a development project under
3314 chapter 132 is located in an area eligible for designation as an
3315 enterprise zone and the project plan for such development project is
3316 approved by the Commissioner of **[**Economic and**]** Community
3317 Development in accordance with section 8-191, the commissioner may
3318 include the entire project area of such development project area in an
3319 enterprise zone. If more than twenty-five per cent of the project area of
3320 a municipal development project under chapter 588*l* is located in an
3321 area eligible for designation as an enterprise zone and the
3322 development plan for such project is approved by the Commissioner
3323 of **[**Economic and**]** Community Development in accordance with
3324 section 32-224, the commissioner may include the entire project area of
3325 such project in an enterprise zone. If more than fifty per cent of an
3326 approved redevelopment area under chapter 130 is located in an area
3327 eligible for designation as an enterprise zone, the commissioner may
3328 include the entire redevelopment area in an enterprise zone. The

3329 commissioner may also include in the area designated as an enterprise
3330 zone (i) any facility, as defined in section 32-9p, which is located
3331 outside of but contiguous to a census tract included in the zone, (ii)
3332 any private properties which are (I) under common ownership, (II)
3333 located outside of a census tract included in the zone and (III)
3334 contiguous to a railroad right-of-way which is the boundary of such a
3335 census tract, or (iii) any private properties which are located outside of
3336 a census tract included in the zone, but between the zone and a
3337 railroad right-of-way, where other segments of such railroad right-of-
3338 way serve as boundaries for the zone. The commissioner may, at any
3339 time after the designation of an area as an enterprise zone, include in
3340 such zone any area contiguous to such zone which, at the time of the
3341 designation of such zone, was eligible to be included in such zone but
3342 was not so included. The commissioner may, at any time after the
3343 designation of an area as an enterprise zone, include in such zone any
3344 property which is located within one hundred fifty feet of a stream, the
3345 center line of which is the boundary of a census tract included in such
3346 zone, and which property contains an existing building or facility,
3347 having an area equal to or greater than one hundred thousand square
3348 feet, that is or was formerly used for manufacturing purposes but is
3349 underutilized or vacant at the time the property is included in such
3350 zone. If the commissioner determines that the necessary data is not
3351 available from the most recent United States census, the commissioner
3352 may use such data as the commissioner deems appropriate. The
3353 commissioner shall include in the designation of the enterprise zone in
3354 the city of Meriden the entire parcel of land bordered by Cook Avenue,
3355 Hanover Street, Perkins Street Square, and South Colony Street.

3356 (b) Notwithstanding any provision of this section to the contrary, (1)
3357 any municipality which has an enterprise zone may with the approval
3358 of the commissioner, expand such enterprise zone by designating for
3359 inclusion in such zone one or more additional census tracts or
3360 contiguous portions of such census tract or tracts, provided such
3361 census tract or tracts are located in the municipality, are contiguous to
3362 the enterprise zone and meet the reduced criteria for contiguous

3363 census tracts in subsection (a) of this section, (2) any municipality
3364 which is contiguous to an enterprise zone which is located in another
3365 municipality may, with the approval of the commissioner, designate as
3366 an enterprise zone one or more census tracts or contiguous portions of
3367 such census tract or tracts, which are located in the municipality
3368 making such designation, provided such census tract or tracts meet the
3369 reduced criteria for contiguous census tracts in subsection (a) of this
3370 section and are contiguous to the enterprise zone located in the other
3371 municipality. When approving such an expanded or new zone under
3372 this subsection, the commissioner shall consider the development
3373 rationale, proposed local effort and job creation potential of such
3374 expanded or new zone as demonstrated by the municipality and (3)
3375 any municipality which is contiguous to an enterprise zone which is
3376 located in another municipality may, with the approval of the
3377 commissioner and the legislative body of the municipality containing
3378 the enterprise zone, designate as an enterprise zone one or more
3379 census tracts or portions of such census tract or tracts that are
3380 contiguous to the enterprise zone in the other municipality, provided
3381 no municipality which designates an enterprise zone in this manner
3382 shall be considered to be a targeted investment community, as defined
3383 in section 32-222, or an enterprise zone community.

3384 (c) (1) On or before September 30, 1993, the Commissioner of
3385 **[**Economic and**]** Community Development shall approve the
3386 designation of ten areas as enterprise zones, not more than four of
3387 which shall be in municipalities with a population greater than eighty
3388 thousand and not more than six of which shall be in municipalities
3389 with a population of less than eighty thousand. (2) (A) On or after
3390 October 1, 1993, the commissioner shall approve the designation of
3391 two areas as enterprise zones. Each such area shall be in a municipality
3392 with a population of less than eighty thousand, in which there are one
3393 or more base or plant closures. Such municipalities shall be in different
3394 counties. If the commissioner approves the designation of an area of a
3395 municipality as an enterprise zone because of a plant closure in the
3396 municipality and there is a closure of another plant in any other

3397 municipality in the state by the same business, the commissioner shall
3398 also designate an area in such other municipality as an enterprise zone.
3399 If any such designated area includes a portion of a census tract in
3400 which any such base or plant is located, the census tracts in such area
3401 shall not be required to meet the eligibility criteria set forth under
3402 subsection (a) of this section for enterprise zone designation. If any
3403 such area is located elsewhere in the municipality, the census tracts in
3404 such area shall meet such eligibility criteria. As used in this
3405 subparagraph, (i) "base" means any United States or state of
3406 Connecticut military base or facility located in whole or in part within
3407 the state; (ii) "plant" means any manufacturing or economic base
3408 business, as defined in subsection (l) of section 32-222*; and (iii)
3409 "closure" means any reduction or transfer in military personnel or
3410 civilian employment at one or more bases or plants in a municipality,
3411 which occurred between July 1, 1989, and July 1, 1993, or is scheduled
3412 to occur between July 1, 1993, and July 1, 1996, and exceeds two
3413 thousand persons. Such employment figures shall be certified by the
3414 Labor Department. (B) On or after October 1, 1993, the commissioner
3415 shall approve the designation of three other areas as enterprise zones,
3416 one of which shall be in a municipality with a population greater than
3417 eighty thousand and two of which shall be in municipalities with a
3418 population of less than eighty thousand. The census tracts in such
3419 areas shall meet the eligibility criteria set forth under subsection (a) of
3420 this section for enterprise zone designation. The commissioner shall
3421 approve the designation of enterprise zones under this subparagraph
3422 for those municipalities which he determines to have experienced the
3423 largest increases in poverty from October 1, 1989, to October 1, 1993,
3424 inclusive, based on a weighted average of the unemployment rate,
3425 caseload under the temporary family assistance program and per
3426 capita income of less than ninety per cent of the state average between
3427 1985 and 1989. In making his determination, the commissioner may
3428 also consider the vacancy rates for commercial and industrial facilities
3429 in a municipality and a municipality's program for the implementation
3430 of an effective enterprise zone program. To the extent appropriate, the

3431 commissioner shall use the Regional Economic Models, Inc. (REMI)
3432 system in making the calculations for such determination. (C)
3433 Notwithstanding the provisions of subsection (a) of this section,
3434 municipalities that were not distressed municipalities under the
3435 provisions of subsection (b) of section 32-9p on February 1, 1986, shall
3436 be eligible to designate areas as enterprise zones under subparagraph
3437 (A) or (B) of this subdivision. (3) The commissioner shall not approve
3438 the designation of more than one enterprise zone in any municipality.
3439 The commissioner shall adopt regulations in accordance with chapter
3440 54 concerning such additional qualifications for an area to become an
3441 enterprise zone as he deems necessary. The commissioner may remove
3442 the designation of any area he has approved as an enterprise zone if
3443 such area no longer meets the criteria for designation as such an area
3444 set forth in this section or in regulations adopted pursuant to this
3445 section, provided no such designation shall be removed less than ten
3446 years from the original date of approval of such zone. The
3447 commissioner may designate any additional area as an enterprise zone
3448 if that area is designated as an enterprise zone, empowerment zone or
3449 enterprise community pursuant to any federal legislation.

3450 (d) Each municipality seeking the approval of the Commissioner of
3451 **[**Economic and**]** Community Development for the designation of an
3452 area of the municipality as an enterprise zone shall file with the
3453 commissioner a preliminary application. Not later than sixty days after
3454 receipt of such a preliminary application, the commissioner shall
3455 indicate to the municipality, in writing, any recommendations for
3456 improving the municipality's application. Not later than sixty days
3457 after receipt of the commissioner's written response, the municipality
3458 shall file a final application with the commissioner.

3459 (e) The Department of **[**Economic and**]** Community Development
3460 shall compile information on activities and programs which are
3461 conducted in enterprise zones approved by the commissioner before
3462 and after July 1, 1986, and shall serve as a resource center for the
3463 dissemination of such information upon request.

3464 Sec. 44. Section 32-70a of the general statutes is repealed and the
3465 following is substituted in lieu thereof (*Effective July 1, 2009*):

3466 (a) On or before October 1, 2006, the Commissioner of **[**Economic
3467 and**]** Community Development shall establish goals for enterprise
3468 zones designated under section 32-70. The commissioner shall review
3469 such goals every five years and update them as necessary and
3470 appropriate. Such goals shall include, but not be limited to, increasing
3471 private investment, expanding the tax base, providing job training and
3472 job creation for residents of enterprise zones and reducing property
3473 abandonment and housing blight in enterprise zones.

3474 (b) On or before October 1, 2006, the Commissioner of **[**Economic
3475 and**]** Community Development shall establish performance standards
3476 to measure the progress of municipalities with enterprise zones in
3477 attaining the goals for enterprise zones established under subsection
3478 (a) of this section. The commissioner shall review and update such
3479 performance standards as appropriate and necessary.

3480 (c) On or before July 1, 2011, and every five years thereafter, each
3481 business located within an enterprise zone shall electronically submit,
3482 in a format determined by the commissioner, a report to the
3483 municipality, which shall include, but not be limited to:

3484 (1) The name of the business;

3485 (2) The enterprise zone address of each business;

3486 (3) The date on which the business was first certified;

3487 (4) The number of full-time jobs the business had at the time of
3488 application;

3489 (5) The number of part-time jobs the business had at the time of
3490 application;

3491 (6) The number of full-time jobs of the business filled by residents of

3492 the enterprise zone as of June thirtieth of each year since certification;

3493 (7) The number of part-time jobs of the business filled by residents
3494 of the enterprise zone as of June thirtieth of each year since
3495 certification;

3496 (8) The number of full-time jobs the business had as of June thirtieth
3497 of each year since certification;

3498 (9) The number of part-time jobs the business had as of June
3499 thirtieth of each year since certification;

3500 (10) The average annual wage paid by the business to its full-time
3501 employees as of June thirtieth of each year since certification;

3502 (11) The average annual wage paid by the business to its part-time
3503 employees as of June thirtieth of each year since certification;

3504 (12) The number of employees of the business eligible for health
3505 benefits as of June thirtieth of each year since certification;

3506 (13) The per cent of average employee contribution to the health
3507 plan of the business as of June thirtieth of each year since certification;

3508 (14) The amount invested by the business in job training as of June
3509 thirtieth of each year since certification;

3510 (15) The amount of square footage of the building or buildings
3511 residing at the enterprise zone address at the time of application;

3512 (16) The amount of square footage of the building or buildings
3513 residing at the enterprise zone address as of June thirtieth of each year
3514 since certification;

3515 (17) The amount invested by the business or property owner in the
3516 building or buildings residing at the enterprise zone address as of June
3517 thirtieth of each year since certification;

3518 (18) The amount invested in personal property, excluding
3519 machinery and equipment used in the manufacture of goods, as of
3520 June thirtieth of each year since certification;

3521 (19) The amount invested in machinery and equipment used in the
3522 manufacture of goods as of June thirtieth of each year since
3523 certification;

3524 (20) The amount of the personal property tax abatement awarded to
3525 the business as of June thirtieth of each year since certification;

3526 (21) The amount of the real property tax abatement awarded to the
3527 business as of June thirtieth of each year since certification;

3528 (22) The amount of personal property tax actually paid by the
3529 business to the municipality as of June thirtieth of each year since
3530 certification; and

3531 (23) The amount of real property tax actually paid by the business to
3532 the municipality as of June thirtieth of each year since certification.

3533 (d) On or before July 1, 2011, and every five years thereafter, each
3534 municipality in which an enterprise zone is located shall electronically
3535 submit, in a format determined by the commissioner, a report to the
3536 commissioner evaluating the progress of the municipality in meeting
3537 the performance standards established under subsection (b) of this
3538 section. Each municipal report shall include, to the extent available, a
3539 list of all businesses certified within the municipality's enterprise zone,
3540 and the information provided by businesses under subsection (c) of
3541 this section.

3542 (e) On or before February 1, 2011, the commissioner shall assess the
3543 performance of each enterprise zone. In making such assessment the
3544 commissioner shall consider the report submitted under subsection (c)
3545 of this section by the municipality in which the enterprise zone is
3546 located and any other information he deems relevant. The
3547 commissioner shall report the findings of said assessment and any

3548 recommendations for improvement in the performance of the
3549 enterprise zone in the Department of **[**Economic and**]** Community
3550 Development's annual report.

3551 (f) On or before January 1, 2013, the commissioner shall assess the
3552 performance of each enterprise zone and may recommend to the joint
3553 standing committee of the General Assembly having cognizance of all
3554 matters relating to the Department of **[**Economic and**]** Community
3555 Development, the Connecticut Development Authority and
3556 Connecticut Innovations, Incorporated, that the designation be
3557 removed if he determines that the enterprise zone has not met
3558 performance standards established under subsection (b) of this section.
3559 Upon such recommendation, the General Assembly may remove the
3560 designation.

3561 Sec. 45. Section 32-96 of the general statutes is repealed and the
3562 following is substituted in lieu thereof (*Effective July 1, 2009*):

3563 (a) There is established a Small Business Advisory Council. The
3564 council shall be within the Department of **[**Economic and**]** Community
3565 Development.

3566 (b) The Small Business Advisory Council shall consist of eleven
3567 persons as follows: (1) The Commissioner of **[**Economic and**]**
3568 Community Development, or his designee; (2) the chairmen of the joint
3569 standing committee of the General Assembly having cognizance of
3570 matters relating to economic development, or their designees; and (3)
3571 eight persons appointed from among individuals with knowledge and
3572 experience related to small businesses. The Governor shall appoint
3573 four such persons and the president pro tempore of the Senate, the
3574 minority leader of the Senate, the speaker of the House of
3575 Representatives and the minority leader of the House of
3576 Representatives each shall appoint one such person. The Governor
3577 shall appoint from among the eleven members of the council a
3578 chairperson who shall serve in that capacity at the pleasure of the
3579 Governor.

3580 (c) The first appointments shall be made on or before July 1, 1984.
3581 The term of each appointed member shall be coterminous with the
3582 term of the appointing authority or until a successor is chosen,
3583 whichever is later. Vacancies shall be filled by the appointing
3584 authority.

3585 (d) The members of the council shall receive no compensation for
3586 their services but shall be reimbursed for any necessary expenses
3587 incurred in the performance of their duties.

3588 (e) The council shall organize itself in such manner as it deems
3589 desirable and necessary. Four members of the council and the
3590 chairperson, or his designee, shall constitute a quorum and the
3591 affirmative vote of a majority of the members present at a meeting
3592 shall be necessary to take any action or adopt any motion or resolution.

3593 Sec. 46. Section 32-98 of the general statutes is repealed and the
3594 following is substituted in lieu thereof (*Effective July 1, 2009*):

3595 The council shall: (1) Raise issues of concern to the creation and
3596 expansion of small business; (2) review appropriate Department of
3597 **[**Economic and**]** Community Development programs and offer
3598 recommendations for the improvement of services to small businesses;
3599 and (3) keep the department abreast of significant issues and trends in
3600 small business.

3601 Sec. 47. Section 32-100 of the general statutes is repealed and the
3602 following is substituted in lieu thereof (*Effective July 1, 2009*):

3603 The Department of **[**Economic and**]** Community Development shall
3604 provide the personnel and resources necessary for the council to assist
3605 the small business sector of the state and to perform its tasks.

3606 Sec. 48. Section 32-180 of the general statutes is repealed and the
3607 following is substituted in lieu thereof (*Effective July 1, 2009*):

3608 (a) There is established the Connecticut-Israel Exchange

3609 Commission. The commission shall be within the Department of
3610 [Economic and] Community Development for the purpose of
3611 promoting and expanding economic, scientific, educational,
3612 technological, commercial, industrial and cultural cooperation and
3613 exchange between the state of Connecticut and the state of Israel.

3614 (b) The Connecticut-Israel Exchange Commission shall be
3615 comprised of: (1) The Governor, the speaker of the House of
3616 Representatives, the president pro tempore of the Senate, the majority
3617 leader of the House of Representatives, the majority leader of the
3618 Senate, the minority leader of the House of Representatives, the
3619 minority leader of the Senate, or their designees, and the cochairmen
3620 and ranking members of the joint standing committees of the General
3621 Assembly having cognizance of matters relating to economic
3622 development and education; (2) the Commissioner of [Economic and]
3623 Community Development, or his designee; (3) two public members
3624 appointed by the Governor; and (4) two members appointed by the
3625 speaker of the House of Representatives, two members appointed by
3626 the president pro tempore of the Senate, two members appointed by
3627 the minority leader of the House of Representatives and two members
3628 appointed by the minority leader of the Senate. Of the members
3629 appointed under subdivision (4) of this subsection, each appointing
3630 authority shall appoint one member from the public and one member
3631 from the General Assembly. The Governor shall appoint from among
3632 the members of the commission a chairperson who shall serve in that
3633 capacity at the pleasure of the Governor.

3634 (c) The first appointments shall be made on or before July 1, 1988.
3635 The term of each appointed member shall be coterminous with the
3636 appointing authority or until a successor is chosen, whichever is
3637 longer. Vacancies shall be filled by the appointing authority.

3638 (d) The members of the commission shall receive no compensation
3639 for their services but shall be reimbursed for any reasonable and
3640 necessary expenses incurred in the performance of their duties.

3641 (e) The commission shall organize itself in such manner as it deems
3642 desirable and necessary. Seven members of the commission shall
3643 constitute a quorum and the affirmative vote of a majority of the
3644 members present at a meeting shall be necessary to take any action or
3645 adopt any motion or resolution.

3646 Sec. 49. Section 32-182 of the general statutes is repealed and the
3647 following is substituted in lieu thereof (*Effective July 1, 2009*):

3648 The Department of **[**Economic and**]** Community Development may
3649 provide the necessary personnel and resources as provided in this
3650 section to help the commission perform its tasks in accordance with
3651 the provisions of this chapter. If the commission receives monetary
3652 contributions or contributions of in-kind resources from private
3653 agencies during any state fiscal year, the department shall allocate an
3654 amount of money to the commission equal to one-third of the total
3655 value of all such contributions and resources provided such allocation
3656 does not exceed seventy thousand dollars in any state fiscal year. In
3657 addition, the department may continue to provide the in-kind
3658 resources to the commission which it is providing on July 1, 1998. Any
3659 such contributions, allocations and resources shall be used by the
3660 commission to establish an office to develop strategic business
3661 relationships between Connecticut and Israeli businesses.

3662 Sec. 50. Section 32-222 of the general statutes is repealed and the
3663 following is substituted in lieu thereof (*Effective July 1, 2009*):

3664 As used in sections 32-220 to 32-234, inclusive: (a) "Business
3665 development project" means a project undertaken by an eligible
3666 applicant involving one or more of the following:

3667 (1) The construction, substantial renovation, improvement or
3668 expansion of a facility;

3669 (2) The acquisition of new machinery and equipment;

3670 (3) The acquisition, improvement, demolition, cultivation or

3671 disposition of real property, or combinations thereof, or the
3672 remediation of contaminated real property;

3673 (4) The creation at a facility, within twenty-four months of the
3674 initiation of a hiring program, not less than ten new jobs or an increase
3675 in the number of persons employed at the facility of twenty per cent,
3676 whichever is greater;

3677 (5) Economic diversification of the economy of an area of the state or
3678 manufacturing or other economic base business where such area or
3679 business is substantially reliant upon defense and related industry;

3680 (6) Participation in the avoidance of an imminent plant closing or
3681 relocation by a manufacturing or other economic base business or
3682 assist or improve the economy of an area of the state which has been or
3683 is likely to be significantly and adversely impacted by one or more
3684 major plant closings or relocations;

3685 (7) Support research and development or commercialization of
3686 technologies, products, processes or techniques of a manufacturing or
3687 other economic base business;

3688 (8) Creation or support of organizations that provide technical and
3689 engineering assistance to small manufacturers or other economic base
3690 businesses to assist them with the design, testing, manufacture and
3691 marketing of new products and the instruction and implementation of
3692 new techniques and technologies;

3693 (9) Support of substantial workforce development efforts;

3694 (10) Promotion of community conservation or development or
3695 improvement of the quality of life for urban residents of the state; or

3696 (11) Promotion of the revitalization of underutilized, state-owned
3697 former railroad depots and areas adjacent to such depots;

3698 (b) "Business support services" means activities related to a

3699 municipal development project or business development project which
3700 support the economic competitiveness of manufacturing or economic
3701 base businesses or which further the interests of the state, including,
3702 but not limited to, facilities and services related to day care, job
3703 training, education, transportation, employee housing, energy
3704 conservation, pollution control and recycling, provided activities
3705 related to employee housing shall be limited to feasibility and
3706 implementation studies;

3707 (c) "Commissioner" means the Commissioner of **[**Economic and**]**
3708 Community Development;

3709 (d) "Economic base business" means a business that the
3710 commissioner determines will materially contribute to the economy of
3711 the state by creating or retaining jobs, exporting products or services
3712 beyond the state's boundaries, encouraging innovation in products or
3713 services, adding value to products or services or otherwise supporting
3714 or enhancing existing activities important to the economy of the state;

3715 (e) "Economic cluster" means an economic cluster, as defined in
3716 section 32-4e, recognized by the commissioner;

3717 (f) "Department" means the Department of **[**Economic and**]**
3718 Community Development;

3719 (g) "Development plan" means a plan for a municipal development
3720 project prepared in accordance with the provisions of subsection (b) of
3721 section 32-223;

3722 (h) "Eligible applicant" means any for-profit or nonprofit
3723 organization, or any combination thereof, any municipality, regional
3724 planning agency or any combination thereof and further provided, in
3725 the case of a loan made by the Connecticut Development Authority in
3726 which the department purchases a participation interest, "eligible
3727 applicant" means the for-profit or nonprofit organization, or any
3728 combination thereof, that will receive the proceeds of such loan;

3729 (i) "Financial assistance" means grants, funds for the purchase of
3730 insurance policies and payment of deductibles for insurance policies to
3731 cover remediation costs, extensions of credit, loans or loan guarantees,
3732 participation interests in loans made to eligible applicants by the
3733 Connecticut Development Authority or combinations thereof;

3734 (j) "For-profit organization" means a for-profit partnership or sole
3735 proprietorship or corporation or limited liability company which is an
3736 economic base business or has a North American Industrial
3737 Classification code of 311111 through 339999 or 493110, 493120, 493130,
3738 493190, 511210, 512110, 512120, 512191, 522210, 522293, 522294, 522298,
3739 522310, 522320, 522390, 523110, 523120, 523130, 523140, 523210, 523910,
3740 524113, 524114, 524126, 524127, 524128, 524130, 524292, 541711, 541712,
3741 551111, 551112, 551114, 561422, 611310, 611410, 611420, 611430, 611513,
3742 611519, 611710 and 624410 or any business that is part of an economic
3743 cluster, or any establishment or auxiliary or operating unit thereof, as
3744 defined in the North American Industrial Classification System
3745 Manual, which has demonstrated to the satisfaction of the
3746 commissioner that it has the qualifications, including financial
3747 qualifications, necessary to carry out a business development project;

3748 (k) "Implementing agency" means one of the following agencies
3749 designated by a municipality under section 32-223: (1) An economic
3750 development commission, redevelopment agency; sewer authority or
3751 sewer commission; public works commission; water authority or water
3752 commission; port authority or port commission or harbor authority or
3753 harbor commission; parking authority or parking commission; (2) a
3754 nonprofit development corporation; or (3) any other agency
3755 designated and authorized by a municipality to undertake a project
3756 and approved by the commissioner;

3757 (l) "Municipal development project" means a business development
3758 project through which real property is acquired by a municipality or
3759 implementing agency as part of such project;

3760 (m) "Municipality" means a town, city, consolidated town and city

3761 or consolidated town and borough;

3762 (n) "Nonprofit organization" means a municipality or nonprofit
3763 corporation as defined in section 33-1002 and organized under the
3764 laws of this state and for purposes of this chapter includes any
3765 constituent unit of the state system of higher education;

3766 (o) "Planning commission" means a planning and zoning
3767 commission designated pursuant to section 8-4a or a planning
3768 commission created pursuant to section 8-19;

3769 (p) "Project" means a municipal development project or business
3770 development project;

3771 (q) "Project area" means the area within which a municipal
3772 development project or business development project is located;

3773 (r) "Real property" means land, buildings and other structures and
3774 improvements thereto, subterranean or subsurface right, any and all
3775 easements, air rights and franchises of any kind or nature;

3776 (s) "Site and infrastructure improvements" means improvements to:
3777 (1) Sanitary sewer facilities; (2) natural gas pipes, electric, telephone
3778 and telecommunications conduits and other facilities and waterlines
3779 and water supply facilities, except for any such pipes, wires, conduits,
3780 waterlines or any such pipes, wires, conduits, waterlines or facilities
3781 which a public service company, as defined in section 16-1, water
3782 company, as defined in section 25-32a, or municipal utility is required
3783 to install pursuant to any provision of the general statutes or any
3784 special act, regulation or order of the Department of Public Utility
3785 Control or a certificate of public convenience and necessity; (3) storm
3786 drainage facilities, including facilities to control flooding; (4) site
3787 grading, landscaping, environmental improvements, including
3788 remediation of contaminated sites, parking facilities, roadways and
3789 related appurtenances; (5) railroad spurs; (6) public port or docking
3790 facilities; and (7) such other related improvements necessary or

3791 appropriate to carry out the project;

3792 (t) "State" means the state of Connecticut;

3793 (u) "Targeted investment community" means a municipality which
3794 contains an enterprise zone designated pursuant to section 32-70;

3795 (v) "Total project cost" means costs of any kind or nature relating to
3796 the planning, implementation and completion of a municipal or
3797 business development project;

3798 (w) "Legislative body" means (1) the board of selectmen in a town
3799 that does not have a charter, special act or home rule ordinance
3800 relating to its government, or (2) the council, board of aldermen,
3801 representative town meeting, board of selectmen or other elected
3802 legislative body described in a charter, special act or home rule
3803 ordinance relating to its government in a city, consolidated town and
3804 city, consolidated town and borough or a town having a charter,
3805 special act, consolidation ordinance or home rule ordinance relating to
3806 its government.

3807 Sec. 51. Section 32-228 of the general statutes is repealed and the
3808 following is substituted in lieu thereof (*Effective July 1, 2009*):

3809 (a) The Commissioner of **[**Economic and**]** Community Development
3810 may, with the approval of the Commissioner of Public Works, the
3811 Secretary of the Office of Policy and Management and the State
3812 Properties Review Board, sell, exchange, lease or enter into agreements
3813 concerning any real property belonging to the state and transferred to
3814 the custody and control of the Department of **[**Economic and**]**
3815 Community Development. The commissioner shall require, as a
3816 condition of any sale, exchange, lease or agreement entered into
3817 pursuant to this section, that such real property be used primarily for
3818 manufacturing or economic base businesses or for business support
3819 services. Prior to any such sale, exchange, lease or agreement, the
3820 commissioner shall consult with each municipality in which the land,

3821 improvement or interest is located.

3822 (b) The Commissioner of [Economic and] Community
3823 Development, with the approval of the Commissioner of Public Works,
3824 the Secretary of the Office of Policy and Management and the State
3825 Properties Review Board, may: (1) Enter into a contract to purchase,
3826 lease or hold any surplus real property made available by the federal
3827 government if the commissioner determines that such real property
3828 can be utilized for manufacturing or other economic base businesses or
3829 for business support services and (2) sell, exchange, lease or enter into
3830 an agreement concerning any real property acquired by the
3831 commissioner under subdivision (1) of this subsection. The
3832 commissioner shall require, as a condition of any sale, exchange, lease
3833 or agreement entered into pursuant to subdivision (2) of this
3834 subsection, that such real property be used primarily for
3835 manufacturing or other economic base businesses or for business
3836 support services. No such land may be sold, exchanged or leased by
3837 the commissioner under subdivision (2) of this subsection without
3838 prior consultation with each municipality in which such land is
3839 located.

3840 (c) The use of any land sold, exchanged or leased under this section
3841 shall be subject to the planning, zoning, sanitary and building laws,
3842 ordinances or regulations of the municipality in which such land is
3843 located.

3844 (d) The Commissioner of [Economic and] Community Development
3845 may, with the approval of the Commissioner of Public Works, the
3846 Secretary of the Office of Policy and Management and the State
3847 Properties Review Board: (1) Enter into a contract to purchase, lease or
3848 hold any real property, other than property owned by the state or
3849 made available by the federal government, if the commissioner has
3850 entered into a contract to sell, exchange or lease such property to
3851 another person who will utilize such property for manufacturing or
3852 other economic base business or for business support services

3853 provided such sale or lease shall close not later than one week after the
3854 commissioner purchases, leases, holds or otherwise acquires such
3855 property and further provided such contract shall provide that the
3856 transferor shall be liable for any costs associated with remediation of
3857 environmental contamination of such real property; and (2) sell,
3858 exchange or lease any real property acquired by the commissioner
3859 under subdivision (1) of this subsection. The commissioner shall
3860 require, as a condition of any sale, exchange, lease or agreement
3861 entered into pursuant to subdivision (2) of this subsection, that such
3862 real property be used primarily for manufacturing or other economic
3863 base business or for business support services. No such land may be
3864 sold, exchanged or leased by the commissioner under subdivision (2)
3865 of this subsection without prior consultation with each municipality in
3866 which such real property is located provided any person who leases
3867 such property from the commissioner under this subsection shall be
3868 liable to the municipality for any tax due under chapter 203 as if such
3869 lessee were the owner of such property. The transferor shall be liable
3870 for any costs associated with remediation of environmental
3871 contamination of any property which the Commissioner of **[**Economic
3872 and**]** Community Development proposes to acquire under this section
3873 provided, in the case of a property to be subsequently sold by the
3874 commissioner under this section, the commissioner may enter into a
3875 contract with the subsequent transferee under which the transferee
3876 shall be liable for such costs.

3877 Sec. 52. Section 32-235 of the general statutes is repealed and the
3878 following is substituted in lieu thereof (*Effective July 1, 2009*):

3879 (a) For the purposes described in subsection (b) of this section, the
3880 State Bond Commission shall have the power, from time to time to
3881 authorize the issuance of bonds of the state in one or more series and
3882 in principal amounts not exceeding in the aggregate five hundred
3883 ninety-five million three hundred thousand dollars, provided forty-
3884 five million dollars of said authorization shall be effective July 1, 2008.

3885 (b) The proceeds of the sale of said bonds, to the extent of the
3886 amount stated in subsection (a) of this section, shall be used by the
3887 Department of **[**Economic and**]** Community Development for the
3888 purposes of sections 32-220 to 32-234, inclusive, including economic
3889 cluster-related programs and activities, and for the Connecticut job
3890 training finance demonstration program pursuant to sections 32-23uu
3891 and 32-23vv provided, (1) three million dollars shall be used by said
3892 department solely for the purposes of section 32-23uu and not more
3893 than five million two hundred fifty thousand dollars of the amount
3894 stated in said subsection (a) may be used by said department for the
3895 purposes of section 31-3u, (2) not less than one million dollars shall be
3896 used for an educational technology grant to the deployment center
3897 program and the nonprofit business consortium deployment center
3898 approved pursuant to section 32-41*l*, (3) not less than two million
3899 dollars shall be used by said department for the establishment of a
3900 pilot program to make grants to businesses in designated areas of the
3901 state for construction, renovation or improvement of small
3902 manufacturing facilities provided such grants are matched by the
3903 business, a municipality or another financing entity. The
3904 Commissioner of **[**Economic and**]** Community Development shall
3905 designate areas of the state where manufacturing is a substantial part
3906 of the local economy and shall make grants under such pilot program
3907 which are likely to produce a significant economic development
3908 benefit for the designated area, (4) five million dollars may be used by
3909 said department for the manufacturing competitiveness grants
3910 program, (5) one million dollars shall be used by said department for
3911 the purpose of a grant to the Connecticut Center for Advanced
3912 Technology, for the purposes of section 32-237, (6) fifty million dollars
3913 shall be used by said department for the purpose of grants to the
3914 United States Navy or eligible applicants for projects related to the
3915 enhancement of infrastructure for long-term, on-going naval
3916 operations at the United States Naval Submarine Base-New London,
3917 located in Groton, which will increase the military value of said base,
3918 and (7) two million dollars shall be used by said department for the

3919 purpose of a grant to the Connecticut Center for Advanced
3920 Technology, Inc., for manufacturing initiatives, including aerospace
3921 and defense.

3922 (c) All provisions of section 3-20, or the exercise of any right or
3923 power granted thereby which are not inconsistent with the provisions
3924 of this section are hereby adopted and shall apply to all bonds
3925 authorized by the State Bond Commission pursuant to this section, and
3926 temporary notes in anticipation of the money to be derived from the
3927 sale of any such bonds so authorized may be issued in accordance with
3928 said section 3-20 and from time to time renewed. Such bonds shall
3929 mature at such time or times not exceeding twenty years from their
3930 respective dates as may be provided in or pursuant to the resolution or
3931 resolutions of the State Bond Commission authorizing such bonds.
3932 None of said bonds shall be authorized except upon a finding by the
3933 State Bond Commission that there has been filed with it a request for
3934 such authorization, which is signed by or on behalf of the Secretary of
3935 the Office of Policy and Management and states such terms and
3936 conditions as said commission, in its discretion, may require. Said
3937 bonds issued pursuant to this section shall be general obligations of the
3938 state and the full faith and credit of the state of Connecticut are
3939 pledged for the payment of the principal of and interest on said bonds
3940 as the same become due, and accordingly and as part of the contract of
3941 the state with the holders of said bonds, appropriation of all amounts
3942 necessary for punctual payment of such principal and interest is
3943 hereby made, and the Treasurer shall pay such principal and interest
3944 as the same become due.

3945 Sec. 53. Section 32-236 of the general statutes is repealed and the
3946 following is substituted in lieu thereof (*Effective July 1, 2009*):

3947 In furtherance of the economic development of the state, the
3948 Department of **[**Economic and**]** Community Development may provide
3949 financial assistance under sections 32-220 to 32-235, inclusive, to a
3950 financial institution, as defined in section 12-217u, which has not less

3951 than two thousand qualified employees, determined in accordance
3952 with subsections (d) and (e) of said section 12-217u, at a facility or
3953 facilities located in a municipality in this state with a population
3954 greater than one hundred thousand. The provisions of section 32-462
3955 shall not apply to such assistance.

3956 Sec. 54. Section 32-241 of the general statutes is repealed and the
3957 following is substituted in lieu thereof (*Effective July 1, 2009*):

3958 (a) For the purposes described in subsection (b) of this section, the
3959 State Bond Commission shall have the power, from time to time, to
3960 authorize the issuance of bonds of the state in one or more series and
3961 in principal amounts not exceeding in the aggregate one million
3962 dollars.

3963 (b) The proceeds of the sale of said bonds, to the extent of the
3964 amount stated in subsection (a) of this section, shall be used by the
3965 Department of **[**Economic and**]** Community Development for the
3966 purposes of section 32-240.

3967 (c) All provisions of section 3-20, or the exercise of any right or
3968 power granted thereby which are not inconsistent with the provisions
3969 of this section are hereby adopted and shall apply to all bonds
3970 authorized by the State Bond Commission pursuant to this section, and
3971 temporary notes in anticipation of the money to be derived from the
3972 sale of any such bonds so authorized may be issued in accordance with
3973 said section 3-20 and from time to time renewed. Such bonds shall
3974 mature at such time or times not exceeding twenty years from their
3975 respective dates as may be provided in or pursuant to the resolution or
3976 resolutions of the State Bond Commission authorizing such bonds.
3977 None of said bonds shall be authorized except upon a finding by the
3978 State Bond Commission that there has been filed with it a request for
3979 such authorization, which is signed by or on behalf of the Secretary of
3980 the Office of Policy and Management and states such terms and
3981 conditions as said commission, in its discretion, may require. Said
3982 bonds issued pursuant to this section shall be general obligations of the

3983 state and the full faith and credit of the state of Connecticut are
3984 pledged for the payment of the principal of and interest on said bonds
3985 as the same become due, and accordingly and as part of the contract of
3986 the state with the holders of said bonds, appropriation of all amounts
3987 necessary for punctual payment of such principal and interest is
3988 hereby made, and the Treasurer shall pay such principal and interest
3989 as the same become due.

3990 Sec. 55. Section 32-242 of the general statutes is repealed and the
3991 following is substituted in lieu thereof (*Effective July 1, 2009*):

3992 In addition to other financial assistance which the Department of
3993 **[**Economic and**]** Community Development may grant <u>on its own or</u>
3994 <u>through a contract with another state agency, a for-profit company or a</u>
3995 <u>non profit organization</u> under this chapter, the Commissioner of
3996 **[**Economic and**]** Community Development, in consultation with the
3997 Secretary of the Office of Policy and Management and the
3998 Commissioner of Environmental Protection, may provide financial
3999 assistance consisting of (1) funds to acquire air pollution emission
4000 reduction credits certified by the Commissioner of Environmental
4001 Protection pursuant to section 22a-174f or (2) the transfer of credits
4002 previously acquired by the Office of Policy and Management pursuant
4003 to section 32-242a. Such transfer may be made as a grant, sale, loan or
4004 by such other appropriate means of disposition as is determined by the
4005 Commissioner of Economic and Community Development and the
4006 Secretary of the Office of Policy and Management. The assistance
4007 provided in the section shall be subject to the same rules and
4008 procedures as any other financial assistance provided under sections
4009 32-220 to 32-234, inclusive. Any procurement, transfer or other use of
4010 such credits shall comply with the federal Clean Air Act and any
4011 regulations, requirements and guidance issued by the United States
4012 Environmental Protection Agency or the Department of
4013 Environmental Protection regarding emission reduction credits.

4014 Sec. 56. Section 32-244 of the general statutes is repealed and the

4015 following is substituted in lieu thereof (*Effective July 1, 2009*):

4016 (a) All data and other information received by the Department of
4017 **[**Economic and**]** Community Development, the Connecticut
4018 Development Authority or any implementing agency, as defined in
4019 section 32-222, or any advisory board or committee of the department,
4020 authority or agency, from any person in connection with an
4021 application for, or the provision of, financial assistance, which consists
4022 of the following, shall be deemed, for purposes of a public records
4023 request pursuant to the Freedom of Information Act, as defined in
4024 section 1-200, made to the Department of **[**Economic and**]** Community
4025 Development, the Connecticut Development Authority or any such
4026 implementing agency, advisory board or committee, to be information
4027 described in subdivision (5) of subsection (b) of section 1-210: (1)
4028 Actual trade secrets or information that a person intends to become a
4029 trade secret, (2) material that a person intends to patent, (3) patented
4030 material, (4) marketing or business plans, (5) plans for new products or
4031 services, (6) reports of customer orders or sales or other documents
4032 that would disclose names and addresses of customers or potential
4033 customers, (7) information concerning the financial condition or
4034 personal affairs of any individual, (8) financial statements or
4035 projections, (9) sales or earnings forecasts, (10) capital or strategic
4036 plans, (11) information regarding research and development, (12) tax
4037 returns, or (13) other commercial, credit or financial information with
4038 respect to the financial condition or business operations of an applicant
4039 for or recipient of financial assistance which is of a type not
4040 customarily made available to the public.

4041 (b) The enumeration in this section of particular types of data and
4042 information shall not be construed to limit the possible applicability of
4043 subdivision (5) of subsection (b) of section 1-210 to other data or
4044 information not so enumerated.

4045 Sec. 57. Section 32-244a of the general statutes is repealed and the
4046 following is substituted in lieu thereof (*Effective July 1, 2009*):

4047 All information contained in any application for financial assistance
4048 submitted to the Department of **[**Economic and**]** Community
4049 Development or the Connecticut Development Authority prior to
4050 October 1, 2000, and all information with respect to any person or
4051 project, including all financial, credit and proprietary information,
4052 obtained by the Department of **[**Economic and**]** Community
4053 Development or the Connecticut Development Authority prior to
4054 October 1, 2000, or on or after October 1, 2000, pursuant to the
4055 requirements of an agreement entered into prior to October 1, 2000,
4056 shall be exempt from the provisions of subsection (a) of section 1-210.

4057 Sec. 58. Section 32-245 of the general statutes is repealed and the
4058 following is substituted in lieu thereof (*Effective July 1, 2009*):

4059 (a) There is created a Connecticut Commission on Business
4060 Opportunity, Defense Diversification and Industrial Policy which shall
4061 be within the Department of **[**Economic and**]** Community
4062 Development for administrative purposes only.

4063 (b) The commission shall consist of the following members: The
4064 Commissioners of **[**Economic and**]** Community Development,
4065 Education and Higher Education and the Labor Commissioner or their
4066 designees; the chairpersons and ranking members of the joint standing
4067 committee of the General Assembly having cognizance of matters
4068 relating to commerce and exportation, or their designees; the president
4069 of the Connecticut Academy of Science and Engineering, or his
4070 designee; the president of the Connecticut Business and Industries
4071 Association or his designee; the president of the Connecticut AFL-CIO
4072 or his designee; one member representing a large manufacturing
4073 concern and one member representing a financial institution,
4074 appointed by the president pro tempore of the Senate; one member
4075 representing a large business that is heavily dependent on prime
4076 defense contracts or subcontracts and one member representing a
4077 small business that is heavily dependent on prime defense contracts or
4078 subcontracts appointed by the speaker of the House of

4079 Representatives; one member representing a small manufacturing
4080 concern appointed by the majority leader of the Senate; one member
4081 representing a large service-related business appointed by the majority
4082 leader of the House of Representatives; one member representing a
4083 small service-related business appointed by the minority leader of the
4084 Senate; and one member representing an educational institution
4085 appointed by the minority leader of the House of Representatives. The
4086 members who are not serving ex-officio shall serve for a term of two
4087 years, commencing July 1, 1990, and biennially thereafter, and until
4088 their successors have been duly qualified. The Governor shall appoint
4089 a chairperson for the commission from its membership.

4090 (c) The commission shall develop a plan for the economic renewal of
4091 Connecticut. The plan shall include strategies for (1) the restoration
4092 and growth of manufacturing in the state, with the objective of ending
4093 the loss of manufacturing jobs and causing an increase in such jobs
4094 within five years following development of the plan; (2) the retention
4095 and expansion of the state's economic base industries; (3) the
4096 coordination of economic development policy with capital investment
4097 in both public and private sectors; and (4) the need for regional
4098 approaches to economic development in the state.

4099 (d) In addition to the development of a plan for economic renewal
4100 as required under subsection (c) of this section, the commission shall:
4101 (1) Advise the General Assembly and the Department of **[**Economic
4102 and**]** Community Development on issues relating to (A) the
4103 diversification or conversion of defense-related industries, (B)
4104 planning for and development of the state's manufacturing base; (C)
4105 creation and implementation of an industrial policy for the state; and
4106 (D) the creation of a business climate in the state conducive to long-
4107 term planning and capital investment; (2) evaluate legislation which
4108 concerns the state's economy and the overall competitiveness thereof,
4109 the manufacturing and industrial sectors of the state's economy and
4110 businesses that are heavily dependent on prime defense contracts or
4111 subcontracts; (3) prepare and review the implementation of short-term

4112 and long-term strategies to assist businesses that are heavily
4113 dependent on prime defense contracts or subcontracts in modifying
4114 defense industry technology production capacity into nondefense
4115 related applications; (4) provide a forum to address and communicate
4116 business issues, including small business issues, to the public and
4117 private sectors; (5) foster opportunities for the development of
4118 partnerships between government and private enterprise in areas that
4119 significantly affect the state's economy; and (6) stimulate and review
4120 public and private assistance and initiatives to improve the
4121 competitiveness of Connecticut's economy.

4122 Sec. 59. Section 32-246 of the general statutes is repealed and the
4123 following is substituted in lieu thereof (*Effective July 1, 2009*):

4124 The Department of **[**Economic and**]** Community Development shall
4125 provide the necessary personnel and resources to assist the
4126 Connecticut Commission on Business Opportunity, Defense
4127 Diversification and Industrial Policy in performing its tasks in
4128 accordance with section 32-245.

4129 Sec. 60. Subsection (a) of section 32-261 of the general statutes is
4130 repealed and the following is substituted in lieu thereof (*Effective July*
4131 *1, 2009*):

4132 (a) There is created within the authority the Connecticut Works
4133 Guarantee Fund. The authority may issue or make advance
4134 commitments to issue guarantees of loans and guarantees of other
4135 investments. No guarantee or commitment to issue a guarantee shall
4136 be provided or entered into by the authority pursuant to this section
4137 which would cause the aggregate amount of all such guarantees and
4138 commitments then outstanding to exceed four times the sum of the
4139 amounts available in the fund plus the amount of any unpaid grants
4140 authorized to be made by the Department of **[**Economic and**]**
4141 Community Development to the authority for deposit in the fund
4142 which remain available for purposes of the fund pursuant to the bond
4143 authorization in section 32-262, provided the amount of any guarantee

4144 shall be measured by the portion of unpaid loan principal, or its
4145 equivalent in the case of other investments, which is guaranteed by the
4146 authority and shall exclude for purposes of such limitation the amount
4147 of any such guarantee to the extent that the liability of the authority
4148 with respect thereto has been reinsured or otherwise assumed by an
4149 eligible financial institution with a long-term credit rating equal to or
4150 higher than that of the state. The purposes of such program shall be:
4151 (1) To encourage the growth and retention of manufacturing firms and
4152 other businesses in the state that are unable to obtain financing under
4153 reasonable terms and conditions due to the contraction in liquidity in
4154 the banking system; (2) to stimulate the growth and retention of jobs,
4155 the development of all geographic regions of the state and the increase
4156 in state and municipal tax revenue; and (3) to address concerns with
4157 the availability of financing which has been discontinued subsequent
4158 to a merger, takeover or liquidation of a financial institution by a
4159 federal financial regulatory institution. The authority shall utilize the
4160 authority provided by this section to achieve the maximum creation or
4161 retention of jobs, especially high quality, skilled jobs, with the funds
4162 available. There shall be deposited in the fund all guarantee fees and
4163 all proceeds of collateral and other recoveries with respect to payments
4164 made under guarantees and any and all other moneys or assets, other
4165 than payments on guarantees issued hereunder, received by the
4166 authority in return for any guarantee provided or offered, whether
4167 pursuant to any applicable contract or agreement entered into by the
4168 authority under subsection (i) of this section or otherwise. Amounts in
4169 the fund shall be used in accordance with this section to satisfy any
4170 valid guarantee claim payable therefrom and may be used for any
4171 other purpose determined by the authority to be in furtherance of any
4172 guarantee or any contract or agreement with an eligible financial
4173 institution entered into pursuant to this section or determined by the
4174 authority to be necessary or appropriate to protect the interests of the
4175 authority or the fund, including, without limitation, protecting the
4176 interests of the authority in any project during any period of loan
4177 delinquency or upon loan default. Any administrative expenses

4178 incurred in carrying out the provisions of this section, to the extent not
4179 paid by the authority, shall be paid from the fund. Each payment from
4180 the fund for such administrative expenses shall be made by the
4181 authority upon certification by the chairperson of the authority that the
4182 payment is authorized under the provisions of this section, under the
4183 applicable rules and regulations of the authority. Any amounts in the
4184 fund not currently needed to meet the obligations of the fund and the
4185 expenses of the authority may be invested in obligations designated by
4186 the authority, and all income from such investments shall become part
4187 of the fund.

4188 Sec. 61. Subsection (b) of section 32-262 of the general statutes is
4189 repealed and the following is substituted in lieu thereof (*Effective July*
4190 *1, 2009*):

4191 (b) The proceeds of the sale of said bonds, to the extent of the
4192 amount stated in subsection (a) of this section, shall be used by the
4193 Department of **[**Economic and**]** Community Development to make
4194 grants to the Connecticut Development Authority for deposit in the
4195 Investment and Loan Guaranty Fund to be used for the purpose of
4196 section 32-261. The terms and conditions of said grants shall be
4197 governed in accordance with a grant contract between the department
4198 and the authority.

4199 Sec. 62. Subsection (f) of section 32-265 of the general statutes is
4200 repealed and the following is substituted in lieu thereof (*Effective July*
4201 *1, 2009*):

4202 (f) (1) For the purposes described in subdivision (2) of this
4203 subsection, the State Bond Commission shall have the power, from
4204 time to time, to authorize the issuance of bonds of the state in one or
4205 more series and in principal amounts not exceeding in the aggregate
4206 five million dollars.

4207 (2) The proceeds of the sale of said bonds, to the extent of the
4208 amount stated in subdivision (1) of this subsection, shall be used by the

4209 Department of **[**Economic and**]** Community Development to make
4210 grants to the Connecticut Development Authority for deposit in the
4211 Connecticut Capital Access Fund to be used for the purposes
4212 authorized under this section and section 32-341.

4213 (3) All provisions of section 3-20, or the exercise of any right or
4214 power granted thereby which are not inconsistent with the provisions
4215 of this section are hereby adopted and shall apply to all bonds
4216 authorized by the State Bond Commission pursuant to this section, and
4217 temporary notes in anticipation of the money to be derived from the
4218 sale of any such bonds so authorized may be issued in accordance with
4219 said section 3-20 and from time to time renewed. Such bonds shall
4220 mature at such time or times not exceeding twenty years from their
4221 respective dates as may be provided in or pursuant to the resolution or
4222 resolutions of the State Bond Commission authorizing such bonds.
4223 None of said bonds shall be authorized except upon a finding by the
4224 State Bond Commission that there has been filed with it a request for
4225 such authorization, which is signed by or on behalf of the Secretary of
4226 the Office of Policy and Management and states such terms and
4227 conditions as said commission, in its discretion, may require. Said
4228 bonds issued pursuant to this section shall be general obligations of the
4229 state and the full faith and credit of the state of Connecticut are
4230 pledged for the payment of the principal of and interest on said bonds
4231 as the same become due, and accordingly and as part of the contract of
4232 the state with the holders of said bonds, appropriation of all amounts
4233 necessary for punctual payment of such principal and interest is
4234 hereby made, and the Treasurer shall pay such principal and interest
4235 as the same become due.

4236 Sec. 63. Section 32-284 of the general statutes is repealed and the
4237 following is substituted in lieu thereof (*Effective July 1, 2009*):

4238 (a) For the purposes described in subsection (b) of this section, the
4239 State Bond Commission shall have the power, from time to time, to
4240 authorize the issuance of bonds of the state in one or more series and

4241 in principal amounts not exceeding in the aggregate one million
4242 dollars.

4243 (b) The proceeds of the sale of said bonds, to the extent of the
4244 amount stated in subsection (a) of this section, shall be used by the
4245 Department of [Economic and] Community Development for the
4246 purposes of providing grants under section 32-267.

4247 (c) All provisions of section 3-20, or the exercise of any right or
4248 power granted thereby which are not inconsistent with the provisions
4249 of this section are hereby adopted and shall apply to all bonds
4250 authorized by the State Bond Commission pursuant to this section, and
4251 temporary notes in anticipation of the money to be derived from the
4252 sale of any such bonds so authorized may be issued in accordance with
4253 said section 3-20 and from time to time renewed. Such bonds shall
4254 mature at such time or times not exceeding twenty years from their
4255 respective dates as may be provided in or pursuant to the resolution or
4256 resolutions of the State Bond Commission authorizing such bonds.
4257 None of said bonds shall be authorized except upon a finding by the
4258 State Bond Commission that there has been filed with it a request for
4259 such authorization, which is signed by or on behalf of the Secretary of
4260 the Office of Policy and Management and states such terms and
4261 conditions as said commission, in its discretion, may require. Said
4262 bonds issued pursuant to this section shall be general obligations of the
4263 state and the full faith and credit of the state of Connecticut are
4264 pledged for the payment of the principal of and interest on said bonds
4265 as the same become due, and accordingly and as part of the contract of
4266 the state with the holders of said bonds, appropriation of all amounts
4267 necessary for punctual payment of such principal and interest is
4268 hereby made, and the Treasurer shall pay such principal and interest
4269 as the same become due.

4270 Sec. 64. Section 32-285 of the general statutes is repealed and the
4271 following is substituted in lieu thereof (*Effective July 1, 2009*):

4272 (a) (1) There is hereby established a tax incremental financing

4273 program, under which the incremental hotel taxes collected under
4274 subparagraph (H) of subdivision (2) of subsection (a) of section 12-407,
4275 which are generated by a project approved by the authority under this
4276 section may be used to pay the debt service on bonds issued by the
4277 authority to help finance, on a self-sustaining basis, significant
4278 economic projects and encourage their location in the state.

4279 (2) The incremental sales taxes collected under chapter 219, other
4280 than the sales tax referenced in subdivision (1) of this subsection, and
4281 admissions, cabaret and dues taxes collected under chapter 225 which
4282 are generated by a project may, subject to approval pursuant to this
4283 section by the joint standing committees of the General Assembly
4284 having cognizance of matters relating to the Department of **[**Economic
4285 and**]** Community Development and finance, revenue and bonding,
4286 and the authority, be used to pay the debt service on bonds issued by
4287 the authority to help finance, on a self-sustaining basis, significant
4288 economic projects and encourage their location in the state.

4289 (b) As used in this section: (1) "Authority" means the Connecticut
4290 Development Authority; and (2) "eligible project" means a large-scale
4291 economic development project (A) that may add a substantial amount
4292 of new economic activity and employment in the municipality in
4293 which it is to be located and surrounding areas, and may generate
4294 significant additional tax revenues in the state; (B) for which use of the
4295 tax incremental financing mechanism may be necessary to attract the
4296 project to locate in the state; (C) which is economically viable and self-
4297 sustaining, taking into account the application of the proceeds of the
4298 bonds to be issued under the tax incremental financing program; (D)
4299 for which the direct and indirect economic benefits to the state and the
4300 municipality in which it will be located outweigh the costs of the
4301 project; and (E) which is consistent with the strategic development
4302 priorities of the state.

4303 (c) Any person, firm or corporation wishing to participate in the tax
4304 incremental financing program, or any municipality wishing to obtain

4305 tax incremental financing to support a project within its boundaries,
4306 may apply to the authority in accordance with the provisions of this
4307 subsection. The application shall contain such information as the
4308 authority may require, which may include information concerning the
4309 type of business proposed to be established and its location, the
4310 number of jobs to be created or retained and their average wage rates,
4311 feasibility studies or business plans for the project and other
4312 information necessary to demonstrate its financial viability, the
4313 amounts and types of bonds proposed to be issued for the project and
4314 the proposed use of the proceeds, information about other sources of
4315 financing available to support repayment of the bonds proposed to be
4316 issued, including property tax increments to be made available by the
4317 municipality, a geographic description of the area surrounding the
4318 proposed site of the project and the existing firms doing business in
4319 that area, an economic impact assessment of the effects of the project
4320 on the municipality, an assessment of the incremental hotel taxes, or, if
4321 applicable, the incremental sales and admissions, cabaret and dues
4322 taxes to be generated by the project, an analysis of necessary
4323 infrastructure development to support the project and any available
4324 sources of financing for such infrastructure and other information
4325 which demonstrates that the bonds will be self-sustaining from the
4326 incremental taxes collected and any amounts made available by a
4327 municipality under subsection (i) of this section, and that the project
4328 will provide net benefits to the economy and employment opportunity
4329 in the state. The authority shall impose a fee for such application as it
4330 deems appropriate. Any costs incurred by the authority which are
4331 associated with such application and are not covered by such fee shall
4332 be paid from funds of the authority which are not otherwise
4333 committed or pledged.

4334 (d) Upon receiving an application for participation in the tax
4335 incremental financing program and any supporting information, the
4336 executive director of the authority shall make a preliminary
4337 determination as to whether a proposed project may be eligible for
4338 participation in the program.

4339 (e) (1) The authority shall review each application that has been
4340 preliminarily determined to be eligible under subsection (d) of this
4341 section. In reviewing an application, the authority shall obtain such
4342 additional information as may be necessary to make a final
4343 determination as to whether the project is eligible for participation in
4344 the program, whether the project is economically viable with use of the
4345 tax incremental financing mechanism, the effects of the project on the
4346 municipality and whether the project would provide net benefits to
4347 economic development and employment opportunity in the state. The
4348 authority may require the project sponsor to submit such additional
4349 information as may be necessary to evaluate the application.

4350 (2) The authority shall retain such financial advisors and other
4351 experts as it deems appropriate to conduct an independent financial
4352 assessment of the application and supporting information, including,
4353 in particular, the amount of the incremental hotel taxes, or, if
4354 applicable, the incremental sales and admissions, cabaret and dues
4355 taxes to be generated by the project, whether the project will be
4356 economically viable and whether the bonds will be self-sustaining.

4357 (3) The authority shall prepare a revenue impact assessment that
4358 estimates the incremental hotel taxes or, if applicable, the incremental
4359 sales and admissions, cabaret and dues taxes that would be generated
4360 by the project, the state and local revenues that would be foregone as a
4361 result of the project, all state and local revenues that would be
4362 generated by the project and the economic benefits that would likely
4363 result from construction of the project, including revenue effects of
4364 such economic benefits.

4365 (4) (A) Not later than seventy-two hours before presenting a
4366 proposed project to the board of directors of the authority for final
4367 approval, if such project uses incremental hotel taxes, the executive
4368 director of the authority shall give notice of the proposed project and
4369 meeting to the president pro tempore and minority leader of the
4370 Senate, the speaker and minority leader of the House of

4371 Representatives and the chairpersons and ranking members of the
4372 joint standing committees of the General Assembly having cognizance
4373 of matters relating to finance, revenue and bonding and the
4374 Department of [Economic and] Community Development. Such notice
4375 shall include such information about the project, the estimated tax
4376 increments and the revenue impact assessment, as may be appropriate,
4377 consistent with the protection of any confidential financial information
4378 provided by the project sponsor. Any such member of the General
4379 Assembly may, by notifying the executive director, request that the
4380 board of directors of the authority defer final consideration of the
4381 project for thirty days.

4382 (B) If such project uses incremental sales and admissions, cabaret
4383 and dues taxes, the notice required pursuant to subparagraph (A) of
4384 this subdivision shall not be required, but the procedure in subdivision
4385 (6) of subsection (f) of this section shall be followed after the board of
4386 directors of the authority has given approval to such project.

4387 (f) (1) Upon consideration of the application, the results of the
4388 independent financial assessment, the revenue impact assessment and
4389 any additional information that the board of directors of the authority
4390 requires concerning a proposed project, such board of directors shall
4391 determine whether to approve the project for participation in the tax
4392 incremental financing program and, if so, the amount and type of
4393 bonds the authority shall issue to support the approved project, the
4394 purposes for which the funds generated by sale of the bonds may be
4395 applied and the amount of the incremental sales and admissions,
4396 cabaret and dues taxes that shall be annually allocated to pay principal
4397 and interest on the bonds to be issued for the project. The amounts so
4398 allocated shall not exceed the estimated amount of incremental taxes to
4399 be collected, except that in the case of retail shopping center projects,
4400 the amount of incremental sales allocated to calculating incremental
4401 sales taxes shall not exceed thirty per cent of gross sales directly
4402 associated with the project. From the amount of incremental taxes so
4403 allocated by the authority, the amount required for payment of

4404 principal and interest on the bonds issued in accordance with
4405 subsection (g) of this section shall be deemed appropriated from the
4406 state General Fund, provided, for projects using incremental sales and
4407 admissions, cabaret and dues taxes, an amount shall be deemed
4408 appropriated only upon final approval of such projects pursuant to
4409 subdivision (6) of this subsection.

4410 (2) The authority may approve a project only if it concludes that: (A)
4411 The project is an eligible project; (B) the incremental hotel taxes or, if
4412 applicable, the incremental sales taxes collected under chapter 219 and
4413 the incremental admissions, cabaret and dues taxes collected under
4414 chapter 225 that are generated by the project, together with other
4415 dedicated sources of financing available to pay debt service on the
4416 bonds, will be sufficient to pay interest and principal on the bonds as
4417 they come due; (C) the project will be economically viable and will
4418 contribute significantly to economic development and employment
4419 opportunity in the state; and (D) the direct and indirect economic
4420 benefits of the project to the state and the municipality in which it shall
4421 be located will be greater than the costs to the state and such
4422 municipality.

4423 (3) The authority shall seek to obtain diversification among the
4424 types of projects supported under this program and among the
4425 geographic regions in the state in which projects are located.

4426 (4) The approval of a project by the authority may be combined with
4427 the exercise of any of its other powers, including but not limited to, the
4428 provision of other forms of financial assistance. The proceeds of the
4429 bonds may be combined with any other funds available from state or
4430 federal programs, or from investments by the private sector, to support
4431 the project.

4432 (5) Upon approving a project, the authority may require the project
4433 sponsor to reimburse the authority for all or any part of the costs of the
4434 independent financial assessment conducted in reviewing the
4435 application and any other related costs incurred.

4436 (6) For final approval of any proposed project using incremental
4437 sales and admissions, cabaret and dues taxes, the authority shall
4438 submit, in a manner consistent with the protection of any confidential
4439 financial information provided by the project sponsor, copies of the
4440 application, the independent financial assessment, the revenue impact
4441 assessment, and the proposed financial assistance to be offered by the
4442 authority to the proposed project, to the joint standing committees of
4443 the General Assembly having cognizance of matters relating to the
4444 Department of **[**Economic and**]** Community Development and finance,
4445 revenue and bonding for final approval. Within forty-five days of said
4446 committees' receipt of such proposed project information, said
4447 committees shall advise the authority of their approval or
4448 modifications, if any, to such proposed financial assistance. If said
4449 committees do not agree, the committee chairpersons shall appoint a
4450 committee on conference which shall be comprised of three members
4451 from each joint standing committee. At least one member appointed
4452 from each committee shall be a member of the minority party. The
4453 report of the committee on conference shall be made to each
4454 committee, which shall vote to accept or reject the report. The report of
4455 the committee on conference may not be amended. If a joint standing
4456 committee rejects the report of the committee on conference, the
4457 proposed financial assistance shall be deemed approved. If the joint
4458 standing committees accept the report, the committee having
4459 cognizance of finance, revenue and bonding shall advise the authority
4460 of their approval or modifications, if any, of such proposed financial
4461 assistance, provided, if the committees do not act within forty-five
4462 days, the proposed financial assistance shall be deemed approved.
4463 Financial assistance by the authority for the proposed project shall be
4464 in accordance with the proposed financial assistance as approved or
4465 modified by the committees.

4466 (g) (1) The authority may issue one or more series of bonds in
4467 accordance with the provisions of chapter 579, to the extent not
4468 inconsistent with the provisions of this subsection, payable in whole or
4469 in part from the incremental taxes allocated and deemed appropriated

4470 from the state General Fund under subsection (f) of this section and
4471 any amounts contributed by a municipality under subsection (i) of this
4472 section, to finance a project approved under this section or to refund
4473 bonds previously issued under this section. The authority is
4474 authorized to make a grant of all or part of the proceeds of such bonds
4475 to any person in connection with the acquisition, construction and
4476 equipping of an eligible project, including the expense of the state or
4477 any municipality, or any instrumentality or agency of the state or any
4478 municipality, in connection therewith. Subject to applicable federal tax
4479 law, the authority may issue such bonds, the interest on which is
4480 excludable from gross income for federal income tax purposes, or such
4481 bonds, the interest on which is not so excludable. The authority, when
4482 authorizing the issuance of any series of such bonds, shall, in
4483 conjunction with the State Treasurer, determine the rate of interest of
4484 such bonds, the date or dates of their maturity, the medium of
4485 payment, the redemption terms and privileges, whether such bonds
4486 shall be sold by negotiated or competitive sale and any and all other
4487 terms, covenants and conditions not inconsistent with this section, in
4488 connection with the issuance thereof, including but not limited to, the
4489 pledging of special capital reserve funds authorized under subsection
4490 (b) of section 32-23j.

4491 (2) The issuance of any bonds by the authority under this section
4492 shall be subject to the approval of the State Bond Commission. Upon
4493 approving a project, the authority shall submit the matter to the State
4494 Bond Commission for final approval. The State Bond Commission
4495 shall not approve any project unless it has received the submission
4496 from the authority at least ten days prior to the meeting at which such
4497 project is to be considered. Such submission shall include the
4498 information considered by the authority in approving the project, the
4499 independent financial assessment and such other information as the
4500 commission deems appropriate. In reaching its decision, the State
4501 Bond Commission may consider such information as submitted. After
4502 such approval by the Bond Commission, no other approval shall be
4503 required for the project.

4504 (h) For such period of time as bonds issued to support an approved
4505 project are outstanding, the Treasurer shall make payment of interest
4506 and principal on the bonds to the trustee when due, but not exceeding
4507 in any fiscal year the amount deemed appropriated pursuant to
4508 subsection (f) of this section.

4509 (i) A portion of the proceeds of bonds issued pursuant to this
4510 section may be made available to a municipality in which a project is
4511 located for the purpose of carrying out or administering a
4512 redevelopment plan or other functions authorized under chapter 130
4513 or chapter 132. Such municipality may contribute all or any part of the
4514 money specified in subdivision (2) of section 8-134a or subdivision (b)
4515 of section 8-192a to the authority for the payment of principal and
4516 interest on the bonds issued by the authority under this section to
4517 support such approved project. In exercising such power, such
4518 municipalities shall proceed as provided in said chapter 130 or 132, as
4519 the case may be, except that the references therein to bonds and bond
4520 anticipation notes shall be deemed to refer to the bonds issued by the
4521 authority under this section.

4522 (j) (1) Not later than July first in each year that bonds issued to
4523 support an approved project are outstanding, the authority shall
4524 submit a report to the joint standing committees of the General
4525 Assembly having cognizance of matters relating to the Department of
4526 **[**Economic and**]** Community Development and finance, revenue and
4527 bonding with respect to the operations, finances and achievement of
4528 the economic development objectives of the projects approved under
4529 this section. The authority shall review and evaluate the progress of
4530 each project and shall devise and employ techniques for forecasting
4531 and measuring relevant indices of accomplishment of its goals of
4532 economic development, including, but not limited to, (A) the actual
4533 expenditures compared to original estimated costs, (B) whether there
4534 have been significant cost increases over original estimates, (C) the
4535 number of jobs created, or to be created, by or as a result of the project,
4536 (D) the cost or estimated cost, to the authority, involved in the creation

4537 of those jobs, (E) the amount of private capital investment in, or
4538 stimulated by, the project, in proportion to the public funds invested in
4539 such project, (F) the number of additional businesses created and
4540 associated jobs, and (G) any impact on tourism.

4541 (2) Not later than July first in each year that bonds issued to support
4542 an approved project are outstanding, the Office of Policy and
4543 Management shall retain independent financial experts to conduct an
4544 analysis of the financial status of each project approved under this
4545 section. The independent financial analysis shall include, but not be
4546 limited to, determinations as to whether the incremental hotel taxes or,
4547 if applicable, the incremental sales and admissions, cabaret and dues
4548 taxes actually generated by the project are equal to the estimates made
4549 at the time the project was approved, whether the project is
4550 economically viable and whether the bonds issued are self-sustaining
4551 with the incremental taxes actually collected and other financing
4552 sources dedicated to repayment of the bonds. The authority shall
4553 require the project sponsor to reimburse the Office of Policy and
4554 Management for the costs of such annual analyses. The results of such
4555 analyses shall be made available to the president pro tempore of the
4556 Senate, the speaker of the House of Representatives, the majority and
4557 minority leaders of both houses, and to the chairpersons and ranking
4558 members of said committees.

4559 (k) No commitments for new projects shall be approved by the
4560 authority under this section on or after July 1, 2010.

4561 Sec. 65. Section 32-291 of the general statutes is repealed and the
4562 following is substituted in lieu thereof (*Effective July 1, 2009*):

4563 (a) For the purposes described in subsection (b) of this section, the
4564 State Bond Commission shall have the power, from time to time, to
4565 authorize the issuance of bonds of the state in one or more series and
4566 in principal amounts not exceeding in the aggregate five hundred
4567 thousand dollars.

4568 (b) The proceeds of the sale of said bonds, to the extent of the
4569 amount stated in subsection (a) of this section, shall be used by the
4570 Department of **[**Economic and**]** Community Development for the
4571 purposes of section 32-290.

4572 (c) All provisions of section 3-20, or the exercise of any right or
4573 power granted thereby which are not inconsistent with the provisions
4574 of this section are hereby adopted and shall apply to all bonds
4575 authorized by the State Bond Commission pursuant to this section, and
4576 temporary notes in anticipation of the money to be derived from the
4577 sale of any such bonds so authorized may be issued in accordance with
4578 said section 3-20 and from time to time renewed. Such bonds shall
4579 mature at such time or times not exceeding twenty years from their
4580 respective dates as may be provided in or pursuant to the resolution or
4581 resolutions of the State Bond Commission authorizing such bonds.
4582 None of said bonds shall be authorized except upon a finding by the
4583 State Bond Commission that there has been filed with it a request for
4584 such authorization, which is signed by or on behalf of the Secretary of
4585 the Office of Policy and Management and states such terms and
4586 conditions as said commission, in its discretion, may require. Said
4587 bonds issued pursuant to this section shall be general obligations of the
4588 state and the full faith and credit of the state of Connecticut are
4589 pledged for the payment of the principal of and interest on said bonds
4590 as the same become due, and accordingly and as part of the contract of
4591 the state with the holders of said bonds, appropriation of all amounts
4592 necessary for punctual payment of such principal and interest is
4593 hereby made, and the Treasurer shall pay such principal and interest
4594 as the same become due.

4595 Sec. 66. Section 32-324a of the general statutes is repealed and the
4596 following is substituted in lieu thereof (*Effective July 1, 2009*):

4597 (a) There is established an account to be known as the "Connecticut
4598 qualified biodiesel producer incentive account", which shall be a
4599 separate, nonlapsing account within the General Fund. The account

4600 shall contain any moneys required by law to be deposited in the
4601 account.

4602 (b) The moneys in said account shall be expended by the
4603 Department of [Economic and] Community Development for the
4604 purpose of [administration of the] contracting with other state
4605 agencies, for-profit companies or non profit organizations to
4606 administer a program and providing grants to qualified biodiesel
4607 producers and qualified biodiesel distributors pursuant to sections 32-
4608 324b to 32-324f, inclusive. For the purposes of implementing this grant,
4609 the Commissioner of [Economic and] Community Development may
4610 enter into an agreement, in accordance with the provisions of chapter
4611 55a, with a person, firm, corporation or other entity.

4612 Sec. 67. Section 32-324b of the general statutes is repealed and the
4613 following is substituted in lieu thereof (*Effective July 1, 2009*):

4614 (a) A qualified biodiesel producer shall be eligible for not more than
4615 sixty monthly grants from the Connecticut qualified biodiesel
4616 producer incentive account, established pursuant to section 32-324a.
4617 The Department of [Economic and] Community Development, in
4618 consultation with the person, firm, corporation or entity selected to
4619 implement the grant pursuant to subsection (b) of section 32-324a, if
4620 applicable, shall determine monthly grant amounts by calculating the
4621 estimated gallons of biodiesel produced during the preceding month,
4622 as certified by the Commissioner of [Economic and] Community
4623 Development, or a designee, and applying such figure to the per gallon
4624 incentive credit established in subsection (b) of this section.

4625 (b) Each qualified biodiesel producer shall be eligible for a total
4626 grant in any fiscal year equal to the following amounts: (1) For the first
4627 five million gallons of biodiesel produced, thirty cents per gallon; (2)
4628 for the second five million gallons of biodiesel produced, twenty cents
4629 per gallon; and (3) for the third five million gallons of biodiesel
4630 produced, ten cents per gallon.

4631 (c) Biodiesel produced by a qualified biodiesel producer in excess of
4632 fifteen million gallons in any fiscal year shall not be eligible for a grant
4633 pursuant to this section.

4634 Sec. 68. Section 32-324e of the general statutes is repealed and the
4635 following is substituted in lieu thereof (*Effective July 1, 2009*):

4636 A qualified biodiesel distributor shall not be eligible for a grant
4637 pursuant to section 32-324a for purposes other than to assist with
4638 purchasing equipment or constructing, modifying or retrofitting
4639 facilities, including, but not limited to, the actual costs of creating
4640 storage and distribution capacity for biodiesel during the month. No
4641 grant issued pursuant to said section 32-324a shall exceed fifty
4642 thousand dollars for any one distributor at any one site. The
4643 Department of **[**Economic and**]** Community Development, in
4644 consultation with the person, firm, corporation or entity selected to
4645 implement the grant pursuant to subsection (b) of section 32-324a, if
4646 applicable, shall create an application process and guidelines for the
4647 administration of this grant provision.

4648 Sec. 69. Section 32-324f of the general statutes is repealed and the
4649 following is substituted in lieu thereof (*Effective July 1, 2009*):

4650 The Department of **[**Economic and**]** Community Development, in
4651 consultation with the person, firm, corporation or entity selected to
4652 implement the grant pursuant to subsection (b) of section 32-324a, if
4653 applicable, shall create guidelines necessary for the administration of
4654 the provisions of this section on the progress of the grant programs
4655 administered pursuant to sections 32-324a to 32-324e, inclusive. The
4656 Department of **[**Economic and**]** Community Development, in
4657 consultation with such person, firm, corporation or entity, if
4658 applicable, shall submit an annual report, in accordance with the
4659 provisions of section 11-4a, to the joint standing committees of the
4660 General Assembly having cognizance of matters relating to energy and
4661 technology, commerce and the environment.

4662 Sec. 70. Section 32-324g of the general statutes is repealed and the
4663 following is substituted in lieu thereof (*Effective July 1, 2009*):

4664 The Department of **[**Economic and**]** Community Development shall
4665 through contracts with other state agencies, for-profit companies or
4666 non profit organizations administer a fuel diversification grant
4667 program to provide funding to Connecticut institutions of higher
4668 education or Connecticut institutions of agricultural research for
4669 purposes which may include, but are not limited to (1) research to
4670 promote biofuel production from agricultural products, algae and
4671 waste grease, and (2) biofuel quality testing. Said department may
4672 enter into an agreement, in accordance with the provisions of chapter
4673 55a, with a person, firm, corporation or other entity to administer such
4674 program. The Department of **[**Economic and**]** Community
4675 Development, in consultation with such person, firm, corporation or
4676 entity, if applicable, shall create guidelines necessary for the
4677 administration of the provisions of this section. If the Department of
4678 **[**Economic and**]** Community Development selects such a person, firm,
4679 corporation or other entity to administer the program, not later than
4680 January 1, 2008, and annually thereafter, such person, firm,
4681 corporation or other entity shall submit a report to the Commissioner
4682 of **[**Economic and**]** Community Development regarding the status of
4683 such program.

4684 Sec. 71. Section 32-324h of the general statutes is repealed and the
4685 following is substituted in lieu thereof (*Effective July 1, 2009*):

4686 (a) The Institute for Sustainable Energy shall (1) compile and
4687 distribute educational materials regarding biodiesel to municipalities,
4688 local boards of education and private commercial entities to educate
4689 future consumers, and (2) establish and administer a Connecticut
4690 biodiesel link program to establish a database of schools, restaurants,
4691 institutional cafeterias and other institutions and businesses in the
4692 state that produce waste vegetable oil or other comparable food
4693 product suitable for conversion to biodiesel. The database shall be

4694 maintained by the Institute for Sustainable Energy and shall be made
4695 available to the public on said institute's Internet web site. Businesses
4696 interested in selling their waste vegetable oil or other comparable food
4697 product to producers of biodiesel heating and motor vehicle fuel may
4698 notify the Institute for Sustainable Energy and have their names,
4699 contact information and intentions regarding such businesses placed
4700 on said web site. The Institute for Sustainable Energy shall make
4701 reasonable efforts to facilitate contact between parties with similar
4702 interests.

4703 (b) The Institute for Sustainable Energy shall post educational
4704 materials regarding the Connecticut biofuel link program on said
4705 institute's Internet web site, and such information shall be posted as a
4706 link on the Internet web sites of the Department of **[**Economic and**]**
4707 Community Development, the Department of Agriculture, The
4708 Connecticut Agricultural Experiment Station, The University of
4709 Connecticut Biofuel Consortium and The University of Connecticut
4710 Cooperative Extension System, including, but not limited to,
4711 information regarding the starting of a waste vegetable oil business
4712 and strategies for conducting such business.

4713 Sec. 72. Section 32-329 of the general statutes is repealed and the
4714 following is substituted in lieu thereof (*Effective July 1, 2009*):

4715 (a) For the purposes described in subsection (b) of this section, the
4716 State Bond Commission shall have the power, from time to time, to
4717 authorize the issuance of bonds of the state in one or more series and
4718 in principal amounts not exceeding in the aggregate one hundred
4719 million dollars.

4720 (b) The proceeds of the sale of said bonds, to the extent of the
4721 amount stated in subsection (a) of this section, shall be used by the
4722 Department of **[**Economic and**]** Community Development for the
4723 purposes of section 32-328.

4724 (c) All provisions of section 3-20, or the exercise of any right or

4725 power granted thereby which are not inconsistent with the provisions
4726 of this section are hereby adopted and shall apply to all bonds
4727 authorized by the State Bond Commission pursuant to this section, and
4728 temporary notes in anticipation of the money to be derived from the
4729 sale of any such bonds so authorized may be issued in accordance with
4730 said section 3-20 and from time to time renewed. Such bonds shall
4731 mature at such time or times not exceeding twenty years from their
4732 respective dates as may be provided in or pursuant to the resolution or
4733 resolutions of the State Bond Commission authorizing such bonds.
4734 None of said bonds shall be authorized except upon a finding by the
4735 State Bond Commission that there has been filed with it a request for
4736 such authorization, which is signed by or on behalf of the Secretary of
4737 the Office of Policy and Management and states such terms and
4738 conditions as said commission, in its discretion, may require. Said
4739 bonds issued pursuant to this section shall be general obligations of the
4740 state and the full faith and credit of the state of Connecticut are
4741 pledged for the payment of the principal of and interest on said bonds
4742 as the same become due, and accordingly and as part of the contract of
4743 the state with the holders of said bonds, appropriation of all amounts
4744 necessary for punctual payment of such principal and interest is
4745 hereby made, and the Treasurer shall pay such principal and interest
4746 as the same become due.

4747 Sec. 73. Section 32-345 of the general statutes is repealed and the
4748 following is substituted in lieu thereof (*Effective July 1, 2009*):

4749 (a) The Department of **[**Economic and**]** Community Development
4750 may establish a Connecticut development research and economic
4751 assistance matching grant program, within available appropriations
4752 and, for the purposes of providing financial aid, as defined in
4753 subdivision (4) of section 32-34, to assist: (1) Connecticut small
4754 businesses in conducting marketing-related activities to facilitate
4755 commercialization of research projects funded under the small
4756 business innovation research program or the small business
4757 technology transfer program; (2) business-led consortia or Connecticut

4758 businesses in connection with their participation in a federal
4759 technology support program; and (3) micro businesses, in conducting
4760 development and research. The department may enter into an
4761 agreement, pursuant to chapter 55a, with a person, firm, corporation or
4762 other entity to operate such program.

4763 (b) Applications shall be submitted in the manner prescribed by the
4764 department. Each such application shall include the following: (1) The
4765 location of the principal place of business of the applicant; (2) an
4766 explanation of the intended use of the funding being applied for, the
4767 potential market for the end product of the project and the marketing
4768 strategy; and (3) such other information that the department deems
4769 necessary. Information contained in any such application submitted to
4770 the department under this section which is of a proprietary nature
4771 shall be exempt from the provisions of subsection (a) of section 1-210.

4772 (c) In determining whether an applicant shall be selected for
4773 funding pursuant to this section, the department, or the operator, if
4774 any, selected pursuant to subsection (a) of this section, shall consider,
4775 but such consideration need not be limited to, the following factors: (1)
4776 The description of the small business innovation research project, the
4777 small business technology transfer project or the federally-supported
4778 technology project and the potential commercial applicability of such
4779 project; (2) evidence of satisfactory participation in the applicable small
4780 business innovation research program, the small business technology
4781 transfer program or the federal technology support program; (3) the
4782 potential impact of such research project on the workforce in the
4783 region where such small business is located; (4) the size of the potential
4784 market, strength of the marketing strategy, and ability of the applicant
4785 to execute the strategy and successfully commercialize the end
4786 product; and (5) the resources and record of success of the company
4787 relative to development and commercialization. Within the availability
4788 of funds, the department may provide financial aid to eligible
4789 applicants provided no business may receive more than fifty thousand
4790 dollars for any single small business innovation research project or

4791 small business technology transfer project. The department may
4792 require a business to repay such assistance or pay a multiple of the
4793 assistance to the department. All such repayments and payments shall
4794 be deposited in the Connecticut technology partnership assistance
4795 program revolving account established under section 32-346.

4796 (d) The department may establish a development, research and
4797 economic assistance matching financial aid program for micro
4798 businesses that have received federal funds for Phase II proposals
4799 under the small business innovation research program and the small
4800 business technology transfer program. Any micro business receiving
4801 financial aid under this subsection shall use such financial aid for the
4802 same purpose such micro business was awarded said federal funds.
4803 The department may enter into an agreement, pursuant to chapter 55a,
4804 with a person, firm, corporation or other entity to operate such a
4805 program.

4806 (e) On or before January 15, 2008, and annually thereafter, the
4807 Commissioner of **[**Economic and**]** Community Development shall, in
4808 consultation with the program operator, if any, submit a report on the
4809 status of the development research and economic assistance matching
4810 grant program to the chairpersons of the joint standing committee of
4811 the General Assembly having cognizance of matters relating to the
4812 Department of **[**Economic and**]** Community Development. Such report
4813 shall include, but need not be limited to, a description of the projects
4814 supported and the type of financial aid provided.

4815 Sec. 74. Section 32-348 of the general statutes is repealed and the
4816 following is substituted in lieu thereof (*Effective July 1, 2009*):

4817 (a) There is hereby established within the Department of **[**Economic
4818 and**]** Community Development a manufacturing extension service
4819 program for the purpose of awarding a grant to the Connecticut
4820 manufacturing extension partnership affiliate, which shall be known as
4821 CONNSTEP, as designated by the United States Department of
4822 Commerce National Institute of Standards and Technology.

4823 Applications for a grant under this section shall be made and grants
4824 shall be awarded in the manner and form prescribed by the
4825 commissioner. The extension service's responsibilities shall include,
4826 but not be limited to, providing training for small and medium-sized
4827 businesses in high performance work practices.

4828 (b) For the purposes described in subsection (c) of this section, the
4829 State Bond Commission shall have the power, from time to time to
4830 authorize the issuance of bonds of the state in one or more series and
4831 in principal amounts not exceeding in the aggregate four million
4832 dollars.

4833 (c) The proceeds of the sale of said bonds, to the extent of the
4834 amount stated in subsection (c) of this section, shall be used by the
4835 Commissioner of **[**Economic and**]** Community Development for the
4836 purposes of subsection (a) of this section.

4837 (d) All provisions of section 3-20, or the exercise of any right or
4838 power granted thereby which are not inconsistent with the provisions
4839 of this section are hereby adopted and shall apply to all bonds
4840 authorized by the State Bond Commission pursuant to this section, and
4841 temporary notes in anticipation of the money to be derived from the
4842 sale of any such bonds so authorized may be issued in accordance with
4843 said section 3-20 and from time to time renewed. Such bonds shall
4844 mature at such time or times not exceeding twenty years from their
4845 respective dates as may be provided in or pursuant to the resolution or
4846 resolutions of the State Bond Commission authorizing such bonds.
4847 None of said bonds shall be authorized except upon a finding by the
4848 State Bond Commission that there has been filed with it a request for
4849 such authorization, which is signed by or on behalf of the Secretary of
4850 the Office of Policy and Management and states such terms and
4851 conditions as said commission, in its discretion, may require. Said
4852 bonds issued pursuant to this section shall be general obligations of the
4853 state and the full faith and credit of the state of Connecticut are
4854 pledged for the payment of the principal of and interest on said bonds

4855 as the same become due, and accordingly and as part of the contract of
4856 the state with the holders of said bonds, appropriation of all amounts
4857 necessary for punctual payment of such principal and interest is
4858 hereby made, and the Treasurer shall pay such principal and interest
4859 as the same become due.

4860 Sec. 75. Section 32-349 of the general statutes is repealed and the
4861 following is substituted in lieu thereof (*Effective July 1, 2009*):

4862 (a) There shall be established a one-stop business registry in the
4863 Department of **[**Economic and**]** Community Development. The
4864 Secretary of the Office of Policy and Management shall coordinate the
4865 establishment of the business registry. **[**, which shall be operational by
4866 July 1, 1995.**]** The Department of **[**Economic and**]** Community
4867 Development and the Office of Policy and Management may jointly
4868 contract with private entities for purposes of implementing the
4869 provisions of this section. The registry shall provide the following
4870 services to any person, firm or corporation engaged in or intending to
4871 engage in business activities in the state: (1) Access by computer
4872 network to all applicable forms relating to registration, regulatory,
4873 licensing, permitting and approval requirements of each state agency
4874 which may have jurisdiction over the activities of such person, firm or
4875 corporation, (2) assistance in the completion of all such forms, (3)
4876 centralized collection of any fees required to be paid by the person,
4877 firm or corporation pursuant to registration, regulatory, licensing,
4878 permitting or approval requirements of state agencies and distribution
4879 to each such agency of any such fees, (4) submission of completed
4880 forms to state agencies by computer network and (5) liaison with all
4881 agencies receiving such completed forms to ensure that the forms are
4882 processed promptly.

4883 (b) For the purposes described in subsection (c) of this section, the
4884 State Bond Commission shall have the power, from time to time to
4885 authorize the issuance of bonds of the state in one or more series and
4886 in principal amounts not exceeding in the aggregate one million

4887 dollars.

4888 (c) The proceeds of the sale of said bonds, to the extent of the
4889 amount stated in subsection (b) of this section, shall be used by the
4890 Commissioner of **[**Economic and**]** Community Development for the
4891 purposes of subsection (a) of this section.

4892 (d) All provisions of section 3-20, or the exercise of any right or
4893 power granted thereby which are not inconsistent with the provisions
4894 of this section are hereby adopted and shall apply to all bonds
4895 authorized by the State Bond Commission pursuant to this section, and
4896 temporary notes in anticipation of the money to be derived from the
4897 sale of any such bonds so authorized may be issued in accordance with
4898 said section 3-20 and from time to time renewed. Such bonds shall
4899 mature at such time or times not exceeding twenty years from their
4900 respective dates as may be provided in or pursuant to the resolution or
4901 resolutions of the State Bond Commission authorizing such bonds.
4902 None of said bonds shall be authorized except upon a finding by the
4903 State Bond Commission that there has been filed with it a request for
4904 such authorization, which is signed by or on behalf of the Secretary of
4905 the Office of Policy and Management and states such terms and
4906 conditions as said commission, in its discretion, may require. Said
4907 bonds issued pursuant to this section shall be general obligations of the
4908 state and the full faith and credit of the state of Connecticut are
4909 pledged for the payment of the principal of and interest on said bonds
4910 as the same become due, and accordingly and as part of the contract of
4911 the state with the holders of said bonds, appropriation of all amounts
4912 necessary for punctual payment of such principal and interest is
4913 hereby made, and the Treasurer shall pay such principal and interest
4914 as the same become due.

4915 Sec. 76. Section 32-356 of the general statutes is repealed and the
4916 following is substituted in lieu thereof (*Effective July 1, 2009*):

4917 (a) For purposes of this section, "incubator facilities" shall have the
4918 same meaning as incubator facilities in section 32-34.

4919 (b) The Commissioner of [Economic and] Community Development
4920 shall contract with other state agencies, for-profit companies or non
4921 profit organizations to establish the small business incubator program
4922 to provide grants to entities operating incubator facilities, as defined in
4923 section 32-34. The Department of [Economic and] Community
4924 Development may enter into an agreement, pursuant to chapter 55a,
4925 with a person, firm, corporation or other entity to operate such
4926 program. The department, or a program operator selected pursuant to
4927 this subsection, shall, subject to the availability of funds, operate a
4928 technology-based small business incubator program. In accordance
4929 with the written guidelines developed by the department, the
4930 department or program operator, if any, may provide grants to assist
4931 small businesses operating within incubator facilities. Grants made
4932 pursuant to this section shall be used by such entities to provide
4933 operating funds and related services, including business plan
4934 preparation, assistance in acquiring financing and management
4935 counseling.

4936 (c) An entity shall submit an application for a grant pursuant to this
4937 section in the manner prescribed by the Commissioner of [Economic
4938 and] Community Development.

4939 (d) There is established an account to be known as the small
4940 business incubator account, which shall be a separate, nonlapsing
4941 account within the General Fund. The commissioner may use funds
4942 from the account to provide administrative expenses and grants
4943 pursuant to this section.

4944 (e) (1) There is established a Small Business Incubator Advisory
4945 Board. Said board shall consist of: (A) The Commissioner of [Economic
4946 and] Community Development; (B) the president of the Connecticut
4947 Development Authority and the executive director of Connecticut
4948 Innovations, Incorporated, as ex-officio nonvoting members, or their
4949 designees; (C) one member to be appointed by the Governor; (D) two
4950 members with experience in the field of technology transfer and

4951 commercialization, to be appointed by the speaker of the House of
4952 Representatives; (E) two members with experience in new product and
4953 market development, to be appointed by the president pro tempore of
4954 the Senate; (F) one member to be appointed by the majority leader of
4955 the Senate; (G) one member to be appointed by the majority leader of
4956 the House of Representatives; (H) one member with experience in seed
4957 and early stage capital investment, to be appointed by the minority
4958 leader of the House of Representatives; and (I) one member with
4959 experience in seed and early stage capital investment, to be appointed
4960 by the minority leader of the Senate. All initial appointments to said
4961 board shall be made not later than September 1, 2007.

4962 (2) The Commissioner of **[**Economic and**]** Community Development
4963 shall schedule the first meeting of said board not later than October 15,
4964 2007. Thereafter, the board shall meet at least once annually to evaluate
4965 and recommend changes to the guidelines adopted pursuant to this
4966 section.

4967 Sec. 77. Section 32-454 of the general statutes is repealed and the
4968 following is substituted in lieu thereof (*Effective July 1, 2009*):

4969 (a) Each awarding authority shall require each recipient of economic
4970 development financial assistance for a threshold project to report
4971 annually to the authority on its progress toward achieving the public
4972 policy objectives which they have agreed to under subsection (b) of
4973 section 32-453. The awarding authority shall provide a copy of such
4974 report (1) to the chief elected official of the municipality in which the
4975 project will be located, upon the request of such official, and (2) to any
4976 employee representatives of the business, upon the request of such
4977 representatives.

4978 (b) Upon submitting each biannual report required under
4979 subsection (c) of section 32-11a or section 32-47a, each awarding
4980 authority under said provisions shall transmit a report on each
4981 threshold project (1) to the chief elected official of each municipality in
4982 which the project is located, upon the request of such official, and (2) to

4983 any employee representatives of the business, upon the request of such
4984 representatives. Each report shall include a notice indicating that (A)
4985 the information in the report is also being submitted to the joint
4986 standing committees of the General Assembly having cognizance of
4987 matters relating to the Department of **[**Economic and**]** Community
4988 Development, appropriations and capital bonding, and (B) comments,
4989 including comments on employee and community participation in
4990 implementing the project, may be submitted to such committees.

4991 Sec. 78. Section 32-462 of the general statutes is repealed and the
4992 following is substituted in lieu thereof (*Effective July 1, 2009*):

4993 (a) As used in this section:

4994 (1) "Agency" means the Department of **[**Economic and**]** Community
4995 Development, the Connecticut Development Authority or Connecticut
4996 Innovations, Incorporated.

4997 (2) "Financial assistance" means grants, loans, loan guarantees,
4998 contracts of insurance, investments, or combinations thereof, which are
4999 provided from the proceeds of bonds, notes or other obligations of the
5000 state or an agency which constitute a debt or liability of the state or
5001 which are secured by a special capital reserve fund payable from
5002 amounts appropriated or deemed appropriated from the General
5003 Fund.

5004 (3) "Applicant" means any eligible applicant seeking financial
5005 assistance from an agency for a business project. The term "applicant"
5006 shall not include any political subdivision of the state.

5007 (4) "Business project" means a business proposal undertaken by one
5008 or more applicants, but does not include housing unless undertaken in
5009 combination with another unrelated type of business.

5010 (5) "Biotechnology business project" means any commercial project
5011 to be used or occupied by any person to conduct laboratory activity
5012 relating to, or the research, development or manufacture of,

5013 biologically active molecules or devices that apply to, affect or analyze
5014 biological processes.

5015 (b) (1) No agency or agencies may award more than a total of ten
5016 million dollars of financial assistance during any two-year period to an
5017 applicant or for a business project unless such financial assistance is
5018 specifically authorized by an act of the General Assembly which has
5019 been enacted before, on or after July 1, 1994. (2) The provisions of
5020 subdivision (1) of this subsection shall not apply to any awards funded
5021 or to be funded by bonds authorized to be issued by the State Bond
5022 Commission before July 1, 1994.

5023 (c) Notwithstanding the provisions of subsection (b) of this section,
5024 no agency or agencies may award more than twenty million dollars of
5025 financial assistance for a biotechnology business project during any
5026 two-year period unless such financial assistance is specifically
5027 authorized by an act of the General Assembly which has been enacted
5028 before, on or after July 1, 2001.

5029 Sec. 79. Section 32-480 of the general statutes is repealed and the
5030 following is substituted in lieu thereof (*Effective July 1, 2009*):

5031 The Department of **[**Economic and**]** Community Development, the
5032 Labor Department, the Connecticut Development Authority and
5033 Connecticut Innovations, Incorporated shall, when appropriate,
5034 encourage persons, firms and corporations which contact said
5035 departments or authorities for financial assistance to utilize high
5036 performance work practices in their business operations.

5037 Sec. 80. Section 32-500 of the general statutes is repealed and the
5038 following is substituted in lieu thereof (*Effective July 1, 2009*):

5039 As used in sections 32-500 to 32-512, inclusive:

5040 (1) "Authority" means the Connecticut Development Authority;

5041 (2) "Commissioner" means the Commissioner of **[**Economic and**]**

5042 Community Development;

5043 (3) "Department" means Department of [Economic and] Community
5044 Development;

5045 (4) "Export" means the sale of goods or services by a business in
5046 Connecticut to a person, firm or corporation in another country;

5047 (5) "Financial assistance" means grants, extensions of credit, loans or
5048 loan guarantees or combinations thereof;

5049 (6) "Participation fee" means a fee paid to the state to compensate for
5050 expenses incurred by the state in organizing a trade show;

5051 (7) "Recruitment" means the recruitment of foreign investment to
5052 the state;

5053 (8) "Small and medium-sized company" means a business having
5054 not more than two hundred fifty employees;

5055 (9) "State" means the state of Connecticut;

5056 (10) "Success fee" means a fee paid to the department by a company
5057 which receives a contract to export goods or services as a result of
5058 assistance from the department;

5059 (11) "Trade consortium" means an industry cluster grouping of two
5060 or more companies, with or without university partners, working as a
5061 unified organization for the purpose of promoting and managing the
5062 exports of participating companies;

5063 (12) "Trade development company" means a business that assists
5064 small and medium-sized companies in entering foreign markets; and

5065 (13) "Trade representative" means a commercial trade representative
5066 in important world markets.

5067 Sec. 81. Section 32-501 of the general statutes is repealed and the

5068 following is substituted in lieu thereof (*Effective July 1, 2009*):

5069 (a) The commissioner shall have jurisdiction over the coordination
5070 of trade development activities in the state. The commissioner shall
5071 contract with other state entities, for-profit companies or nonprofit
5072 organizations to provide services related to initiate, conduct and
5073 coordinate the implementation of Department of **[**Economic and**]**
5074 Community Development programs to promote and assist Connecticut
5075 businesses with international trade. The commissioner shall be
5076 responsible for planning, developing and administering such
5077 programs and may adopt regulations in accordance with the
5078 provisions of chapter 54 to carry out the purposes of sections 32-500 to
5079 32-512, inclusive.

5080 (b) The commissioner may give priority in such programs to
5081 promoting and assisting Connecticut businesses with regard to trade
5082 with African countries with whom the United States has diplomatic
5083 relations.

5084 Sec. 82. Section 32-502 of the general statutes is repealed and the
5085 following is substituted in lieu thereof (*Effective July 1, 2009*):

5086 **[**There is hereby established within the**]** The Department of
5087 **[**Economic and**]** Community Development may contract with other
5088 state entities, for-profit companies or nonprofit organizations to
5089 provide services related to establish an export extension service
5090 program for the purpose of awarding, within available resources, a
5091 grant to a public, private or nonprofit entity for the purpose of
5092 certifying, training and overseeing broker agents who shall have
5093 expertise in export transactions and shall provide outreach and
5094 technical services to businesses that either have not engaged in
5095 exporting or have only recently begun exporting.

5096 Sec. 83. Section 32-511 of the general statutes is repealed and the
5097 following is substituted in lieu thereof (*Effective July 1, 2009*):

5098 (a) There is established a Connecticut International Trade Council.
5099 The council shall consist of: (1) Six members appointed by the
5100 Governor, two of whom shall have expertise in the field of export
5101 financing; (2) (A) the chairpersons and ranking members of the joint
5102 standing committee of the General Assembly having cognizance of
5103 matters relating to the Department of **[**Economic and**]** Community
5104 Development, or (B) their designees, who may be members of the
5105 General Assembly; (3) one member appointed by the president pro
5106 tempore of the Senate, who shall have expertise in the field of export
5107 financing; (4) one member appointed by the majority leader of the
5108 Senate; (5) one member appointed by the minority leader of the Senate;
5109 (6) one member appointed by the speaker of the House of
5110 Representatives; (7) one member appointed by the majority leader of
5111 the House of Representatives; and (8) one member appointed by the
5112 minority leader of the House of Representatives, who shall have
5113 expertise in the field of export financing. All members of the council,
5114 except the members described in subparagraph (A) of subdivision (2)
5115 of this subsection, shall have expertise in the field of business or
5116 international trade. All appointments to the council shall be made
5117 within thirty days after July 1, 1994. The term of each appointed or
5118 designated member of the council shall be coterminous with the term
5119 of the appointing authority. The council shall elect a chairperson and a
5120 vice-chairperson from among its members. Any person absent from
5121 (A) three consecutive meetings of the council or (B) fifty per cent of
5122 such meetings during any calendar year shall be deemed to have
5123 resigned from the council, effective immediately. Any vacancy on the
5124 council shall be filled by the appointing authority. Members of the
5125 council shall serve without compensation but shall, within the limits of
5126 available funds, be reimbursed for expenses necessarily incurred in the
5127 performance of their duties. The council shall meet as often as deemed
5128 necessary by the chairperson or a majority of the council.

5129 (b) The council shall advise the Commissioner of **[**Economic and**]**
5130 Community Development and the joint standing committee of the
5131 General Assembly having cognizance of matters relating to the

5132 Department of [Economic and] Community Development concerning
5133 (1) more efficient use of existing infrastructure to address the needs of
5134 importing and exporting businesses in Connecticut, and (2) programs
5135 for promoting the growth of such businesses, including but not limited
5136 to, (A) foreign trade zones and interstate foreign trade zones, (B) state,
5137 federal and interstate enterprise zones, and (C) bonded warehouses.
5138 Not later than January fifteenth, annually, the council shall submit a
5139 report on its findings to the Governor and such committee.

5140 (c) The council may receive and use such funds as may be available
5141 from federal, state or other sources and may enter into contracts to
5142 carry out the purposes of this section.

5143 (d) The council may, subject to the provisions of chapter 67, employ
5144 any necessary staff within available appropriations.

5145 (e) The four members of the council required to have expertise in
5146 the field of export financing shall constitute a trade advisory
5147 subcommittee of the council.

5148 Sec. 84. Section 32-616 of the general statutes is repealed and the
5149 following is substituted in lieu thereof (*Effective July 1, 2009*):

5150 (a) For the purposes described in subsection (b) of this section the
5151 State Bond Commission shall have power, from time to time but in no
5152 case later than June 30, 2009, to authorize the issuance of bonds of the
5153 state, in one or more series and in principal amounts and in the
5154 aggregate not exceeding one hundred fifteen million dollars and such
5155 additional amounts as may be required in connection with the costs of
5156 issuance of the bonds including bond anticipation, temporary and
5157 interim notes, the proceeds of which shall be used by the State
5158 Treasurer to pay the costs of issuance, provided in computing the total
5159 amount of bonds which may at any one time be outstanding, the
5160 principal amount of any refunding bonds issued to refund bonds shall
5161 be excluded.

5162 (b) The proceeds of the sale of said bonds, to the extent of the
5163 amount stated in subsection (a) of this section, shall be used by the
5164 Department of [Economic and] Community Development for grants-
5165 in-aid for capital city projects as follows:

5166 (1) For the Civic Center and coliseum complex renovation and
5167 rejuvenation project, not exceeding fifteen million dollars;

5168 (2) For the riverfront infrastructure development and improvement
5169 project, not exceeding twenty-five million dollars provided no amount
5170 shall be issued under this subdivision until the Commissioner of
5171 [Economic and] Community Development certifies to the State Bond
5172 Commission that it has received a commitment by agreement, contract
5173 or other legally enforceable instrument with private investors or
5174 developers for a minimum private investment equal to the amount of
5175 bonds at the time such bonds are issued pursuant to this subdivision
5176 taken together with any previous commitments; and provided further,
5177 twelve million dollars of said authorization shall be effective July 1,
5178 1999, seven million dollars of said authorization shall be effective July
5179 1, 2001, and three million dollars of said authorization shall be effective
5180 July 1, 2003;

5181 (3) For housing rehabilitation and new construction projects, as
5182 defined in subparagraph (E) (i) of subdivision (2) of section 32-600, not
5183 exceeding thirty-five million dollars, provided seven million dollars of
5184 said authorization shall be effective July 1, 1999, fourteen million
5185 dollars of said authorization shall be effective July 1, 2000, fourteen
5186 million dollars of said authorization shall be effective July 1, 2001, and
5187 four million dollars of said authorization shall be effective July 1, 2003;

5188 (4) For demolition or redevelopment projects, as defined in
5189 subparagraph (E) (ii) of subdivision (2) of section 32-600, not exceeding
5190 twenty-five million dollars, provided seven million dollars of said
5191 authorization shall be effective July 1, 1999, eight million dollars of
5192 said authorization shall be effective July 1, 2000, five million dollars of
5193 said authorization shall be effective July 1, 2001, and three million

5194 dollars of said authorization shall be effective July 1, 2003;

5195 (5) For parking projects, as defined in subparagraph (F) of
5196 subdivision (2) of section 32-600, not exceeding fifteen million dollars
5197 provided five million dollars of said authorization shall be effective
5198 July 1, 1999, and five million dollars of said authorization shall be
5199 effective July 1, 2000.

5200 (c) All provisions of section 3-20 or the exercise of any right or
5201 power granted thereby which are not inconsistent with the provisions
5202 of this section are hereby adopted and shall apply to all bonds
5203 authorized by the State Bond Commission pursuant to said section 3-
5204 20, and temporary or interim notes in anticipation of the money to be
5205 derived from the sale of any such bonds so authorized may be issued
5206 in accordance with said section 3-20, and from time to time renewed
5207 provided no filings required by subparagraphs (A) and (B) of
5208 subdivision (1) of subsection (g) of said section 3-20 shall be required.
5209 Such bonds shall mature at such time or times not exceeding twenty
5210 years from either their respective dates. None of said bonds shall be
5211 authorized except upon a finding by the State Bond Commission that
5212 there has been filed with it a request for such authorization, which is
5213 signed by the Secretary of the Office of Policy and Management stating
5214 such terms and conditions as said commission, in its discretion, may
5215 require. Such bonds issued pursuant to section 32-614 shall be general
5216 obligations of the state and the full faith and credit of the state of
5217 Connecticut are pledged for the payment of the principal of and
5218 interest on such bonds, including temporary or interim notes, as the
5219 same become due, and accordingly and as part of the contract of the
5220 state with the holders of such bonds, appropriation of all amounts
5221 necessary for punctual payment of such principal and interest is
5222 hereby made including with respect to interest on temporary or
5223 interim notes and principal thereof to the extent not funded with
5224 renewals thereof or bonds, and the State Treasurer shall pay such
5225 principal and interest as the same become due.

5226 (d) For the purposes of this section "state moneys" means the
5227 proceeds of the sale of bonds authorized pursuant to section 3-20 or of
5228 temporary or interim notes issued in anticipation of the moneys to be
5229 derived from the sale of such bonds. Request filed for an authorization
5230 of bonds shall identify the project for which the proceeds of the sale of
5231 such bonds are to be used and expended and, if applicable, shall
5232 include the recommendation of the secretary as to the extent to which
5233 federal, private or other moneys then available or thereafter to be
5234 made available for costs in connection with such project should be
5235 added to the state moneys available or becoming available hereunder
5236 for such project. If the request includes a recommendation that some
5237 amount of such federal, private or other moneys should be added to
5238 such state moneys, then, if and to the extent directed by the State Bond
5239 Commission at the time of authorization of such bonds, said amount of
5240 such federal, private or other moneys then available or thereafter to be
5241 made available for costs in connection with such project may be added
5242 to any state moneys available or becoming available hereunder for
5243 such project and be used for such project as if constituting such state
5244 moneys, and any other federal, private or other moneys then available
5245 or thereafter to be made available for costs in connection with such
5246 project, if and to the extent from time to time directed by the State
5247 Bond Commission, upon receipt shall, in conformity with applicable
5248 federal and state law, be used for the purposes for which such other
5249 moneys are received in accordance with the proceedings of the State
5250 Bond Commission, and otherwise by the State Treasurer to meet the
5251 principal of outstanding bonds issued pursuant to this section or to
5252 meet the principal of temporary or interim notes issued in anticipation
5253 of the money to be derived from the sale of bonds theretofore
5254 authorized pursuant to said section 3-20 for the purpose of financing
5255 such costs, either by purchase or redemption and cancellation of such
5256 bonds or notes or by payment thereof at maturity. Whenever any of
5257 the federal, private or other moneys so received with respect to such
5258 project are used to meet principal of such temporary or interim notes
5259 or whenever principal on any such temporary or interim notes is

5260 retired by application of revenue receipts of the state, the amount of
5261 bonds theretofore authorized in anticipation of which such temporary
5262 or interim notes were issued, and the aggregate amount of bonds
5263 which may be authorized pursuant to this section, shall each be
5264 reduced by the amount of the principal so met or retired. Pending use
5265 of the federal, private or other moneys so received to meet principal as
5266 hereinabove directed, the amount thereof may be invested by, or at the
5267 direction of, the State Treasurer in bonds or obligations of, or
5268 guaranteed by, the state or the United States or agencies or
5269 instrumentalities of the United States, or in accordance with the
5270 provisions of said section 3-20, and shall be deemed to be part of the
5271 debt retirement funds of the state, and net earnings on such
5272 investments shall be used in the same manner as the said moneys so
5273 invested.

5274 (e) Any balance of proceeds of the sale of said bonds authorized by
5275 this section in excess of the aggregate costs of the project so authorized
5276 shall be used to meet interest and principal amounts as the same
5277 become due on said bonds authorized.

5278 (f) Net earnings on investment of proceeds, accrued interest and
5279 premiums on the issuance of any of such bonds authorized by this
5280 section after payment of expenses incurred by the State Treasurer or
5281 State Bond Commission in connection with their issuance, if any, shall
5282 be used to meet interest and principal amounts as the same become
5283 due on said bonds authorized.

5284 Sec. 85. Section 32-701 of the general statutes is repealed and the
5285 following is substituted in lieu thereof (*Effective July 1, 2009*):

5286 (a) The terms and conditions of any agreement for state assistance
5287 under any program of the general statutes to a business entity
5288 operated for profit administered by the Department of **[**Economic and**]**
5289 Community Development, Connecticut Development Authority and
5290 Connecticut Innovations, Incorporated, shall include provisions for (1)
5291 specific goals for the creation and retention of full-time and part-time

5292 jobs and for periodic reports by the recipient on progress in achieving
5293 such goals if the primary purpose of the state assistance is job creation
5294 or retention, and (2) a requirement that an applicant for any type of
5295 state assistance, except grants and loans of a term of less than one year,
5296 provide the agency with appropriate security for such financial
5297 assistance, including, but not limited to, a letter of credit, a lien on real
5298 property or a security interest in goods, equipment, inventory or other
5299 property of any kind and that the recipient of such state assistance will
5300 remain in substantial material compliance with state and federal law.

5301 (b) If a recipient fails to create or retain the number of jobs in this
5302 state stipulated in an agreement for state assistance and such failure is
5303 due to circumstances within the control of such recipient, the recipient
5304 shall repay an amount that is in proportion to the number of jobs that
5305 it failed to create or retain unless the awarding authority deems it is in
5306 the best interests of the state or the community in which the recipient
5307 is located to revise such job creation goals. In such event, the parties
5308 shall enter into a revised agreement subject to the approvals required
5309 by subsection (c) of this section. Upon request of the awarding
5310 authority, a recipient shall provide information necessary to determine
5311 compliance with this section, including information showing the
5312 compensation paid to employees on jobs created as a result of the state
5313 assistance.

5314 (c) The awarding authority, in its discretion, may modify the terms
5315 and conditions of any state assistance, including, but not limited to,
5316 forgiveness of repayment of a loan, revision of job creation and
5317 retention goals or changes to interest rates, provided such awarding
5318 authority notifies the State Bond Commission or the appropriate board
5319 of directors, if any, of the modification.

5320 Sec. 86. Section 32-718 of the general statutes is repealed and the
5321 following is substituted in lieu thereof (*Effective July 1, 2009*):

5322 The Department of **[**Economic and**]** Community Development,
5323 Connecticut Innovations, Incorporated, The University of Connecticut,

5324 the Connecticut Development Authority and the Office of Workforce
5325 Competitiveness may use up to ten million dollars of their existing
5326 resources for plan implementation and to provide a catalyst for an
5327 additional forty million dollars of private investment. The plan for
5328 how these funds will be applied and how they will leverage the
5329 private money shall be presented to and approved by the State Bond
5330 Commission.

5331 Sec. 87. Subsection (f) of section 47-88b of the general statutes is
5332 repealed and the following is substituted in lieu thereof (*Effective July*
5333 *1, 2009*):

5334 (f) Any declarant of a conversion condominium shall, in addition to
5335 the filing required by section 47-71, file with the **[**Department of
5336 Economic and Community Development**]** Connecticut Housing
5337 Finance Authority within one hundred twenty days of the giving of
5338 the notice required by subsection (b) of this section: (1) A copy of the
5339 declaration and the public offering statement submitted to each tenant,
5340 and (2) a sworn statement that each tenant who is entitled to receive
5341 notice under subsection (b) of this section and has not exercised his
5342 option to buy has received the notice required by subsection (b) of this
5343 section and has received relocation assistance which has included
5344 information on the availability of alternate housing, financing
5345 programs and federal, state and municipal housing assistance and the
5346 availability of moving and relocation expenses under section 47-88d, or
5347 that reasonable efforts have been made to provide such relocation
5348 assistance to such tenant. If at the time of such filing all of the tenants
5349 have not received notice under subsection (b) of this section, the
5350 declarant shall file subsequent sworn statements with the **[**department**]**
5351 authority within one hundred twenty days of the date notice was
5352 given to a tenant. The **[**department**]** authority shall charge a fee of two
5353 dollars per unit converted for such filing. The **[**Commissioner of
5354 Economic and Community Development shall adopt regulations in
5355 accordance with chapter 54 within ninety days of May 7, 1980**]**
5356 authority shall adopt written procedures, in accordance with section 1-

5357 121, to determine the type of information to be included in such
5358 relocation assistance.

5359 Sec. 88. Section 47-284 of the general statutes is repealed and the
5360 following is substituted in lieu thereof (*Effective July 1, 2009*):

5361 (a) At least nine months before a conversion tenant will be required
5362 to vacate a converted unit, other than for reasons permitted by
5363 subsection (b) of section 47a-23c, and, if a tenant has a purchase right
5364 pursuant to section 47-285, at least ninety days prior to the sale of the
5365 converted unit by the declarant to a person other than a conversion
5366 tenant, a declarant shall give that tenant a conversion notice and
5367 provide that tenant with a public offering statement when otherwise
5368 required by section 47-263 or 47-267.

5369 (b) The conversion notice shall inform a tenant of: (1) The date the
5370 declarant converted, or intends to convert, the building to a common
5371 interest form of ownership; (2) the right of the tenant during the
5372 transition period to protection from eviction; (3) the exclusive right of
5373 the tenant, as described in section 47-285, to purchase his converted
5374 unit during the first ninety days after receipt of the conversion notice;
5375 (4) the right of the tenant, as described in section 47-286, to terminate
5376 his tenancy and abandon his converted unit on thirty days notice, and
5377 the right of each qualified tenant, as described in section 47-287, to a
5378 relocation payment; (5) the availability from the Department of
5379 **[**Economic and**]** Community Development of information concerning
5380 governmental assistance to (A) purchase the converted unit or
5381 alternative housing, or (B) find, and relocate to, alternative housing;
5382 and (6) the address and **[**phone**]** telephone number for information
5383 concerning the availability of relocation payments and for information
5384 from the Department of **[**Economic and**]** Community Development
5385 concerning governmental assistance.

5386 (c) The conversion notice and public offering statement shall be
5387 hand-delivered or sent by certified mail, return receipt requested, to
5388 the address of the dwelling unit and to any other mailing address

5389 provided by a tenant.

5390 Sec. 89. Section 47-288 of the general statutes is repealed and the
5391 following is substituted in lieu thereof (*Effective July 1, 2009*):

5392 (a) If a common interest community contains or will contain any
5393 conversion building, or any land currently or formerly in a mobile
5394 manufactured home park, in which any unit was last occupied as a
5395 dwelling unit, the declarant, prior to creating such common interest
5396 community, shall register such common interest community and each
5397 dwelling unit therein with the Commissioner of **[**Economic and**]**
5398 Community Development in such manner as the commissioner may
5399 prescribe by regulations adopted pursuant to section 47-295. The
5400 declarant's registration shall be accompanied by a registration fee of
5401 fifty dollars per dwelling unit being converted. No declarant shall offer
5402 to sell, sell or otherwise dispose of a unit in a common interest
5403 community until such registration is filed and such registration fees
5404 are paid.

5405 (b) At the time of giving a conversion notice, the declarant shall
5406 send a copy of the conversion notice to the Commissioner of
5407 **[**Economic and**]** Community Development, together with: (1) The
5408 address of the property; (2) the number of occupied dwelling units in
5409 the property on the day of the notice; (3) the number of dwelling units
5410 in the property on the day of the notice; and (4) the number of
5411 dwelling units in the property occupied at any time during the
5412 preceding twelve months.

5413 (c) The Commissioner of **[**Economic and**]** Community Development,
5414 in addition to taking any action authorized by section 47-294, shall
5415 require the declarant to (1) provide the Department of **[**Economic and**]**
5416 Community Development with a copy of the public offering statement,
5417 and (2) distribute to tenants any material which the commissioner has
5418 prepared regarding the availability of governmental assistance.

5419 (d) Within six months of giving the conversion notice, the declarant

5420 shall notify the Commissioner of **[**Economic and**]** Community
5421 Development of: (1) The number of tenants who purchased their
5422 dwelling units or, in the case of a mobile manufactured home park,
5423 who purchased the space or lot upon which their dwelling units sit; (2)
5424 the number of tenants who stayed in their dwelling units and did not
5425 purchase; (3) the number of tenants who moved; (4) the number of
5426 moving tenants who received a relocation payment under section 47-
5427 287; and (5) the number of tenants against whom summary process
5428 proceedings were begun.

5429 (e) The notification to the Commissioner of **[**Economic and**]**
5430 Community Development pursuant to subsection (d) of this section
5431 shall be accompanied by a statement of the declarant, certified as true
5432 under penalty of false statement, that, to the best of his knowledge and
5433 belief, all tenants entitled to a relocation payment under section 47-287
5434 received such payment. If any tenant entitled to a relocation payment
5435 did not receive it, the statement shall describe why the payment was
5436 not made.

5437 Sec. 90. Section 47a-56k of the general statutes is repealed and the
5438 following is substituted in lieu thereof (*Effective July 1, 2009*):

5439 (a) The State Bond Commission shall have power, in accordance
5440 with the provisions of this section, from time to time to authorize the
5441 issuance of bonds of the state in one or more series and in principal
5442 amounts not exceeding in the aggregate three hundred thousand
5443 dollars, the proceeds of the sale of which shall be used by the
5444 **[**Department of Economic and Community Development**]** Connecticut
5445 Housing Finance Authority to provide funds for the Housing
5446 Receivership Revolving Fund established in accordance with section
5447 47a-56i, provided not more than two hundred thousand dollars may be
5448 expended from said fund in any single municipality.

5449 (b) All provisions of section 3-20 or the exercise of any right or
5450 power granted thereby which are not inconsistent with the provisions
5451 of this section are hereby adopted and shall apply to all bonds

5452 authorized by the State Bond Commission pursuant to this section, and
5453 temporary notes in anticipation of the money to be derived from the
5454 sale of any such bonds so authorized may be issued in accordance with
5455 said section 3-20 and from time to time renewed. Such bonds shall
5456 mature at such time or times not exceeding twenty years from their
5457 respective dates as may be provided in or pursuant to the resolution or
5458 resolutions of the State Bond Commission authorizing such bonds.
5459 None of such bonds shall be authorized except upon a finding by the
5460 State Bond Commission that there has been filed with it a request for
5461 such authorization which is signed by or on behalf of the
5462 **[**Commissioner of Economic and Community Development**]** executive
5463 director of the Connecticut Housing Finance Authority and states such
5464 terms and conditions as said commission in its discretion may require.
5465 Such bonds issued pursuant to this section shall be general obligations
5466 of the state and the full faith and credit of the state of Connecticut are
5467 pledged for the payment of the principal of and interest on such bonds
5468 as the same become due, and accordingly and as part of the contract of
5469 the state with the holders of such bonds, appropriation of all amounts
5470 necessary for punctual payment of such principal and interest is
5471 hereby made and the Treasurer shall pay such principal and interest as
5472 the same become due.

5473 Sec. 91. Subsection (d) of section 2c-2b of the general statutes is
5474 repealed and the following is substituted in lieu thereof (*Effective July*
5475 *1, 2009*):

5476 (d) The following governmental entities and programs are
5477 terminated, effective July 1, 2013, unless reestablished in accordance
5478 with the provisions of section 2c-10:

5479 (1) State Insurance and Risk Management Board, established under
5480 section 4a-19;

5481 (2) Connecticut Marketing Authority, established under section 22-
5482 63;

5483 (3) Occupational Safety and Health Review Commission,
5484 established under section 31-376;

5485 (4) Connecticut Siting Council, established under section 16-50j;

5486 (5) Connecticut Public Transportation Commission, established
5487 under section 13b-11a;

5488 (6) State Board of Accountancy, established under section 20-280;

5489 (7) Repealed by P.A. 99-73, S. 10;

5490 (8) Repealed by P.A. 85-613, S. 153, 154;

5491 (9) State Milk Regulation Board, established under section 22-131;

5492 (10) Deleted by P.A. 99-73, S. 1;

5493 (11) Council on Environmental Quality, established under section
5494 22a-11;

5495 (12) Repealed by P.A. 85-613, S. 153, 154;

5496 (13) Repealed by P.A. 83-487, S. 32, 33;

5497 (14) Employment Security Board of Review, established under
5498 section 31-237c;

5499 (15) Repealed by P.A. 85-613, S. 153, 154;

5500 (16) Connecticut Energy Advisory Board, established under section
5501 16a-3;

5502 (17) Connecticut Solid Waste Management Advisory Council,
5503 established under subsection (a) of section 22a-279;

5504 (18) Investment Advisory Council, established under section 3-13b;

5505 (19) State Properties Review Board, established under subsection (a)
5506 of section 4b-3;

5507 (20) Commission on Human Rights and Opportunities, established
5508 under section 46a-52;

5509 (21) The coastal management program, established under chapter
5510 444;

5511 (22) Department of [Economic and] Community Development,
5512 established under sections 4-38c and 8-37r;

5513 (23) Family support grant program of the Department of Social
5514 Services, established under section 17b-616;

5515 (24) Program of regulation of occupational therapists, established
5516 under chapter 376a;

5517 (25) Repealed by P.A. 85-613, S. 153, 154;

5518 (26) Architectural Licensing Board, established under section 20-289;

5519 (27) Repealed by June Sp. Sess. P.A. 01-5, S. 17, 18; and

5520 (28) The Connecticut Transportation Strategy Board.

5521 Sec. 92. Section 4-38c of the general statutes is repealed and the
5522 following is substituted in lieu thereof (*Effective July 1, 2009*):

5523 There shall be within the executive branch of state government the
5524 following departments: Office of Policy and Management, Department
5525 of Administrative Services, Department of Revenue Services,
5526 Department of Banking, Department of Agriculture, Department of
5527 Children and Families, Department of Consumer Protection,
5528 Department of Correction, Department of [Economic and] Community
5529 Development, State Board of Education, Department of Emergency
5530 Management and Homeland Security, Department of Environmental
5531 Protection, Department of Public Health, Board of Governors of
5532 Higher Education, Insurance Department, Labor Department,
5533 Department of Mental Health and Addiction Services, Department of
5534 Developmental Services, Department of Public Safety, Department of

5535 Social Services, Department of Transportation, Department of Motor
5536 Vehicles, Department of Veterans' Affairs, Department of Public
5537 Works and Department of Public Utility Control.

5538 Sec. 93. Section 4-66c of the general statutes is repealed and the
5539 following is substituted in lieu thereof (*Effective July 1, 2009*):

5540 (a) For the purposes of subsection (b) of this section, the State Bond
5541 Commission shall have power, from time to time to authorize the
5542 issuance of bonds of the state in one or more series and in principal
5543 amounts not exceeding in the aggregate one billion one hundred
5544 seventy-two million four hundred eighty-seven thousand five hundred
5545 forty-four dollars, provided twenty million dollars of said
5546 authorization shall be effective July 1, 2008. All provisions of section 3-
5547 20, or the exercise of any right or power granted thereby, which are not
5548 inconsistent with the provisions of this section, are hereby adopted
5549 and shall apply to all bonds authorized by the State Bond Commission
5550 pursuant to this section, and temporary notes in anticipation of the
5551 money to be derived from the sale of any such bonds so authorized
5552 may be issued in accordance with said section 3-20 and from time to
5553 time renewed. Such bonds shall mature at such time or times not
5554 exceeding twenty years from their respective dates as may be provided
5555 in or pursuant to the resolution or resolutions of the State Bond
5556 Commission authorizing such bonds. None of said bonds shall be
5557 authorized except upon a finding by the State Bond Commission that
5558 there has been filed with it a request for such authorization, which is
5559 signed by or on behalf of the Secretary of the Office of Policy and
5560 Management and states such terms and conditions as said commission
5561 in its discretion may require. Said bonds issued pursuant to this
5562 section shall be general obligations of the state and the full faith and
5563 credit of the state of Connecticut are pledged for the payment of the
5564 principal of and interest on said bonds as the same become due, and
5565 accordingly as part of the contract of the state with the holders of said
5566 bonds, appropriation of all amounts necessary for punctual payment
5567 of such principal and interest is hereby made, and the Treasurer shall

5568 pay such principal and interest as the same become due.

5569 (b) (1) The proceeds of the sale of said bonds, to the extent
5570 hereinafter stated, shall be used, subject to the provisions of
5571 subsections (c) and (d) of this section, for the purpose of redirecting,
5572 improving and expanding state activities which promote community
5573 conservation and development and improve the quality of life for
5574 urban residents of the state as hereinafter stated: (A) For the
5575 Department of **[**Economic and**]** Community Development: Economic
5576 and community development projects, including administrative costs
5577 incurred by the Department of **[**Economic and**]** Community
5578 Development, not exceeding sixty-seven million five hundred ninety-
5579 one thousand six hundred forty-two dollars, one million dollars of
5580 which shall be used for a grant to the development center program and
5581 the nonprofit business consortium deployment center approved
5582 pursuant to section 32-411; (B) for the Department of Transportation:
5583 Urban mass transit, not exceeding two million dollars; (C) for the
5584 Department of Environmental Protection: Recreation development and
5585 solid waste disposal projects, not exceeding one million nine hundred
5586 ninety-five thousand nine hundred two dollars; (D) for the Department
5587 of Social Services: Child day care projects, elderly centers, shelter
5588 facilities for victims of domestic violence, emergency shelters and
5589 related facilities for the homeless, multipurpose human resource
5590 centers and food distribution facilities, not exceeding thirty-nine
5591 million one hundred thousand dollars, provided four million dollars of
5592 said authorization shall be effective July 1, 1994; (E) for the
5593 **[**Department of Economic and Community Development**]** <u>Connecticut</u>
5594 <u>Housing Finance Authority</u>: Housing projects, not exceeding three
5595 million dollars; (F) for the Office of Policy and Management: (i) Grants-
5596 in-aid to municipalities for a pilot demonstration program to leverage
5597 private contributions for redevelopment of designated historic
5598 preservation areas, not exceeding one million dollars; (ii) grants-in-aid
5599 for urban development projects including economic and community
5600 development, transportation, environmental protection, public safety,
5601 children and families and social services projects and programs,

5602 including, in the case of economic and community development
5603 projects administered on behalf of the Office of Policy and
5604 Management by the Department of [Economic and] Community
5605 Development or the Connecticut Housing Finance Authority,
5606 administrative costs incurred by the Connecticut Housing Finance
5607 Authority or the Department of [Economic and] Community
5608 Development, not exceeding one billion fifty-seven million eight
5609 hundred thousand dollars, provided twenty million dollars of said
5610 authorization shall be effective July 1, 2008.

5611 (2) (A) Five million dollars of the grants-in-aid authorized in
5612 subparagraph (F)(ii) of subdivision (1) of this subsection may be made
5613 available to private nonprofit organizations for the purposes described
5614 in said subparagraph (F)(ii). (B) Twelve million dollars of the grants-in-
5615 aid authorized in subparagraph (F)(ii) of subdivision (1) of this
5616 subsection may be made available for necessary renovations and
5617 improvements of libraries. (C) Five million dollars of the grants-in-aid
5618 authorized in subparagraph (F)(ii) of subdivision (1) of this subsection
5619 shall be made available for small business gap financing. (D) Ten
5620 million dollars of the grants-in-aid authorized in subparagraph (F)(ii)
5621 of subdivision (1) of this subsection may be made available for regional
5622 economic development revolving loan funds. (E) One million four
5623 hundred thousand dollars of the grants-in-aid authorized in
5624 subparagraph (F)(ii) of subdivision (1) of this subsection shall be made
5625 available for rehabilitation and renovation of the Black Rock Library in
5626 Bridgeport. (F) Two million five hundred thousand dollars of the
5627 grants-in-aid authorized in subparagraph (F)(ii) of subdivision (1) of
5628 this subsection shall be made available for site acquisition, renovation
5629 and rehabilitation for the Institute for the Hispanic Family in Hartford.

5630 (c) Any proceeds from the sale of bonds authorized pursuant to
5631 subsections (a) and (b) of this section or of temporary notes issued in
5632 anticipation of the moneys to be derived from the sale of such bonds
5633 may be used to fund grants-in-aid to municipalities or the grant-in-aid
5634 programs of said departments, including, but not limited to, financial

5635 assistance and expenses authorized under chapters 128, 129, 130, 133,
5636 136 and 298, and section 16a-40a, provided any such program shall be
5637 implemented in an eligible municipality or is for projects in other
5638 municipalities which the State Bond Commission determines will help
5639 to meet the goals set forth in section 4-66b. For the purposes of this
5640 section, "eligible municipality" means a municipality which is
5641 economically distressed within the meaning of subsection (b) of section
5642 32-9p, which is classified as an urban center in any plan adopted by the
5643 General Assembly pursuant to section 16a-30, which is classified as a
5644 public investment community within the meaning of subdivision (9) of
5645 subsection (a) of section 7-545, or in which the State Bond Commission
5646 determines that the project in question will help meet the goals set
5647 forth in section 4-66b. Notwithstanding the provisions of this
5648 subsection, proceeds from the sale of bonds pursuant to this section
5649 may, with the approval of the State Bond Commission, be used for
5650 transit-oriented development projects, as defined in section 13b-79o, in
5651 any municipality.

5652 (d) Any economic development project eligible for assistance under
5653 this section may include but not be limited to: (1) The construction or
5654 rehabilitation of commercial, industrial and mixed use structures; and
5655 (2) the construction, reconstruction or repair of roads, accessways and
5656 other site improvements. The state, acting by and in the discretion of
5657 the Commissioner of **[**Economic and**]** Community Development, may
5658 enter into a contract for state financial assistance for any eligible
5659 economic or community development project in the form of a grant-in-
5660 aid. Any grant-in-aid shall be in an amount not in excess of the cost of
5661 the project for which the grant is made as determined and approved
5662 by the Commissioner of **[**Economic and**]** Community Development.
5663 Before entering into a grant-in-aid contract the Commissioner of
5664 **[**Economic and**]** Community Development shall have approved an
5665 application submitted on forms provided by the commissioner. No
5666 project shall be undertaken until the Commissioner of Economic and
5667 Community Development approves the plans, specifications and
5668 estimated costs. The commissioner may adopt such regulations, in

5669 accordance with chapter 54, as are necessary for the implementation of
5670 this section.

5671 (e) Notwithstanding any provision of the general statutes to the
5672 contrary, whenever the Department of **[**Economic and**]** Community
5673 Development or the Office of Policy and Management is authorized by
5674 the general statutes to assess, collect or fund administrative expenses
5675 or service charges or otherwise recover costs or expenses incurred by
5676 the state in carrying out the provisions of any economic or community
5677 development project or program administered by the Department of
5678 **[**Economic and**]** Community Development, except in the case of
5679 administrative oversight charges described in section 8-37tt amounts
5680 so assessed, collected or funded by the state may be used to pay any
5681 administrative expenses of the Department of **[**Economic and**]**
5682 Community Development and shall not be required to be used to pay
5683 expenses related to a particular project or program.

5684 Sec. 94. Subsection (c) of section 4-168a of the general statutes is
5685 repealed and the following is substituted in lieu thereof (*Effective July*
5686 *1, 2009*):

5687 (c) Prior to the adoption of any proposed regulation that may have
5688 an adverse impact on small businesses, each agency shall notify the
5689 Department of **[**Economic and**]** Community Development of its intent
5690 to adopt the proposed regulation. The Department of **[**Economic and**]**
5691 Community Development shall advise and assist agencies in
5692 complying with the provisions of this section.

5693 Sec. 95. Section 7-136e of the general statutes is repealed and the
5694 following is substituted in lieu thereof (*Effective July 1, 2009*):

5695 (a) A municipality which, pursuant to section 7-136d, has
5696 authorized the establishment of a foreign trade zone, shall submit a
5697 copy of the application for the privilege of operating such foreign trade
5698 zone to the regional planning agency for the area of operation within
5699 which such municipality is located and the Departments of **[**Economic

5700 and] Community Development, Environmental Protection and
5701 Transportation for their comments on the advisability of establishment
5702 of such zone. Such comments shall be prepared within ninety days of
5703 receipt of the application from the municipality.

5704 (b) The Departments of [Economic and] Community Development,
5705 Environmental Protection and Transportation shall submit their
5706 advisory comments to the municipality and to the board established by
5707 said federal Foreign-Trade Zones Act.

5708 Sec. 96. Section 7-136f of the general statutes is repealed and the
5709 following is substituted in lieu thereof (*Effective July 1, 2009*):

5710 Upon compliance with the provisions of sections 7-136d and 7-136e
5711 and after receipt of the advisory comments prepared by the
5712 Departments of [Economic and] Community Development,
5713 Environmental Protection and Transportation, a municipality may
5714 apply to the board, established by said federal Foreign-Trade Zones
5715 Act for a grant of the privilege of establishing, operating and
5716 maintaining a foreign trade zone.

5717 Sec. 97. Subsection (d) of section 7-392 of the general statutes is
5718 repealed and the following is substituted in lieu thereof (*Effective July*
5719 *1, 2009*):

5720 (d) The Commissioner of [Economic and] Community Development
5721 shall provide for the auditing of the financial statements of each local
5722 housing authority at least once biennially. Such audit may be
5723 conducted by an independent auditor or by employees of the
5724 Department of [Economic and] Community Development, as the
5725 commissioner may determine. The commissioner may charge any
5726 housing authority for the cost of any such audit of its accounts. Upon
5727 completion of any such audit, the commissioner shall file certified
5728 copies of the audit report with the chairman and the executive director
5729 of the housing authority, with the chief executive officer and the clerk
5730 of the municipality in which such housing authority is located and

5731 with the Secretary of the Office of Policy and Management.

5732 Sec. 98. Section 8-37i of the general statutes is repealed and the
5733 following is substituted in lieu thereof (*Effective July 1, 2009*):

5734 (a) There shall be a Department of **[**Economic and**]** Community
5735 Development. The department head shall be the Commissioner of
5736 **[**Economic and**]** Community Development, who shall be appointed by
5737 the Governor in accordance with the provisions of sections 4-5, 4-6, 4-7
5738 and 4-8, with the powers and duties therein prescribed.

5739 (b) Said department shall constitute a successor department to the
5740 Department of Commerce in accordance with the provisions of
5741 sections 4-38d and 4-39.

5742 (c) Said department shall constitute a successor to the functions,
5743 powers and duties of the Department of Community Affairs relating to
5744 housing as set forth in chapters 128, 129, 130, 131 and 135, in
5745 accordance with the provisions of sections 4-38d and 4-39.

5746 Sec. 99. Section 8-37k of the general statutes is repealed and the
5747 following is substituted in lieu thereof (*Effective July 1, 2009*):

5748 (a) Whenever the term "Commissioner of Commerce" occurs or is
5749 referred to in the general statutes, it shall be deemed to mean or refer
5750 to the Commissioner of **[**Economic and**]** Community Development.

5751 (b) Whenever the term "Department of Commerce" occurs or is
5752 referred to in the general statutes, it shall be deemed to mean or refer
5753 to the Department of **[**Economic and**]** Community Development.

5754 (c) Whenever the term "Department of Community Affairs" occurs
5755 or is referred to in chapter 131, it shall be deemed to mean or refer to
5756 the Department of **[**Economic and**]** Community Development.

5757 (d) Whenever the term "Commissioner of Community Affairs"
5758 occurs or is referred to in chapter 131, it shall be deemed to mean or

5759 refer to the Commissioner of **[**Economic and**]** Community
5760 Development.

5761 Sec. 100. Section 8-37o of the general statutes is repealed and the
5762 following is substituted in lieu thereof (*Effective July 1, 2009*):

5763 The Committee of Concern for Connecticut Jobs is abolished and its
5764 functions and duties are transferred to the Department of **[**Economic
5765 and**]** Community Development pursuant to sections 4-38d and 4-39.

5766 Sec. 101. Section 8-37t of the general statutes is repealed and the
5767 following is substituted in lieu thereof (*Effective July 1, 2009*):

5768 (a) Not later than January 1, 2000, and every five years thereafter,
5769 **[**the Commissioner of Economic and Community Development
5770 together with**]** the Connecticut Housing Finance Authority **[**,**]** shall
5771 prepare a long-range state housing plan, which shall conform and be
5772 subject to the plan of conservation and development for the state
5773 adopted by the General Assembly. The plan shall: (1) Contain an
5774 assessment of the housing needs of households with incomes less than
5775 one hundred per cent of the average area median income, adjusted for
5776 family size, analyzed separately for households with incomes (A) less
5777 than twenty-five per cent of the area median income, (B) more than
5778 twenty-five per cent but not more than fifty per cent of the area
5779 median income, (C) more than fifty per cent but not more than eighty
5780 per cent of the area median income, and (D) more than eighty per cent
5781 but not more than one hundred per cent of the area median income; (2)
5782 analyze the households served by the housing construction, substantial
5783 rehabilitation, purchase and rental assistance programs, including the
5784 number of households served by each program, the total amount of
5785 financial assistance provided to such households and the race of
5786 households served under such programs; (3) provide information on
5787 affirmative fair housing marketing activities and programs and an
5788 analysis of occupancy results of affirmative fair housing marketing
5789 plans and shall include data on the racial composition of the occupants
5790 and persons on the waiting list of each housing project which is

5791 assisted under any housing program established by the general
5792 statutes or special act or which is supervised by the commissioner or
5793 the Connecticut Housing Finance Authority; (4) set specific measurable
5794 goals for meeting identified housing needs; (5) outline strategies for
5795 meeting those goals; and (6) identify state, federal and private sector
5796 resources for affordable housing programs. The provisions of this
5797 section shall not be construed to require an occupant or applicant to
5798 disclose the race of such occupant or applicant on an application or
5799 survey form. The long-range plan shall be updated annually by an
5800 action plan that assesses the state's progress toward meeting housing
5801 needs contained in the long-range plan and recommends revised
5802 strategies, if deemed necessary. In preparing the long-range plan and
5803 subsequent action plans, the commissioner shall consult with
5804 representatives of those who use or benefit from state housing
5805 programs.

5806 (b) The **[**Department of Economic and Community Development**]**
5807 Connecticut Housing Finance Authority shall submit the long-range
5808 housing plan to the General Assembly not later than January 1, 2000,
5809 and each action plan not later than January first of each subsequent
5810 year, after receiving public review and comment on the long-range
5811 plan and each action plan through written remarks and public
5812 hearings. The commencement date of each plan shall be the July first
5813 following the submission of the plan.

5814 Sec. 102. Section 8-37x of the general statutes is repealed and the
5815 following is substituted in lieu thereof (*Effective July 1, 2009*):

5816 (a) As used in this section, "authority" or "housing authority" means
5817 any of the public corporations created by section 8-40 and the
5818 Connecticut Housing Authority when exercising the rights, powers,
5819 duties or privileges of, or subject to the immunities or limitations of,
5820 housing authorities pursuant to section 8-121, and "housing project"
5821 means a project developed or administered pursuant to chapter 128.

5822 (b) The **[**Commissioner of Economic and Community Development**]**

5823 executive director of the Connecticut Housing Finance Authority may:
5824 (1) Collect and correlate information regarding housing projects of
5825 authorities in the state and upon request to furnish the authorities, in
5826 matters of common interest, information, advice and the services of
5827 expert personnel; (2) study state-wide needs for the elimination of
5828 substandard housing to stimulate state and city planning involving
5829 housing, and otherwise to study housing needs, both rural and urban,
5830 and to formulate proposals for meeting these needs; (3) study methods
5831 of encouraging investment of private capital in low rent housing; (4)
5832 study the necessity, feasibility and advantage of the use of state credit
5833 by way of loan or subsidy to assist the financing of housing projects for
5834 persons of low income; and (5) accept grants-in-aid of any of said
5835 [commissioner's] executive director of the authority's powers made
5836 pursuant to the provisions of any state or federal law and, for the
5837 purpose of complying with the requirements or recommendations of
5838 any such law, to prepare such plans and specifications and to make
5839 such studies, surveys, reports or recommendations concerning existing
5840 or contemplated housing conditions or projects in the state as may be
5841 necessary or appropriate.

5842 (c) Notwithstanding any other provision of the general statutes, the
5843 [Commissioner of Economic and Community Development] executive
5844 director of the Connecticut Housing Finance Authority may, after
5845 conducting a public bidding process as provided in section 8-44, enter
5846 into a master contract or contracts with local, regional or state-wide
5847 suppliers of labor, supplies, materials, services or personal property on
5848 behalf of one or more housing authorities operating state-financed
5849 housing programs or projects. [The commissioner] The executive
5850 director of the authority may, in said [commissioner's] executive
5851 director of the authority's discretion, with respect to partially
5852 completed state-financed programs or projects or in the event of
5853 emergencies affecting human health, safety, welfare and life or
5854 endangering property, waive the bidding requirement and threshold
5855 of said section 8-44.

5856 [(d) The Commissioner of Economic and Community Development
5857 may designate as said commissioner's agent any deputy commissioner
5858 or any employee to exercise such authority of the commissioner as said
5859 commissioner delegates for the administration of any applicable
5860 statute or regulation.]

5861 [(e)] (d) As used in this subsection, "troubled loan" means a loan in
5862 which payments of interest or principal, or both interest and principal,
5863 (1) are delinquent under the terms of a loan agreement, or (2) may
5864 become delinquent under conditions which exist which would
5865 reasonably lead the [Commissioner of Economic and Community
5866 Development] executive director of the Connecticut Housing Finance
5867 Authority to believe that a borrower would be unable to repay the
5868 loan. Said [commissioner] executive director of the authority may
5869 authorize the deferred payments of interest or principal, or both
5870 interest and principal, or a portion thereof, in the case of a troubled
5871 loan made by the [commissioner] executive director of the authority
5872 under any provision of the general statutes or special acts if said
5873 [commissioner] executive director of the authority determines the
5874 deferral to be in the best interests of the state. Such determination shall
5875 be in writing and shall include a statement of the reasons why the
5876 deferral is in the best interests of the state. Any deferral made under
5877 the provisions of this section shall be subject to the approval of the
5878 State Bond Commission.

5879 [(f)] (e) Upon an action by the [Commissioner of Economic and
5880 Community Development] executive director of the Connecticut
5881 Housing Finance Authority to preserve the state's interest in any
5882 contract for financial assistance that results in the state acquiring title
5883 to any housing property, the [commissioner] executive director of the
5884 authority shall be deemed to be an eligible developer, as defined in
5885 section 8-39, for the purposes of operating the property and receiving
5886 state or federal financial assistance on behalf of the property or the
5887 operation of the property.

5888 [(g)] (f) The [Commissioner of Economic and Community
5889 Development in consultation with the] executive director of the
5890 Connecticut Housing Finance Authority, upon the lawful dissolution
5891 of any eligible developer of property financed with a loan, grant or any
5892 combination thereof from the state, may (1) accept ownership of
5893 property owned by such a developer in the name of the state and
5894 dispose of such property to an eligible developer for a price and upon
5895 terms that the commissioner deems proper, provided such action shall
5896 preserve the property as housing for very low, low or moderate
5897 income persons; or (2) after approval by the Secretary of the Office of
5898 Policy and Management allow such property to participate in any
5899 programs that the commissioner operates, in order to preserve the
5900 property as housing for very low, low or moderate income persons.
5901 For purposes of this subsection, "housing" includes facilities and
5902 amenities incidental and pertinent to the provision of affordable
5903 housing and intended primarily to serve the residents of the affordable
5904 housing development, including, but not limited to, a community
5905 room, a laundry room, day care space, a computer center, a
5906 management center or playground.

5907 [(h)] (g) Notwithstanding the provisions of subsection (g) of this
5908 section, the [Commissioner of Economic and Community
5909 Development] executive director of the Connecticut Housing Finance
5910 Authority shall allow the continued use of: (1) The Saint Joseph's
5911 Residence for Mothers and Children, located in Bridgeport, which is
5912 utilized as a day care center; (2) the House of Bread, located in
5913 Hartford, which is utilized as a community day care center and
5914 corporate offices; and (3) the Rainbow Court Cooperative, located in
5915 Middletown, which is utilized as rental units for lower income
5916 persons.

5917 [(i)] (h) The [Commissioner of Economic and Community
5918 Development may adopt regulations, in accordance with the
5919 provisions of chapter 54,] executive director of the Connecticut
5920 Housing Finance Authority may adopt written procedures, in

5921 accordance with section 1-121, to carry out the purposes of the
5922 [Department of Economic and Community Development] Connecticut
5923 Housing Finance Authority as established by statute.

5924 Sec. 103. Section 8-37y of the general statutes is repealed and the
5925 following is substituted in lieu thereof (*Effective July 1, 2009*):

5926 (a) The [Commissioner of Economic and Community Development]
5927 executive director of the Connecticut Housing Finance Authority may,
5928 with the approval of the Commissioner of Public Works, the Secretary
5929 of the Office of Policy and Management and the State Properties
5930 Review Board, sell, exchange, lease or enter into agreements
5931 concerning any real property, as defined in section 8-39, belonging to
5932 the state and transferred to the custody and control of the [Department
5933 of Economic and Community Development] Connecticut Housing
5934 Finance Authority under the provisions of subsection (b) of section 4b-
5935 21. The commissioner shall require, as a condition of any sale,
5936 exchange, lease or agreement entered into pursuant to this section, that
5937 such real property be used only for an emergency shelter or
5938 transitional living facility for homeless persons or for the provision of
5939 low and moderate income housing, including, but not limited to, the
5940 construction, rehabilitation or renovation of housing for persons and
5941 families of low and moderate income, except that such condition, in
5942 the discretion of the commissioner, may be subordinated in the case of
5943 a subsequent first mortgage or a requirement of a governmental
5944 program relating to such real property, and except that in the case of
5945 an exchange of real property, the commissioner (1) shall require that
5946 the parcel received by the commissioner, as a condition of such
5947 exchange, shall be suitable for an emergency shelter or transitional
5948 living facility for homeless persons or for the construction,
5949 rehabilitation or renovation of housing for persons and families of low
5950 and moderate income, and (2) shall release any restrictions required to
5951 be imposed by this subsection on the parcel transferred by the
5952 commissioner. Prior to any such sale, exchange, lease or agreement, the
5953 commissioner shall notify the chief executive officer or officers of the

5954 municipality or municipalities in which such real property is located.
5955 No such real property may be sold, exchanged or leased by the
5956 commissioner under this subsection without the approval of the
5957 municipality or municipalities in which the real property is located.

5958 (b) The **[**Commissioner of Economic and Community Development**]**
5959 executive director of the Connecticut Housing Finance Authority, with
5960 the approval of the Commissioner of Public Works, the Secretary of the
5961 Office of Policy and Management and the State Properties Review
5962 Board, may: (1) Enter into a contract to purchase, lease or hold any
5963 surplus real property made available by the federal government,
5964 including excess real property acquired by the federal government for
5965 highway construction, if the commissioner determines that such real
5966 property can be utilized for the construction, rehabilitation or
5967 renovation of housing for persons and families of low and moderate
5968 income and (2) sell, exchange, lease or enter into agreements
5969 concerning any real property acquired by the commissioner under
5970 subdivision (1) of this subsection. The commissioner shall require, as a
5971 condition of any sale, exchange, lease or agreement entered into
5972 pursuant to subdivision (2) of this subsection, that such real property
5973 be used only for the construction, rehabilitation or renovation of
5974 housing for persons and families of low and moderate income. Prior to
5975 any such sale, exchange, lease or agreement, the commissioner shall
5976 notify the chief executive officer or officers of the municipality or
5977 municipalities in which such real property is located. No such real
5978 property may be sold, exchanged or leased by the commissioner under
5979 subdivision (2) of this subsection without the approval of the
5980 municipality or municipalities in which the real property is located.

5981 (c) The use of any real property under this section shall be subject to
5982 the planning, zoning, sanitary and building laws, ordinances and
5983 regulations applicable to the locality in which the real property is
5984 located.

5985 (d) As used in this section, "exchange" means the mutual transfer of

5986 interests in real property, simultaneously and each in consideration of
5987 the other.

5988 Sec. 104. Section 8-37aa of the general statutes is repealed and the
5989 following is substituted in lieu thereof (*Effective July 1, 2009*):

5990 As used in sections 8-37bb to 8-37dd, inclusive, "housing agency"
5991 means the **[**Department of Economic and Community Development,**]**
5992 the Connecticut Housing Finance Authority and the Connecticut
5993 Housing Authority, and "income group" means one of the following
5994 household groups, adjusted for family size and based on the
5995 appropriate area median income established by the United States
5996 Department of Housing and Urban Development: (1) Households with
5997 incomes twenty-five per cent or less than the area median income; (2)
5998 households with incomes more than twenty-five per cent but not more
5999 than fifty per cent of the area median income; (3) households with
6000 incomes more than fifty per cent but not more than eighty per cent of
6001 the area median income; (4) households with incomes more than
6002 eighty per cent but not more than one hundred per cent of the area
6003 median income; and (5) households with incomes more than one
6004 hundred per cent of the area median income.

6005 Sec. 105. Section 8-37bb of the general statutes is repealed and the
6006 following is substituted in lieu thereof (*Effective July 1, 2009*):

6007 (a) On or before December 31, 1991, and annually thereafter, each
6008 housing agency **[**, except the Department of Economic and Community
6009 Development,**]** shall submit to the General Assembly a report, for the
6010 year ending the preceding September thirtieth, which analyzes by
6011 income group, households served by its housing construction,
6012 substantial rehabilitation, purchase and rental assistance programs.
6013 Each report submitted after December 31, 1991, shall analyze the
6014 households served under each program by race. The analysis shall
6015 provide information by housing development, if applicable, and by
6016 program. Each analysis shall include data for all households (1)
6017 entering an agency program during the year ending the preceding

6018 September thirtieth, and (2) in occupancy or receiving the benefits of
6019 an agency rental program the preceding September thirtieth. The
6020 report of the Connecticut Housing Finance Authority shall also
6021 identify, by census tract, the number of households served in each
6022 program and the total amount of financial assistance provided to such
6023 households. The provisions of this section shall not be construed to
6024 preclude a housing agency from reporting additional information on
6025 programs it administers. Each report submitted under this section shall
6026 also analyze the efforts, and the results of such efforts, of each agency
6027 in promoting fair housing choice and racial and economic integration.
6028 The provisions of this section shall not be construed to require an
6029 occupant or applicant to disclose his race on an application or survey
6030 form.

6031 (b) Each report submitted under this section shall also document the
6032 efforts of the agency in promoting fair housing choice and racial and
6033 economic integration and shall include data on the racial composition
6034 of the occupants and persons on the waiting list of each housing
6035 project which is assisted under any housing program established by
6036 the general statutes or special act or which is supervised by the agency.
6037 The provisions of this subsection shall not be construed to require
6038 disclosure of such information by any occupant or person on a waiting
6039 list.

6040 (c) On and after October 1, 1996, the report shall be submitted to the
6041 joint standing committee of the General Assembly having cognizance
6042 of matters relating to housing and, upon request, to any member of the
6043 General Assembly. A summary of the report shall be submitted to each
6044 member of the General Assembly if the summary is two pages or less
6045 and a notification of the report shall be submitted to each member if
6046 the summary is more than two pages. Submission shall be by mailing
6047 the report, summary or notification to the legislative address of each
6048 member of the committee or the General Assembly, as applicable.

6049 Sec. 106. Section 8-37ff of the general statutes is repealed and the

6050 following is substituted in lieu thereof (*Effective July 1, 2009*):

6051 Not later than July 1, 2006, the **[**Department of Economic and
6052 Community Development**]** Connecticut Housing Finance Authority
6053 shall develop and maintain a comprehensive inventory of all assisted
6054 housing, as defined in section 8-30g, in the state. The inventory shall
6055 identify all existing assisted rental units by type and funding source,
6056 and include, but not be limited to, information on tenant eligibility,
6057 rents charged, available subsidies, occupancy and vacancy rates,
6058 waiting lists and accessibility features. In order to assist the
6059 **[**department**]** authority in the completion of the inventory, all owners
6060 of such housing units, both public and private, shall report accessible
6061 housing units to the database established and maintained under
6062 section 8-119x.

6063 Sec. 107. Section 8-37jj of the general statutes is repealed and the
6064 following is substituted in lieu thereof (*Effective July 1, 2009*):

6065 (a) The **[**Department of Economic and Community Development**]**
6066 Connecticut Housing Finance Authority may not approve electric
6067 resistance as the primary heat source in new, subsidized housing
6068 except where justified by a life-cycle cost analysis whose methodology
6069 has been approved by the division of the Office of Policy and
6070 Management responsible for energy matters.

6071 (b) If the **[**Department of Economic and Community Development
6072 or the**]** Connecticut Housing Finance Authority uses electric resistance
6073 space heating as the primary heating source in any new construction, it
6074 shall construct the unit in such a way as to be eligible for any available
6075 energy conservation incentives provided by the electric company, as
6076 defined in section 16-1, or the municipal utility furnishing electric
6077 service to such unit.

6078 Sec. 108. Section 8-37kk of the general statutes is repealed and the
6079 following is substituted in lieu thereof (*Effective July 1, 2009*):

6080 The [Department of Economic and Community Development and
6081 the] Connecticut Housing Finance Authority shall give preference to
6082 loans for energy efficient projects in all grant and loan programs.

6083 Sec. 109. Section 8-37pp of the general statutes is repealed and the
6084 following is substituted in lieu thereof (*Effective July 1, 2009*):

6085 (a) For purposes of this section:

6086 (1) "Affordable housing" means affordable housing, as defined in
6087 section 8-39a;

6088 (2) [("Commissioner")] "Executive director of the authority" means the
6089 [Commissioner of Economic and Community Development] executive
6090 director of the Connecticut Housing Finance Authority;

6091 (3) [("Department")] "Authority" means the [Department of Economic
6092 and Community Development] Connecticut Housing Finance
6093 Authority;

6094 (4) "Eligible applicant" means: (A) A nonprofit entity; (B) a
6095 municipality; (C) a housing authority; (D) a business corporation
6096 incorporated pursuant to chapter 601 or any predecessor statutes
6097 thereto or authorized to do business pursuant to said chapter 601
6098 having as one of its purposes the construction, financing, acquisition,
6099 rehabilitation or operation of affordable housing, and having a
6100 certificate or articles of incorporation approved by the [commissioner]
6101 executive director of the authority; (E) any partnership, limited
6102 partnership, limited liability company, joint venture, sole
6103 proprietorship, trust or association having as one of its purposes the
6104 construction, financing, acquisition, rehabilitation or operation of
6105 affordable housing, and having basic documents of organization
6106 approved by the commissioner; or (F) any combination thereof;

6107 (5) "Eligible costs" means costs relating to the planning,
6108 implementation and completion of an eligible project; and

6109 (6) "Eligible project" means a project designed for the purpose of
6110 providing affordable housing, and shall include, but not be limited to,
6111 (A) acquisition, construction, rehabilitation, repair and maintenance of
6112 residential or mixed use structures, (B) acquisition, construction,
6113 rehabilitation, repair and maintenance of related infrastructure,
6114 facilities and amenities incidental and pertinent to the provision of
6115 affordable housing and intended primarily to serve the residents of the
6116 affordable housing project, that may include, but not be limited to, a
6117 community room, laundry, day care space, computer center,
6118 management office or playground, or (C) demolition, renovation or
6119 redevelopment of vacant buildings or related infrastructure.

6120 (b) The state, acting by and in the discretion of the **[**commissioner**]**
6121 executive director of the authority, may enter into a contract for state
6122 financial assistance for any eligible project in the form determined by
6123 the commissioner, including, but not limited to, a grant, loan, loan
6124 guarantee, deferred loan or any combination thereof.

6125 (c) An application for financial assistance shall be in the form and
6126 manner prescribed by the **[**commissioner**]** executive director of the
6127 authority. In determining whether and to what extent to fund an
6128 application received from eligible applicants, the **[**commissioner**]**
6129 executive director of the authority may consider relevant factors
6130 including, but not limited to, the following: (A) The ability of the
6131 project to affirmatively further racial and economic integration,
6132 including expanding multifamily rental housing opportunities in
6133 suburban and rural communities; (B) the ability of the project to meet
6134 the housing needs of the lowest income populations; (C) the ability of
6135 the project to revitalize urban neighborhoods, including expanding
6136 homeownership and increasing multifamily rehabilitation in the
6137 central cities; (D) the ability of the project to provide a full range of
6138 supportive housing options for people with special needs or who are at
6139 risk of becoming homeless; (E) impact of the project on the local
6140 neighborhood, region and the state; (F) short-term and long-term
6141 benefits of the project; (G) impact on affordable housing needs of the

6142 neighborhood, community, municipality and region; (H) project
6143 feasibility; (I) potential for leveraging other public and private
6144 investments; (J) applicant's ability to implement the project in a timely
6145 manner; (K) the relative need for the project; (L) the applicant's
6146 financial commitment to the project, except in the case of a nonprofit
6147 entity or a housing authority created pursuant to section 8-40; and (M)
6148 the extent to which the project will advance the public purposes set
6149 forth in this subdivision.

6150 (d) The [commissioner] executive director of the authority shall
6151 review and approve the site and the estimated total development
6152 budget, including the nature and amount of financial assistance to be
6153 provided from all sources and by the state. The [commissioner]
6154 executive director of the authority may review and approve any
6155 additional factors determined to be necessary or appropriate to protect
6156 the state's interests. Upon determination by the [commissioner]
6157 executive director of the authority that the eligible costs are necessary
6158 and reasonable, and, in the case of financial assistance provided from
6159 the proceeds of the state's bonds upon preliminary approval by the
6160 State Bond Commission pursuant to the provisions of section 3-20 or,
6161 in the case of financial assistance provided from a funding source other
6162 than the state's bonds upon the approval by the Governor of an
6163 allotment for such purpose, the state, acting by and through the
6164 [commissioner] executive director of the authority, may provide the
6165 financial assistance for such eligible costs.

6166 (e) Financial assistance provided shall be upon terms and conditions
6167 not inconsistent with the provisions of this section which the
6168 [commissioner] executive director of the authority shall establish as
6169 prudent and necessary to protect the state's interests. Such terms and
6170 conditions may include, separately or in combination, without
6171 limitation: (1) The requirements of funds from other sources,
6172 including, without limitation, financing obtained from quasi-public
6173 agencies, as defined in section 1-120, federal and local government
6174 agencies and private for-profit and not-for-profit institutions; (2)

6175 participation interests; (3) subsidy recapture provisions; and (4) resale
6176 and prepayment, job retention, residency, use and affordability
6177 restrictions. Such terms and conditions and compliance with such
6178 terms and conditions may be documented and secured as the
6179 [commissioner] executive director of the authority shall determine.

6180 (f) (1) The [commissioner] executive director of the authority may
6181 take all reasonable steps and exercise all available remedies necessary
6182 or desirable to protect the obligations or interests of the state,
6183 including, but not limited to, amending any term or condition of a
6184 contract or agreement, provided such amendment is allowed or agreed
6185 to pursuant to such contract or agreement, or purchasing or
6186 redeeming, pursuant to foreclosure proceedings, bankruptcy
6187 proceedings or in other judicial proceedings, any property on which
6188 [such commissioner] said executive director of the authority or the
6189 [department] authority holds a mortgage or other lien, or in which
6190 [such commissioner] said executive director of the authority or the
6191 [department] authority has an interest.

6192 (2) The [commissioner] executive director of the authority may
6193 request, inspect and audit reports, books and records and any other
6194 financial or project-related information with respect to eligible
6195 applicants that receive financial assistance, including, without
6196 limitation, resident or employment information, financial and
6197 operating statements and audits. The [commissioner] executive
6198 director of the authority may investigate the accuracy and
6199 completeness of such reports, books and records.

6200 (3) Notwithstanding any provision of the general statutes, the
6201 [commissioner is authorized] executive director of the authority may,
6202 for purposes of the program established under this section, [to] assess
6203 and collect application fees of no more than two hundred fifty dollars
6204 to recover all or part of the costs or expenses incurred by the state in
6205 reviewing applications for financial assistance.

6206 (g) The [commissioner] executive director of the authority may

6207 adopt such [regulations] written procedures, in accordance with
6208 [chapter 54] section 1-121, as are necessary for the implementation of
6209 this section.

6210 Sec. 110. Section 8-37qq of the general statutes is repealed and the
6211 following is substituted in lieu thereof (*Effective July 1, 2009*):

6212 (a) For the purposes of this section and sections 8-44a, 8-70, 8-78, 8-
6213 80, 8-114a, 8-117b, 8-119a, 8-119b, 8-119h, 8-119i, 8-119ee, 8-119hh, 8-
6214 119ii, 8-119jj, 8-169w, 8-214g, 8-216b, 8-218b, 8-219b, 8-387, 8-405, 8-410,
6215 8-415, 8-420, 16a-40b and 16a-40j, the following terms shall have the
6216 following meanings:

6217 (1) "Bond-financed state housing program" means any program
6218 administered by the [Commissioner of Economic and Community
6219 Development which] Connecticut Housing Finance Authority that
6220 provides financial assistance for housing acquisition, development,
6221 rehabilitation or support services, and which may be financed in whole
6222 or in part from the proceeds of the state's general obligation bonds,
6223 including: Acquisition of surplus land pursuant to section 8-37y,
6224 affordable housing projects pursuant to section 8-37pp, housing
6225 authority programs for social and supplementary services, project
6226 rehabilitation and improvement and energy conservation pursuant to
6227 section 8-44a, moderate rental housing pursuant to section 8-70,
6228 moderate cost housing pursuant to section 8-82, housing for elderly
6229 persons pursuant to section 8-114a, congregate housing for the elderly
6230 pursuant to section 8-119h, housing for low-income persons pursuant
6231 to section 8-119dd, financial assistance for redevelopment or urban
6232 renewal projects pursuant to section 8-154a, housing and community
6233 development pursuant to sections 8-169*l* and 8-216b, urban
6234 homesteading pursuant to subsection (a) of section 8-169w,
6235 community housing land bank and land trust program pursuant to
6236 section 8-214d, financial assistance for development of limited equity
6237 cooperatives and mutual housing pursuant to section 8-214f,
6238 community housing development corporations pursuant to sections 8-

6239 218 and 8-218a, financial assistance to elderly homeowners for
6240 emergency repairs or rehabilitation pursuant to section 8-219b,
6241 financial assistance for removal of lead-based paint and asbestos
6242 pursuant to section 8-219e, home ownership loans pursuant to
6243 subsection (a) of section 8-286, housing programs for homeless persons
6244 pursuant to sections 8-356 and 8-357, grants to municipalities for
6245 financing low and moderate income rental housing pursuant to section
6246 8-365, housing infrastructure grants and loans pursuant to section 8-
6247 387, private rental investment mortgage and equity program pursuant
6248 to sections 8-401 and 8-403, assistance for housing predevelopment
6249 costs pursuant to sections 8-410 and 8-411, residential subsurface
6250 sewage disposal system repair program pursuant to sections 8-415 and
6251 8-420, energy conservation loans pursuant to section 16a-40b, rent
6252 receivership pursuant to section 47a-56j, and any other such program
6253 now, heretofore or hereafter existing, and any additions or
6254 amendments to such programs.

6255 (2) "Administrative expense" means any administrative or other cost
6256 or expense incurred by the state in carrying out the provisions of any
6257 of the following bond-financed state housing programs, including the
6258 hiring of necessary employees and the entering of necessary contracts:
6259 Housing authority programs for social and supplementary services,
6260 project rehabilitation and improvement, and energy conservation
6261 pursuant to section 8-44a, moderate rental housing pursuant to section
6262 8-70, moderate cost housing pursuant to section 8-82, housing for
6263 elderly persons pursuant to section 8-114a, congregate housing for the
6264 elderly pursuant to section 8-119h, housing for low-income persons
6265 pursuant to section 8-119dd, urban homesteading pursuant to
6266 subsection (a) of section 8-169w, financial assistance for development
6267 of limited equity cooperatives and mutual housing pursuant to section
6268 8-214f, financial assistance to elderly homeowners for emergency
6269 repairs or rehabilitation pursuant to section 8-219b, home ownership
6270 loans pursuant to subsection (a) of section 8-286, housing programs for
6271 homeless persons pursuant to sections 8-356 and 8-357, private rental
6272 investment mortgage and equity program pursuant to sections 8-401

6273 and 8-403, assistance for housing predevelopment costs pursuant to
6274 sections 8-410 and 8-411, residential subsurface sewage disposal
6275 system repair pursuant to section 8-415 and section 8-420, and energy
6276 conservation loans pursuant to section 16a-40b.

6277 (3) "State service fee" means any fee or charge assessed or collected
6278 by the state for the purpose of paying for any administrative expense,
6279 pursuant to subsections (f) and (g) of section 8-44a with respect to
6280 housing authority programs for social and supplementary services,
6281 project rehabilitation and improvement, and energy conservation,
6282 subsection (c) of section 8-70 and section 8-72 with respect to moderate
6283 rental housing, subsection (b) of section 8-114a and subsection (a) of
6284 section 8-115a with respect to housing for elderly persons, section 8-
6285 119h and subsection (a) of section 8-115a with respect to congregate
6286 housing for the elderly, section 8-119jj and section 8-72 with respect to
6287 housing for low-income persons, subsection (c) of section 8-218b with
6288 respect to community housing development corporations, subsection
6289 (b) of section 8-219b with respect to financial assistance to elderly
6290 homeowners for emergency repairs and rehabilitation, and subsection
6291 (a) of section 8-405 with respect to the private rental mortgage and
6292 equity program.

6293 (b) Notwithstanding any provision of the general statutes or any
6294 public or special act to the contrary, any administrative expense may
6295 be paid from the proceeds from the sale of the state's general
6296 obligation bonds for the bond-financed state housing program for
6297 which the administrative expense is incurred, to the extent approved
6298 by the State Bond Commission and allotted by the Governor for such
6299 purpose.

6300 (c) Notwithstanding any provision of the general statutes or any
6301 public or special act to the contrary, no service fee shall be assessed or
6302 collected out of financial assistance financed with the proceeds of the
6303 state's general obligation bonds initially authorized, allocated or
6304 approved by the State Bond Commission on or after July 1, 1990.

6305 (d) (1) There is established a fund to be known as the "Housing
6306 Assistance Bond Fund". The fund shall contain any moneys required
6307 by law to be deposited in the fund.

6308 (2) (A) The proceeds from the sale of bonds and any bond
6309 anticipation notes issued for any bond-financed state housing program
6310 shall be deposited in the Housing Assistance Bond Fund, except for: (i)
6311 The proceeds of bonds and bond anticipation notes initially
6312 authorized, allocated or approved by the State Bond Commission for
6313 the purpose of any bond-financed state housing program prior to July
6314 1, 1990, and any reuse thereof approved by the commission; and (ii)
6315 any refunding bonds and bonds issued to refund bond anticipation
6316 notes.

6317 (B) Notwithstanding any provision of the general statutes or any
6318 public or special act to the contrary, on or after July 1, 1990, the State
6319 Bond Commission shall not authorize, allocate or approve the issuance
6320 of bonds not previously authorized, allocated or approved by the
6321 commission for the purpose of any bond-financed state housing
6322 program pursuant to any general statute or public or special act
6323 enacted prior to 1990, except pursuant to sections 4-66c and 47a-56k or
6324 special act 87-77 or 89-52 as either may be amended from time to time.
6325 Nothing in this section shall impair the power of the commission to
6326 authorize the reuse of the proceeds of bonds authorized, allocated or
6327 approved by the commission prior to July 1, 1990.

6328 (C) The proceeds of bonds and bond anticipation notes deposited in
6329 the Housing Assistance Bond Fund shall be applied to pay the costs of
6330 financial assistance and administrative expense for bond-financed state
6331 housing programs as authorized by the State Bond Commission in
6332 accordance with section 3-20 and the act or acts pursuant to which
6333 such bonds and bond anticipation notes were issued.

6334 (e) (1) There is established a fund to be known as the "Housing
6335 Repayment and Revolving Loan Fund". The fund shall contain any
6336 moneys required by law to be deposited in the fund and shall be held

6337 separate and apart from all other money, funds and accounts.
6338 Investment earnings credited to the fund shall become part of the
6339 assets of the fund. Any required rebates to the federal government of
6340 such investment earnings shall be paid from the fund. Any balance
6341 remaining in said fund at the end of any fiscal year shall be carried
6342 forward in the fund for the next fiscal year.

6343 (2) (A) Notwithstanding any provision of the general statutes or any
6344 public or special act to the contrary, except sections 8-76 and 8-80, the
6345 following shall be paid to the State Treasurer for deposit in the
6346 Housing Repayment and Revolving Loan Fund: (i) All payments to the
6347 state of principal or interest on loans that the ultimate recipient is
6348 obligated to repay to the state, with or without interest, made pursuant
6349 to section 8-114a with respect to loans for housing for elderly persons,
6350 section 8-119h with respect to loans for congregate housing for the
6351 elderly, subsection (a) of section 8-169w with respect to urban
6352 homesteading loans, sections 8-218 and 8-218a with respect to
6353 community housing development corporation loans, section 8-337
6354 with respect to security deposit revolving loans, section 8-410 with
6355 respect to housing predevelopment cost loans, section 8-415 and
6356 section 8-420 with respect to subsurface sewage disposal system repair
6357 loans, and section 8-37pp with respect to loans for affordable housing;
6358 (ii) all payments of principal with respect to energy conservation loans
6359 pursuant to section 16a-40b; (iii) all payments made to the state
6360 constituting the liquidation of an equity interest pursuant to section 8-
6361 404 with respect to the private rental investment mortgage and equity
6362 program; (iv) all payments made to the state constituting the
6363 liquidation of any other security interest or lien taken or granted
6364 pursuant to a bond-financed state housing program or assistance or
6365 related agreement, except liquidations constituting principal or interest
6366 on loans not mentioned in subparagraph (A)(i) or (A)(ii) of this
6367 subdivision and the liquidation of security interests or liens with
6368 respect to rent receivership pursuant to subsection (c) of section 47a-
6369 56i; (v) all other return or recapture of state financial assistance made
6370 pursuant to the provisions of any bond-financed state housing

6371 program or assistance or related agreement, except principal or interest
6372 on loans not mentioned in subparagraph (A)(i) or (A)(ii) of this
6373 subdivision and payments received with respect to rent receivership
6374 pursuant to subsection (c) of section 47a-56i; (vi) all payments of state
6375 service fees and administrative oversight charges rendered in
6376 accordance with the provisions of any bond-financed state housing
6377 program other than state service fees financed from the proceeds of the
6378 state's general obligation bonds; and (vii) all other compensation or
6379 reimbursement paid to the **[**Department of Economic and Community
6380 Development**]** Connecticut Housing Finance Authority with respect to
6381 bond-financed state housing programs other than from the federal
6382 government.

6383 (B) Notwithstanding any provision of the general statutes or any
6384 public or special act to the contrary, except as provided in this
6385 subsection, loans for any bond-financed state housing program which
6386 the ultimate recipient is obligated to repay to the state, with or without
6387 interest, may be paid out of moneys deposited in the Housing
6388 Repayment and Revolving Loan Fund without the prior approval of
6389 the State Bond Commission, subject to the approval of the Governor of
6390 an allotment. All payments on energy conservation loans pursuant to
6391 said section 16a-40b shall be accounted for separately from other
6392 moneys in the Housing Repayment and Revolving Loan Fund, and
6393 shall be used to make further loans pursuant to said section 16a-40b
6394 and to pay any administrative expense attributable to such loans.

6395 (C) Notwithstanding any provision of the general statutes or any
6396 public or special act, payment of any administrative expense may be
6397 made out of the Housing Repayment and Revolving Loan Fund
6398 subject to the approval of the Governor of an allotment for such
6399 purpose.

6400 Sec. 111. Section 8-37tt of the general statutes is repealed and the
6401 following is substituted in lieu thereof (*Effective July 1, 2009*):

6402 (a) As used in this section, "administrative oversight charge" means

6403 any fee payable to the **[**Department of Economic and Community
6404 Development**]** Connecticut Housing Finance Authority from sources
6405 other than (1) the proceeds from the sale of the state's general
6406 obligation bonds, or (2) the housing repayment and revolving loan
6407 program established pursuant to subsection (e) of section 8-37qq, that
6408 is imposed to pay all or a portion of the costs and expenses of the
6409 **[**Department of Economic and Community Development**]** Connecticut
6410 Housing Finance Authority in monitoring facilities developed with
6411 financial assistance pursuant to any bond-financed state housing
6412 program as defined in subsection (a) of section 8-37qq, and ensuring
6413 compliance with requirements and restrictions applicable to such
6414 facilities.

6415 (b) Notwithstanding the provisions of this section or any regulations
6416 adopted thereunder, the amount of the administrative oversight
6417 charge per unit shall be as follows: (1) For the period from July 1, 1997,
6418 to June 30, 1998, not more than twelve dollars, and (2) on and after July
6419 1, 1998, not more than five dollars.

6420 Sec. 112. Section 8-37uu of the general statutes is repealed and the
6421 following is substituted in lieu thereof (*Effective July 1, 2009*):

6422 Notwithstanding any provision of the general statutes, the
6423 **[**Department of Economic and Community Development, in
6424 consultation with the**]** Connecticut Housing Finance Authority, in
6425 consultation with the Department of Community Development, the
6426 Office of Policy and Management and the State Treasurer, shall
6427 arrange for the transfer of the housing loan portfolio of said
6428 department or any portion thereof, to said authority.

6429 Sec. 113. Section 8-37xx of the general statutes is repealed and the
6430 following is substituted in lieu thereof (*Effective July 1, 2009*):

6431 As used in sections 8-37yy to 8-37aaa, inclusive:

6432 (1) "Eligible housing" means the housing that is in the housing loan

6433 portfolio that was transferred from the Department of **[**Economic and**]**
6434 Community Development to the Connecticut Housing Finance
6435 Authority pursuant to section 8-37uu;

6436 (2) "Financial assistance" means grants, loans, deferred loans, no
6437 interest and low interest loans, loan guarantees, interest subsidies and
6438 similar financings; and

6439 (3) "Fund" means the State-Assisted Housing Sustainability Fund
6440 established pursuant to section 8-37yy.

6441 Sec. 114. Section 8-37yy of the general statutes is repealed and the
6442 following is substituted in lieu thereof (*Effective July 1, 2009*):

6443 (a) The **[**Department of Economic and Community Development**]**
6444 Connecticut Housing Finance Authority shall, in consultation with the
6445 State-Assisted Housing Sustainability Advisory Committee,
6446 established pursuant to section 8-37zz, establish and maintain the
6447 State-Assisted Housing Sustainability Fund for the purpose of the
6448 preservation of eligible housing. The moneys of the fund shall be
6449 available to the **[**department**]** authority to provide financial assistance
6450 to the owners of eligible housing for the maintenance, repair,
6451 rehabilitation, and modernization of eligible housing and for other
6452 activities consistent with preservation of eligible housing, including,
6453 but not limited to, (1) emergency repairs to abate actual or imminent
6454 emergency conditions that would result in the loss of habitable
6455 housing units, (2) major system repairs or upgrades, including, but not
6456 limited to, repairs or upgrades to roofs, windows, mechanical systems
6457 and security, (3) reduction of vacant units, (4) remediation or
6458 abatement of hazardous materials, including lead, (5) increases in
6459 development mobility and sensory impaired accessibility in units,
6460 common areas and accessible routes, (6) relocation costs and
6461 alternative housing for not more than sixty days, necessary because of
6462 the failure of a major building system, and (7) a comprehensive
6463 physical needs assessment. Financial assistance shall be awarded to
6464 applicants consistent with standards and criteria adopted in

6465 consultation with the recommendations of the State-Assisted Housing
6466 Sustainability Advisory Committee.

6467 (b) [In each of the fiscal years ending June 30, 2008, and June 30,
6468 2009, the department may expend not more than seven hundred fifty
6469 thousand dollars from the fund for reasonable administrative costs
6470 related to the operation of the fund, including the expenses of the
6471 State-Assisted Housing Sustainability Advisory Committee, the
6472 development of analytic tools and research concerning the capital and
6473 operating needs of eligible housing for the purpose of advising the
6474 General Assembly on policy regarding eligible housing and the study
6475 required by section 107 of public act 07-4 of the June special session*.]
6476 Thereafter, the [department] authority for the fiscal year ending June
6477 30, 2010, shall prepare an administrative budget which shall be
6478 effective upon the approval of said committee.

6479 (c) [(1)] The [department] authority shall adopt [regulations, in
6480 accordance with chapter 54] written procedures, in accordance with
6481 section 1-121, to implement the provisions of this section and sections
6482 8-37xx, 8-37zz and 8-37aaa. Such [regulations] written procedures shall
6483 establish (A) guidelines for grants and loans, and (B) a process for
6484 certifying an emergency condition in not more than forty-eight hours
6485 and for committing emergency funds, including costs of resident
6486 relocation, if necessary, not more than five business days after
6487 application by the owner of eligible housing for emergency repair
6488 financial assistance. The guidelines under subparagraph (A) of this
6489 subdivision shall provide for deferred payment of principal and
6490 interest upon approval of the committee.

6491 [(2) The department shall adopt written policies and procedures to
6492 implement such provisions while in the process of adopting such
6493 policies and procedures in regulation form, and the commissioner shall
6494 print a notice of intention to adopt the regulations in the Connecticut
6495 Law Journal not later than twenty days prior to implementing such
6496 policies and procedures. The department shall submit final regulations

6497 to implement said sections to the legislative regulation review
6498 committee not later than October 1, 2009. Policies and procedures
6499 implemented pursuant to this subdivision shall be valid until the time
6500 final regulations are effective.]

6501 (d) In reviewing applications and providing financial assistance
6502 under this section, the [department] authority, in consultation with the
6503 State-Assisted Housing Sustainability Advisory Committee, shall
6504 consider the long term viability of the eligible housing and the
6505 likelihood that financial assistance will assure such long term viability.
6506 As used in this section, "viability" includes, but is not limited to,
6507 continuous habitability and adequate operating cash flow to maintain
6508 the existing physical plant and any capital improvements and to
6509 provide basic services required under the lease and otherwise required
6510 by local codes and ordinances.

6511 (e) On or before February 1, 2009, and annually thereafter, the
6512 [department] authority, in consultation with the State-Assisted
6513 Housing Sustainability Advisory Committee, shall submit a report on
6514 the operation of the fund, for the previous calendar year, to the
6515 General Assembly, in accordance with section 11-4a. The report shall
6516 include an analysis of the distribution of funds and an evaluation of
6517 the performance of said fund and may include recommendations for
6518 modification to the program.

6519 Sec. 115. Section 8-37aaa of the general statutes is repealed and the
6520 following is substituted in lieu thereof (*Effective July 1, 2009*):

6521 (a) The [Department of Economic and Community Development]
6522 Connecticut Housing Finance Authority shall design and administer a
6523 program of grants to owners of eligible housing to pay the cost of a
6524 comprehensive physical needs assessment for each eligible housing
6525 development. The final design of this program shall be subject to
6526 review by the State-Assisted Housing Sustainability Advisory
6527 Committee established pursuant to section 8-37zz. Such assessment
6528 may be a twenty-year life cycle analysis covering all physical elements,

6529 adjusted for observed conditions, and shall include, at a minimum, an
6530 evaluation of (1) dwelling units; building interiors and building
6531 envelopes; community buildings and amenities; site circulation and
6532 parking; site amenities such as lots; mechanical systems, including an
6533 analysis of technological options to reduce energy consumption and
6534 pay-back periods on new systems that produce heat and domestic hot
6535 water; and site conditions, (2) compliance with physical accessibility
6536 guidelines under Title II of the federal Americans with Disabilities Act,
6537 and (3) hazardous materials abatement, including lead paint
6538 abatement. The costs of such needs assessments shall be paid from the
6539 fund.

6540 (b) A copy of each completed comprehensive physical needs
6541 assessment shall be submitted to the **[**Department of Economic and
6542 Community Development**]** Connecticut Housing Finance Authority in
6543 a format prescribed by the **[**department**]** authority. The format shall be
6544 designed by the **[**department**]** authority so that a baseline of existing
6545 and standardized conditions of eligible housing can be prepared and
6546 annually updated to reflect changes in the consumer price index and
6547 annual construction costs.

6548 Sec. 116. Section 8-37*lll* of the general statutes is repealed and the
6549 following is substituted in lieu thereof (*Effective July 1, 2009*):

6550 (a) The **[**Commissioner of Economic and Community Development**]**
6551 executive director of the Connecticut Housing Finance Authority shall
6552 review applications for affordable housing tax credits submitted
6553 pursuant to subsection (e) of section 10-416b. Upon determination that
6554 an application contains affordable housing as required by said section
6555 the **[**commissioner**]** executive director of the authority shall issue a
6556 certificate to that effect. The **[**commissioner**]** executive director of the
6557 authority shall monitor projects certified under this section to ensure
6558 that the affordable housing units are maintained as affordable for a
6559 minimum of ten years and may require deed restrictions or other fiscal
6560 mechanisms designed to ensure compliance with project requirements.

6561 The [commissioner] executive director of the authority may impose a
6562 fee in an amount not exceeding two thousand dollars to cover the cost
6563 of reviewing applications and monitoring projects that qualify for
6564 affordable housing tax credits pursuant to subsections (a) to (i),
6565 inclusive, of section 10-416b.

6566 (b) The [Commissioner of Economic and Community Development,
6567 in consultation with the Commission on Culture and Tourism,]
6568 executive director of the Connecticut Housing Finance Authority may
6569 adopt [regulations, pursuant to chapter 54] written procedures, in
6570 accordance with section 1-121, for monitoring of projects that qualify
6571 for affordable housing tax credits pursuant to subsections (a) to (i),
6572 inclusive, of section 10-416b by the [Department of Economic and
6573 Community Development] Connecticut Housing Finance Authority, or
6574 by local housing authorities, municipalities, other public agencies or
6575 quasi-public agencies, as defined in section 1-120, designated by the
6576 [department] authority. Such [regulations] written procedures shall
6577 include provisions for ensuring that affordable units developed under
6578 subdivision (3) of subsection (e) of section 10-416b are maintained as
6579 affordable for a minimum of ten years and may require deed
6580 restrictions or other fiscal mechanisms designed to ensure compliance
6581 with project requirements.

6582 Sec. 117. Section 8-68j of the general statutes is repealed and the
6583 following is substituted in lieu thereof (*Effective July 1, 2009*):

6584 (a) As used in this section:

6585 (1) ["Commissioner"] "Executive director of the authority" means the
6586 [Commissioner of Economic and Community Development] executive
6587 director of the Connecticut Housing Finance Authority;

6588 (2) "Connecticut Housing Finance Authority" means the authority
6589 created and operating pursuant to the provisions of chapter 134;

6590 (3) "Financially distressed development" means a housing

6591 development owned by a housing authority and subject to an asset
6592 that was transferred from the Department of Economic and
6593 Community Development to the Connecticut Housing Finance
6594 Authority pursuant to section 8-37u or subdivision (3) of section 32-11;
6595 and

6596 (4) "Housing authority" means a local housing authority owning a
6597 financially distressed development.

6598 (b) Notwithstanding any provision of the general statutes, a housing
6599 authority may, with the approval of the [Commissioner of Economic
6600 and Community Development] executive director of the Connecticut
6601 Housing Finance Authority, quit claim or otherwise transfer its interest
6602 in a financially distressed development to the Connecticut Housing
6603 Finance Authority. The [commissioner] executive director of the
6604 authority may grant such approval upon an express finding that: (1)
6605 The housing authority is financially unable to maintain the
6606 development; (2) there is no reasonable prospect that the housing
6607 authority will be able to maintain the property in the future; (3) the
6608 housing authority has requested to transfer the development; and (4)
6609 the Connecticut Housing Finance Authority is prepared to accept the
6610 transfer.

6611 Sec. 118. Section 8-78 of the general statutes is repealed and the
6612 following is substituted in lieu thereof (*Effective July 1, 2009*):

6613 The aggregate amount of all bonds and notes issued by the state
6614 pursuant to subsection (a) of section 8-80 to meet its obligations under
6615 assistance agreements for moderate rental housing projects entered
6616 into by it shall not exceed the sum of (1) one hundred sixty-nine
6617 million one hundred thirty-two thousand four hundred thirty-five
6618 dollars, exclusive of any notes or bonds, the avails of which shall be
6619 used for the purpose of refunding outstanding notes or bonds issued
6620 for said purposes, and (2) twenty-eight million dollars, provided the
6621 proceeds of such bonds and notes issued pursuant to the authorization
6622 in subdivision (2) of this section shall be made available for use only

6623 with respect to moderate rental housing projects. In considering
6624 housing projects for use of the bond proceeds, the **[**Department of
6625 Economic and Community Development**]** Connecticut Housing
6626 Finance Authority shall attempt to capture all federal Section 8
6627 subsidies, for family, elderly, and congregate housing units available
6628 to the **[**Department of Economic and Community Development**]**
6629 Connecticut Housing Finance Authority, Connecticut Housing Finance
6630 Authority or from other sources; encourage the construction or
6631 rehabilitation of multifamily rental projects which meet the Mortgage
6632 and Revenue Bond Tax Act of 1980 criteria for moderate income; and
6633 utilize any other federal subsidy programs for low and moderate
6634 income housing which may become available now or in the future,
6635 provided the state bonds can be adequately secured and the intent of
6636 this section can be assured. The **[**Department of Economic and
6637 Community Development**]** Connecticut Housing Finance Authority
6638 may also enter into joint loan participations with other financing
6639 sources in order to maximize the number of housing units produced
6640 for the amount allocated.

6641 Sec. 119. Section 8-119*ll* of the general statutes is repealed and the
6642 following is substituted in lieu thereof (*Effective July 1, 2009*):

6643 Annually, the **[**Department of Economic and Community
6644 Development in consultation with the**]** Connecticut Housing Finance
6645 Authority shall conduct a comprehensive assessment of current and
6646 future needs for rental assistance under section 8-119kk for housing
6647 projects for the state's elderly and disabled. Not later than April 1,
6648 2006, the results of the first such analysis shall be presented to the
6649 select committee of the General Assembly having cognizance of
6650 matters relating to housing, in accordance with section 11-4a. Any
6651 analyses submitted after April 1, 2006, shall be incorporated into the
6652 report required pursuant to section 32-1m.

6653 Sec. 120. Section 8-163 of the general statutes is repealed and the
6654 following is substituted in lieu thereof (*Effective July 1, 2009*):

6655 As used in this part:

6656 (a) "Redevelopment area" means those areas of this state designated
6657 as redevelopment areas by the Secretary of Commerce acting pursuant
6658 to Public Law 136 of the 89th Congress of the United States;

6659 (b) "Municipality" means any town, city or borough of this state;

6660 (c) The "Public Works and Economic Development Act" means
6661 Public Law 136 of the 89th Congress of the United States, as amended;

6662 (d) "Small Business Investment Act" means Public Law 699 of the
6663 85th Congress of the United States, as amended;

6664 (e) "Overall economic development program" means the overall
6665 program for the economic development of an area designated as a
6666 "redevelopment area" in accordance with the provisions of the Public
6667 Works and Economic Development Act and all administrative
6668 regulations and determinations promulgated thereto;

6669 (f) "Regional planning agency" means the regional planning agency
6670 created under chapter 127;

6671 (g) "Municipal economic development commissions" and "regional
6672 economic development commissions" means those commissions
6673 established under sections 7-136 and 7-137;

6674 (h) "Small business" means a concern which is independently
6675 owned and operated and which is not dominant in its field of
6676 operations, as provided in the Small Business Investment Act;

6677 (i) "State and local development companies" means those
6678 enterprises operated under state or local law with the authority to
6679 promote and assist the growth and development of business concerns
6680 in the areas covered by their operations, as defined in Sections 501 and
6681 502 of the Small Business Investment Act;

6682 (j) "Industrial or business project" means any and all projects which

6683 qualify for assistance under the provisions of either the Public Works
6684 and Economic Development Act or the Small Business Investment Act,
6685 or both;

6686 (k) "Nonfederal share" means that portion of the excess of the net
6687 cost of the project, as determined by the Department of **[**Economic
6688 and**]** Community Development, over either the federal loan or grant-
6689 in-aid thereof, or the federal guaranteed loan as provided for in either
6690 the Public Works and Economic Development Act or the Small
6691 Business Investment Act, or both; and

6692 (l) "Small business development center" means that local agency or
6693 organization as defined or designated by the Small Business
6694 Administration or other appropriate federal agency or, in the absence
6695 of such federal designation, that agency or organization designated by
6696 the legislative body of the municipality and approved by the
6697 Department of **[**Economic and**]** Community Development, which has
6698 as its function in whole or in part the developing of local
6699 entrepreneurship through rendering of consultive, technical,
6700 educational and financial assistance and will serve to seek qualified
6701 applicants for loans and other assistance from federal, state, local,
6702 public and private agencies in furtherance of the objective of
6703 establishing and stimulating the growth of small business enterprises
6704 particularly as related to the low-income groups within the
6705 community. Such center may be a municipal or regional economic
6706 development commission, a municipal bureau or agency, a local or
6707 regional development corporation or an appropriate private agency.

6708 Sec. 121. Section 8-166 of the general statutes is repealed and the
6709 following is substituted in lieu thereof (*Effective July 1, 2009*):

6710 (a) An application under the provisions of either the Public Works
6711 and Economic Development Act or the Small Business Investment Act
6712 may be made on behalf of the state by a department, board,
6713 commission or agency, after prior written approval of such application
6714 has been given by the Department of **[**Economic and**]** Community

6715 Development. Written request for such approval shall be made to the
6716 Department of [Economic and] Community Development and the
6717 department shall, within thirty days of receipt of such request, either
6718 approve or disapprove of either the entire application or a part thereof.

6719 (b) An application under the provisions of either of the federal acts
6720 may be made on behalf of any municipality by its chief executive
6721 officer after prior written approval of such application has been given
6722 by the legislative body of such municipality. Written request for such
6723 approval shall be made by such chief executive officer and such
6724 legislative body shall, within thirty days after receipt of such request,
6725 either approve or disapprove of either the entire application or a part
6726 thereof. If such legislative body does not disapprove of all or any part
6727 of such application within thirty days from the receipt of such written
6728 request, it shall be deemed to have approved the application.

6729 (c) Individual persons or small businesses or regional planning
6730 agencies or municipal economic development commissions or state or
6731 local development companies in this state may participate in any part
6732 of the program offered by the federal government under said acts. Any
6733 corporation may make application and participate in any programs
6734 established under said acts in the manner and to the extent authorized
6735 by vote of its board of directors.

6736 Sec. 122. Section 8-167 of the general statutes is repealed and the
6737 following is substituted in lieu thereof (*Effective July 1, 2009*):

6738 (a) The Department of [Economic and] Community Development is
6739 authorized on behalf of the state to make any determination or
6740 certification required by the provisions of either of said acts or
6741 regulations promulgated under the provisions thereof.

6742 (b) The Department of [Economic and] Community Development is
6743 authorized, on behalf of the state, to reimburse small business
6744 development centers in amounts up to one-half the nonfederal share of
6745 the cost of providing applicants for Small Business Administration and

6746 business loan programs of other federal agencies, particularly
6747 economic opportunity loans and Section 502 loans, with necessary
6748 technical, advisory, management or other counseling assistance up to a
6749 maximum amount of ten thousand dollars per annum. If no federal
6750 support is available, the Department of **[**Economic and**]** Community
6751 Development is authorized on behalf of the state to reimburse each of
6752 such small business development centers for up to one-half of the cost
6753 of providing the above-described services, in amounts not exceeding
6754 ten thousand dollars per annum. Any small business development
6755 center receiving such state assistance shall apply to the Department of
6756 **[**Economic and**]** Community Development for such reimbursement
6757 with all appropriate documentation needed to support such
6758 application.

6759 Sec. 123. Section 8-169w of the general statutes is repealed and the
6760 following is substituted in lieu thereof (*Effective July 1, 2009*):

6761 (a) A fund to be known as the "Urban Homesteading Fund" is
6762 hereby created. Said fund shall be used (1) on a revolving basis to aid
6763 any urban homesteading agency in accordance with section 8-169q, in
6764 providing financial assistance to urban homesteaders in the form of
6765 loans or deferred loans for the purchase and rehabilitation of, or
6766 construction on, urban homestead program property, and (2) to aid
6767 any urban homesteading agency in accordance with section 8-169q, in
6768 providing financial assistance to the community housing development
6769 corporation chartered under section 8-218f in the form of grants for the
6770 purchase and rehabilitation of, or construction on, urban homestead
6771 program property. The **[**Commissioner of Economic and Community
6772 Development**]** executive director of the Connecticut Housing Finance
6773 Authority may authorize loans or deferred loans under subdivision (1)
6774 of this subsection from said fund as requested and approved by the
6775 urban homesteading agency in such municipality, subject to the
6776 applicable provisions of section 8-169u. In the case of a deferred loan,
6777 the contract shall require that payments on interest are due
6778 immediately but that payments on principal may be made at a later

6779 time. Such fund shall also be used on a revolving basis to aid any
6780 nonprofit corporation incorporated pursuant to chapter 602 or any
6781 predecessor statutes thereto, having as one of its purposes the
6782 construction, rehabilitation, ownership or operation of housing and
6783 having articles of incorporation approved by the [Commissioner of
6784 Economic and Community Development] executive director of the
6785 Connecticut Housing Finance Authority, which is an urban
6786 homesteader as defined in section 8-169p. A nonprofit corporation
6787 shall notify the chief elected official of the municipality in which it is
6788 located at the time a loan or deferred loan application is submitted to
6789 the [Department of Economic and Community Development]
6790 Connecticut Housing Finance Authority in accordance with this
6791 section. The [commissioner] executive director of the authority may
6792 charge the fund for any necessary costs of administering such loan or
6793 deferred loan programs.

6794 (b) The [Commissioner of Economic and Community Development]
6795 executive director of the Connecticut Housing Finance Authority shall
6796 charge and collect interest on each loan or deferred loan extended
6797 under this section at a rate to be determined in accordance with
6798 subsection (t) of section 3-20. Payments of principal and interest on
6799 such loans or deferred loans shall be paid to the Treasurer for deposit
6800 to the credit of the Housing Repayment and Revolving Loan Fund.

6801 (c) The [Commissioner of Economic and Community Development]
6802 executive director of the Connecticut Housing Finance Authority shall
6803 adopt [regulations in accordance with chapter 54] written procedures,
6804 in accordance with section 1-121, to carry out the provisions of sections
6805 8-169o to 8-169v, inclusive, and this section. Such [regulations] written
6806 procedures shall (1) establish loan procedures, repayment terms,
6807 security requirements, default and remedy provisions and such other
6808 terms and conditions for said loans as said [commissioner] executive
6809 director of the authority shall deem appropriate, and (2) establish
6810 procedures for the making of grants under section 8-169u and
6811 subdivision (2) of subsection (a) of this section.

6812 (d) For the purposes of subsections (a) to (c), inclusive, of this
6813 section, the State Bond Commission shall have power, in accordance
6814 with the provisions of this section, from time to time to authorize the
6815 issuance of bonds of the state in one or more series and in principal
6816 amounts not exceeding in the aggregate one million five hundred
6817 thousand dollars, the proceeds of the sale of which shall be used by the
6818 **[**Department of Economic and Community Development**]** Connecticut
6819 Housing Finance Authority for the provision of financial assistance
6820 under section 8-169u and this section.

6821 (e) All provisions of section 3-20 or the exercise of any right or
6822 power granted thereby which are not inconsistent with the provisions
6823 of this section are hereby adopted and shall apply to all bonds
6824 authorized by the State Bond Commission pursuant to this section and
6825 temporary notes in anticipation of the money to be derived from the
6826 sale of any such bonds so authorized may be issued in accordance with
6827 said section 3-20 and from time to time renewed. Such bonds shall
6828 mature at such time or times not exceeding twenty years from their
6829 respective dates as may be provided in or pursuant to the resolution or
6830 resolutions of the State Bond Commission authorizing such bonds.
6831 Such bonds issued pursuant to this section shall be general obligations
6832 of the state and the full faith and credit of the state of Connecticut are
6833 pledged for the payment of the principal of and interest on such bonds
6834 as the same become due, and accordingly and as part of the contract of
6835 the state with the holders of such bonds, appropriation of all amounts
6836 necessary for punctual payment of such principal and interest is
6837 hereby made and the Treasurer shall pay such principal and interest as
6838 the same become due.

6839 Sec. 124. Section 8-206 of the general statutes is repealed and the
6840 following is substituted in lieu thereof (*Effective July 1, 2009*):

6841 (a) The **[**Commissioner of Economic and Community Development**]**
6842 executive director of the Connecticut Housing Finance Authority shall
6843 (1) administer and direct the operations of the **[**Department of

6844 Economic and Community Development] Connecticut Housing
6845 Finance Authority; (2) advise and inform municipal officials, local
6846 housing authorities, [the Connecticut Housing Authority,] public
6847 development agencies and other agencies and groups about housing,
6848 redevelopment, urban renewal and community development and shall
6849 collect and disseminate information pertaining thereto, including
6850 information about federal, state and private assistance programs and
6851 services pertaining thereto; (3) inquire into the utilization of state
6852 government resources, coordinate federal and state activities for
6853 assistance in and solution of problems of housing, redevelopment,
6854 urban renewal and community development and shall inform and
6855 advise the Governor about and propose legislation concerning such
6856 problems; (4) conduct, encourage and maintain research and studies
6857 relating to housing, redevelopment, urban renewal and community
6858 development problems; (5) prepare and review model ordinances and
6859 charters relating to these areas; (6) maintain an inventory of data and
6860 information and act as a clearing house and referral agency for
6861 information on state and federal programs and services relative to
6862 housing and community development; (7) conduct, encourage and
6863 maintain research and studies and advise municipal officials
6864 concerning forms of intergovernmental cooperation and cooperation
6865 between public and private agencies designed to advance programs of
6866 housing, redevelopment, urban renewal and community development;
6867 (8) promote and assist the formation of local housing authorities and
6868 other agencies or organizations appropriate to the purposes of this
6869 chapter; and (9) inform the public regarding the rights and obligations
6870 of landlords and tenants as provided in chapters 830, 831 and 832 and
6871 respond to any inquiries from the public on such matters.

6872 (b) The [commissioner] executive director of the authority may
6873 determine the qualifications of personnel or consultants to be engaged
6874 in connection with the provision of any state assistance or
6875 administration provided by the [Department of Economic and
6876 Community Development] Connecticut Housing Finance Authority.

6877 (c) The [Commissioner of Economic and Community Development]
6878 executive director of the Connecticut Housing Finance Authority may
6879 make available technical and financial assistance and advisory services
6880 to any municipality, municipal agency, local housing authority, human
6881 resource development agency, regional planning agency, regional
6882 council of elected officials, regional council of governments, housing
6883 sponsor, prospective housing sponsor or other appropriate agency, or
6884 the Connecticut Housing Authority, for any activity pertinent to the
6885 development, preservation, repair or rehabilitation of housing or for
6886 urban renewal, redevelopment or community development activities
6887 as defined in chapter 130, provided any financial assistance to a
6888 regional planning agency, regional council of governments or a
6889 regional council of elected officials shall have the prior approval of the
6890 Secretary of the Office of Policy and Management, or his designee.
6891 Financial, technical or advisory assistance shall be rendered upon such
6892 contractual arrangements as may be agreed upon by the
6893 [commissioner] executive director of the authority and any such
6894 municipality, agency, authority, council or sponsor in accordance with
6895 their respective needs.

6896 (d) The [Commissioner of Economic and Community Development
6897 is authorized to] executive director of the Connecticut Housing
6898 Finance Authority may do all things necessary to apply for, qualify for
6899 and accept any federal funds made available or allotted under any
6900 federal act for any activities which may be pertinent to the purposes of
6901 this chapter and chapters 128, 129, 130, 135 and 136 and said
6902 [commissioner] executive director of the authority shall administer any
6903 such funds allotted to the [department] authority in accordance with
6904 federal law. The [commissioner] executive director of the authority
6905 may enter into contracts with the federal government concerning the
6906 use and repayment of such funds under any such federal act, the
6907 prosecution of the work under any such contract and the establishment
6908 of and disbursement from a separate account in which federal and
6909 state funds estimated to be required for plan preparation or other
6910 eligible activities under such federal act shall be kept. Said account

6911 shall not be a part of the General Fund of the state or any subdivision
6912 of the state. Unless otherwise required by federal law or regulation,
6913 any federal housing assistance funding made available at the state
6914 level shall be allocated in accordance with the housing plan prepared
6915 pursuant to the provisions of section 8-37t. Such allocation shall, to the
6916 maximum extent possible, reflect the types and distribution of housing
6917 needs in all parts of the state and the resources required by the
6918 **[**department, the**]** Connecticut Housing Finance Authority or other
6919 appropriate agencies to meet those needs.

6920 (e) The powers and duties enumerated in this section shall be in
6921 addition to and shall not limit any other powers or duties of the
6922 **[**Commissioner of Economic and Community Development**]** executive
6923 director of the Connecticut Housing Finance Authority contained in
6924 any other law.

6925 Sec. 125. Section 8-206d of the general statutes is repealed and the
6926 following is substituted in lieu thereof (*Effective July 1, 2009*):

6927 The **[**Commissioner of Economic and Community Development**]**
6928 executive director of the Connecticut Housing Finance Authority shall
6929 administer an emergency fuel assistance program to provide: (1)
6930 Emergency fuel assistance on behalf of private, nonprofit group homes
6931 and halfway houses receiving state aid and licensed by or under
6932 contract with the Department of Public Health, the Department of
6933 Children and Families, the Department of Mental Health and
6934 Addiction Services, the Department of Correction or the Department of
6935 Developmental Services, provided no group home or halfway house
6936 shall receive emergency fuel assistance in excess of one thousand
6937 dollars unless the **[**commissioner**]** executive director of the authority
6938 finds additional assistance is necessary to protect the health and safety
6939 of the residents of such group home or halfway house; (2) grants to
6940 municipalities for emergency fuel assistance to receivers of rents
6941 appointed pursuant to section 47a-56a, to prevent and respond to
6942 abandonment by landlords of tenant-occupied dwelling units,

6943 provided no municipality shall receive an amount in excess of one
6944 thousand five hundred dollars for each receivership established within
6945 such municipality unless the [commissioner] executive director of the
6946 authority finds additional assistance is necessary to protect the health
6947 and safety of the residents of such dwelling units; and (3) emergency
6948 fuel assistance to housing authorities for state-financed housing
6949 projects, for fuel costs incurred after October 1, 1979. The
6950 [commissioner] executive director of the authority shall adopt
6951 [regulations, in accordance with the provisions of chapter 54] written
6952 procedures, in accordance with section 1-121, establishing eligibility
6953 criteria for the distribution of state funds appropriated to the
6954 [Department of Economic and Community Development] Connecticut
6955 Housing Finance Authority for such program. The [commissioner]
6956 executive director of the authority may, in his discretion and based on
6957 his determination of need, allocate any funds appropriated for the
6958 purposes of this section among group homes and halfway houses,
6959 municipalities and housing authorities.

6960 Sec. 126. Section 8-208b of the general statutes is repealed and the
6961 following is substituted in lieu thereof (*Effective July 1, 2009*):

6962 (a) A Neighborhood Housing Services Program Fund is hereby
6963 created. There shall be deposited in said fund all moneys received by
6964 or appropriated to the [Department of Economic and Community
6965 Development] Connecticut Housing Finance Authority from time to
6966 time therefor. Amounts in said fund shall be used for the purpose of
6967 making grants-in-aid to any duly organized neighborhood housing
6968 services corporation in the state, pursuant to subsection (b) of this
6969 section.

6970 (b) In order to stimulate development of partnerships of the public
6971 and private sectors of the urban community committed to stemming
6972 neighborhood decline, the state, acting by and in the discretion of the
6973 [Commissioner of Economic and Community Development] executive
6974 director of the Connecticut Housing Finance Authority, may enter into

6975 a contract with any duly organized neighborhood housing services
6976 corporation in the state. Such contract shall provide for state financial
6977 assistance in the form of a state grant-in-aid equal to twice the amount
6978 of the federal grant-in-aid received by such corporation but not to
6979 exceed one hundred thousand dollars.

6980 (c) "Neighborhood housing services program" means a program
6981 developed by the Neighborhood Reinvestment Corporation of the
6982 United States government to stimulate reinvestment in the urban
6983 neighborhood. "Neighborhood housing services corporation" means a
6984 private, nonprofit, community based corporation organized pursuant
6985 to the establishment of a neighborhood housing services program. The
6986 significant features of a neighborhood housing services corporation
6987 include: (1) Government by a local board of directors composed of
6988 neighborhood residents and financial industry representatives; (2) use
6989 of a revolving loan fund to make loans to residents of the
6990 neighborhood who cannot meet normal commercial credit
6991 requirements for the purpose of bringing homes in the neighborhood
6992 up to code standards; (3) contributions to the loan fund by, among
6993 others, foundations, local business and industry, local government and
6994 the Neighborhood Reinvestment Corporation; and (4) operation of a
6995 systematic housing inspection and code compliance program for
6996 homeowners which includes rehabilitation counseling, construction
6997 monitoring and financial counseling.

6998 Sec. 127. Section 8-214a of the general statutes is repealed and the
6999 following is substituted in lieu thereof (*Effective July 1, 2009*):

7000 (a) For the purposes described in subsection (b) of this section, the
7001 State Bond Commission shall have the power, from time to time to
7002 authorize the issuance of bonds of the state in one or more series and
7003 in principal amounts not exceeding in the aggregate three million
7004 dollars.

7005 (b) The proceeds of the sale of said bonds, to the extent of the
7006 amount stated in subsection (a) of this section, shall be used by the

7007 **[**Department of Economic and Community Development**]** Connecticut
7008 Housing Finance Authority for the purpose of housing site
7009 development in accordance with section 8-213a and section 8-216b.

7010 (c) All provisions of section 3-20, or the exercise of any right or
7011 power granted thereby which are not inconsistent with the provisions
7012 of this section are hereby adopted and shall apply to all bonds
7013 authorized by the State Bond Commission pursuant to this section, and
7014 temporary notes in anticipation of the money to be derived from the
7015 sale of any such bonds so authorized may be issued in accordance with
7016 said section 3-20 and from time to time renewed. Such bonds shall
7017 mature at such time or times not exceeding twenty years from their
7018 respective dates as may be provided in or pursuant to the resolution or
7019 resolutions of the State Bond Commission authorizing such bonds.
7020 None of said bonds shall be authorized except upon a finding by the
7021 State Bond Commission that there has been filed with it a request for
7022 such authorization, which is signed by or on behalf of the
7023 **[**Commissioner of Economic and Community Development**]** executive
7024 director of the Connecticut Housing Finance Authority and states such
7025 terms and conditions as said commission, in its discretion, may
7026 require. Said bonds issued pursuant to this section shall be general
7027 obligations of the state and the full faith and credit of the state of
7028 Connecticut are pledged for the payment of the principal of and
7029 interest on said bonds as the same become due, and accordingly and as
7030 part of the contract of the state with the holders of said bonds,
7031 appropriation of all amounts necessary for punctual payment of such
7032 principal and interest is hereby made, and the Treasurer shall pay such
7033 principal and interest as the same become due.

7034 Sec. 128. Section 8-214e of the general statutes is repealed and the
7035 following is substituted in lieu thereof (*Effective July 1, 2009*):

7036 (a) For the purposes described in sections 8-214b to 8-214d,
7037 inclusive, the State Bond Commission shall have the power, from time
7038 to time, to authorize the issuance of bonds of the state in one or more

7039 series and in principal amounts not exceeding in the aggregate one
7040 million dollars. The proceeds of the sale of such bonds shall be
7041 deposited in the fund designated the "Community Housing Land Bank
7042 and Land Trust Fund" and used by the **[**Department of Economic and
7043 Community Development**]** Connecticut Housing Finance Authority to
7044 make the grants-in-aid, loans or deferred loans pursuant to subsection
7045 (a) of section 8-214d.

7046 (b) All provisions of section 3-20, or the exercise of any right or
7047 power granted thereby, which are not inconsistent with the provisions
7048 of this section, are hereby adopted and shall apply to all bonds
7049 authorized by the State Bond Commission pursuant to this section, and
7050 temporary notes in anticipation of the money to be derived from the
7051 sale of any such bonds so authorized may be issued in accordance with
7052 said section 3-20 and from time to time renewed. Such bonds shall
7053 mature at such time or times not exceeding twenty years from their
7054 respective dates as may be provided in or pursuant to the resolution or
7055 resolutions of the State Bond Commission authorizing such bonds.
7056 None of said bonds shall be authorized except upon a finding by the
7057 State Bond Commission that there has been filed with it a request for
7058 such authorization, which is signed by or on behalf of the
7059 **[**Commissioner of Economic and Community Development**]** executive
7060 director of the Connecticut Housing Finance Authority and states such
7061 terms and conditions as said commission, in its discretion, may
7062 require. Said bonds issued pursuant to this section shall be general
7063 obligations of the state and the full faith and credit of the state of
7064 Connecticut are pledged for the payment of the principal of and
7065 interest on said bonds as the same become due, and accordingly and as
7066 part of the contract of the state with the holders of said bonds,
7067 appropriation of all amounts necessary for punctual payment of such
7068 principal and interest is hereby made, and the Treasurer shall pay such
7069 principal and interest as the same become due.

7070 Sec. 129. Section 8-216c of the general statutes is repealed and the
7071 following is substituted in lieu thereof (*Effective July 1, 2009*):

7072 (a) As used in this section, "nonprofit corporation" means a
7073 nonprofit corporation incorporated pursuant to chapter 602 or any
7074 predecessor statutes thereto, having as one of its purposes the
7075 construction, rehabilitation, ownership or operation of housing.

7076 (b) The [Commissioner of Economic and Community Development]
7077 executive director of the Connecticut Housing Finance Authority shall
7078 establish a pilot program of financial assistance in the form of loans,
7079 deferred loans and grants-in-aid to nonprofit corporations for not more
7080 than five developments of rental, mutual or limited equity cooperative
7081 housing for low and moderate income persons and families. Financial
7082 assistance provided under this section shall be on such terms and
7083 conditions as prescribed by the [commissioner] executive director of
7084 the authority and shall be in an amount equal to one hundred per cent
7085 of the cost incurred for the acquisition of land and buildings,
7086 construction and any other costs determined by the [commissioner]
7087 executive director of the authority to be reasonable and necessary.
7088 Financial assistance shall be for permanent financing only and shall
7089 not be used for construction financing. Any development receiving
7090 financial assistance under this section shall not be eligible for
7091 construction financing under any program operated by the
7092 [Department of Economic and Community Development or the]
7093 Connecticut Housing Finance Authority. Financial assistance shall be
7094 released upon (1) completion of a development in accordance with
7095 plans and specifications approved by the [commissioner] executive
7096 director of the authority and final inspection by the [commissioner]
7097 executive director of the authority, (2) issuance of a certificate of
7098 occupancy by the building official of the municipality in which the
7099 housing is located, and (3) the signing of leases for eighty per cent of
7100 the units in the development. The [commissioner] executive director of
7101 the authority may enter into an agreement with a nonprofit
7102 corporation for financial assistance under this section upon approval of
7103 the development by the State Bond Commission. Applicants receiving
7104 financial assistance under this section may retain not more than ten per
7105 cent of such assistance as a developer's administrative fee. The

7106 [commissioner] executive director of the authority, upon request of the
7107 developer of an approved development, may advance financial
7108 assistance to reimburse such developer for costs incurred prior to a
7109 construction loan closing, provided such costs were included in the
7110 development budget approved by the [commissioner] executive
7111 director of the authority. Any loan or deferred loans made under this
7112 program shall bear interest at a rate not exceeding three per cent per
7113 annum and shall be for a term of not less than twenty-five but not
7114 more than forty years.

7115 (c) To be eligible for financial assistance under this section a
7116 development shall: (1) Consist of not more than thirty units per
7117 development and may have from one to four bedrooms per unit, with
7118 priority being given to units with three or four bedrooms; (2) be in
7119 conformance with all local zoning and other applicable land use
7120 requirements; (3) be within total development cost limits based on
7121 annual high cost limits for housing established by the United States
7122 Department of Housing and Urban Development under the Section
7123 221d(3) program as described in 12 USC 1715*l*; (4) be occupied not
7124 more than eighteen months after the date of approval by the State
7125 Bond Commission; (5) be marketed pursuant to an affirmative fair
7126 housing marketing plan; and (6) be consistent with the criteria of the
7127 state comprehensive housing affordability strategy adopted under the
7128 Cranston-Gonzalez National Affordable Housing Act (42 USC 12705).

7129 (d) The [commissioner] executive director of the authority shall
7130 select developments for funding by a competitive process based on
7131 consideration of the following: (1) The record of the applicant in
7132 providing housing for low and moderate income persons and families;
7133 (2) total development costs based on unit size relative to such costs in
7134 other applications; and (3) the number of three or four bedroom units
7135 in the proposed development.

7136 (e) Applicants shall provide the [commissioner] executive director
7137 of the authority with the following: (1) Evidence of zoning compliance

7138 and of site control; (2) a letter of interest from a construction financing
7139 source; (3) a statement showing sources of funding and that
7140 development costs are within costs limits established for financial
7141 assistance under this section; (4) an operating statement showing rents
7142 or carrying costs and operating costs, including taxes and debt service;
7143 (5) a letter of interest from a general contractor that includes a
7144 construction price; (6) a construction cost budget; (7) architectural
7145 plans and outline specifications; (8) evidence of the marketability of
7146 the units in the developments at the proposed rent; (9) a projected time
7147 frame for the completion of the development until occupancy; and (10)
7148 any other reasonable documentation requested by the **[**commissioner**]**
7149 executive director of the authority to verify the feasibility of the
7150 development.

7151 (f) Notwithstanding the provisions of the general statutes, any
7152 requirement that state-assisted rental housing be limited to families
7153 whose total housing cost is less than a specific per cent of their
7154 adjusted gross income shall not apply to projects receiving financial
7155 assistance under this section unless the occupant is receiving federal or
7156 state rental assistance or the project was constructed under a federal
7157 program requiring such limitations.

7158 (g) The **[**commissioner**]** executive director of the authority may
7159 monitor each project receiving financial assistance under this section
7160 after completion and occupancy. The **[**commissioner**]** executive
7161 director of the authority may require the applicant to submit periodic
7162 reports on the development concerning operation and financial status,
7163 including a description of rents.

7164 (h) Notwithstanding the provisions of the general statutes, an
7165 applicant receiving financial assistance under this section shall not be
7166 required to comply with the provisions of the general statutes or
7167 regulations adopted thereunder concerning (1) competitive bidding;
7168 (2) procedures for the selection of a contractor, architect, engineer,
7169 appraiser or lawyer; and (3) design review standards. The selection of

7170 any professional services shall be at the discretion of the applicant and
7171 subject to the approval of the construction financing source.

7172 **[**(i) On or before January 1, 1995, the commissioner shall submit a
7173 report to the select committee of the General Assembly on housing on
7174 the program established under this section.**]**

7175 Sec. 130. Section 8-218 of the general statutes is repealed and the
7176 following is substituted in lieu thereof (*Effective July 1, 2009*):

7177 (a) The state, acting by and in the discretion of the **[**Commissioner of
7178 Economic and Community Development**]** executive director of the
7179 Connecticut Housing Finance Authority, may enter into a contract
7180 with a community housing development corporation or an eligible
7181 developer, as defined in section 8-39, for state financial assistance in
7182 the form of (1) a state grant-in-aid, loan, deferred loan, advance or any
7183 combination thereof equal to the cost to the community housing
7184 development corporation or eligible developer, as approved by the
7185 **[**commissioner**]** executive director of the authority, of developing or
7186 rehabilitating low and moderate income housing under section 8-217,
7187 but limited to the following expenses: Appraisals, title searches, legal
7188 fees, option agreements, architectural, engineering and consultants'
7189 fees, financing fees, closing costs and such other expenses as may be
7190 financed by a mortgage loan under any federal or state housing statute
7191 and incurred by a community housing development corporation or
7192 eligible developer prior to the disbursement of mortgage loan funds on
7193 account of such property; provided, to the extent such expenses are
7194 recovered by the community housing development corporation or the
7195 eligible developer from the mortgage loan or from the proceeds of a
7196 sale of such property, such expenses shall be repaid to the state or to a
7197 fund established pursuant to subsection (b) of this section; and (2) an
7198 additional grant-in-aid, loan, deferred loan or advance to such
7199 corporation or such developer for the development of housing which
7200 in the determination of the **[**commissioner**]** executive director of the
7201 authority contains a substantial number of dwelling units of three or

7202 more bedrooms provided (A) that the mortgage loan for such housing
7203 shall be eligible for insurance by the United States Department of
7204 Housing and Urban Development or for financing by the Connecticut
7205 Housing Finance Authority or the Farmers' Home Administration, and
7206 (B) that the [commissioner] executive director of the authority, after
7207 consultation with the United States Department of Housing and Urban
7208 Development [, the Connecticut Housing Finance Authority] or the
7209 Farmers' Home Administration, as the case may be, shall have
7210 determined that the mortgage loan on such housing would not be
7211 insurable in the absence of such additional financial assistance; such
7212 grant-in-aid, loan, deferred loan or advance shall be in lieu of any
7213 assistance to said housing under section 8-216 and shall be equal to the
7214 additional cost of construction caused by the inclusion of such
7215 dwelling units of three or more bedrooms in such housing, but in no
7216 event shall such grant-in-aid, loan, deferred loan or advance be greater
7217 than ten per cent of the cost of construction of such housing, as
7218 determined by the United States Department of Housing and Urban
7219 Development [, the Connecticut Housing Finance Authority] or the
7220 Farmers' Home Administration. The [commissioner] executive director
7221 of the authority may require that any assistance in the form of a loan or
7222 deferred loan be secured by a mortgage on such housing. In the case of
7223 a deferred loan, the contract shall require that payments on all or a
7224 portion of the interest are due currently but that payments on principal
7225 may be made at a later time.

7226 (b) The state, acting by and in the discretion of the [commissioner]
7227 executive director of the authority, may enter into a contract with a
7228 community housing development corporation or an eligible developer
7229 for state financial assistance in the form of a loan or deferred loan,
7230 which loan or deferred loan shall be used to establish and administer a
7231 revolving loan fund for the construction, rehabilitation and renovation
7232 of existing or planned low and moderate income housing, as approved
7233 by the [commissioner] executive director of the authority. Such fund
7234 may also consist of any state financial assistance received from a
7235 contract between said [commissioner] executive director of the

7236 authority and such community housing development corporation or
7237 eligible developer entered into pursuant to subsection (a) of this
7238 section, any proceeds recovered by such corporation or developer from
7239 any mortgage loan or from any loan or on account of such project or
7240 from the sale of such project and funds from any other source. Such
7241 fund shall be used by such corporation or developer, as approved by
7242 the [commissioner] executive director of the authority, for the expenses
7243 of acquisition, development, project selection, construction,
7244 rehabilitation, renovation and oversight of existing or planned low and
7245 moderate income housing or to make loans for construction,
7246 rehabilitation and renovation of such housing on such terms and
7247 conditions as the [commissioner] executive director of the authority
7248 may determine. Recipients of loans under this subsection for housing
7249 located in a distressed municipality, as defined in section 32-9p, may
7250 assign or prepay such loans with the approval of the community
7251 housing development corporation. In the case of housing developed or
7252 rehabilitated by a community housing development corporation in
7253 distressed municipalities as defined in section 32-9p, the policies of the
7254 [Department of Economic and Community Development] Connecticut
7255 Housing Finance Authority adopted under section 8-37dd, and the
7256 [regulations] written procedures of the [department] authority
7257 adopted under this section shall apply only to that portion of the
7258 assisted property which corresponds to the proportion of the state
7259 assistance to the property's value. The number of income-limited
7260 housing units shall be determined by multiplying the amount of the
7261 housing assistance by the total number of housing units in the assisted
7262 housing and dividing the product by the fair market value of the
7263 property. The result shall be rounded to the lower whole number.
7264 Notwithstanding the provisions of any statute to the contrary or any
7265 regulation adopted under this section or section 8-37dd, or any other
7266 statute or regulation, limiting the income of occupants of housing
7267 assisted under this section and not located in a distressed municipality,
7268 the income of occupants of units assisted under this section and
7269 located in distressed municipalities may be two hundred fifty per cent

7270 or less of the area median income, adjusted for family size, as
7271 determined from time to time by the United States Department of
7272 Housing and Urban Development.

7273 (c) The state, acting by and in the discretion of the [commissioner]
7274 executive director of the authority, may enter into a contract with a
7275 community housing development corporation for state financial
7276 assistance within available appropriations in the form of a grant-in-aid
7277 which shall be used by such community housing development
7278 corporation to provide grants, or to establish a revolving loan fund to
7279 provide loans or deferred loans for the purpose of making structural or
7280 interior or exterior modifications to any dwelling which may be
7281 necessary to make such dwelling accessible to and usable by persons
7282 having physical or mental disabilities. Such corporation may provide
7283 such grants, loans or deferred loans to (1) any owner of a single-family
7284 or multifamily dwelling, or (2) any tenant who furnishes satisfactory
7285 evidence that the owner of the dwelling in which the tenant resides has
7286 approved the intended structural or interior or exterior modifications.
7287 Any such loan or deferred loan may be prepaid at any time, without
7288 penalty, and the [commissioner] executive director of the authority
7289 shall release the lien on the property. In the case of housing developed
7290 or rehabilitated by a community housing development corporation in
7291 distressed municipalities as defined in section 32-9p, the policies of the
7292 [Department of Economic and Community Development] Connecticut
7293 Housing Finance Authority adopted under section 8-37dd, and any
7294 [regulation] written procedure of the [department] authority adopted
7295 under this section, shall apply only to that portion of the assisted
7296 property which corresponds to the proportion of the state assistance to
7297 the property's value. The number of income-limited housing units
7298 shall be determined by multiplying the amount of the housing
7299 assistance by the total number of housing units in the assisted housing
7300 and dividing the product by the fair market value of the property. The
7301 result shall be rounded to the lower whole number. Notwithstanding
7302 the provisions of any statute to the contrary or any regulation adopted
7303 under this section limiting the income of occupants of housing assisted

7304 under this section and not located in a distressed municipality, the
7305 income of occupants of units assisted under this section and located in
7306 distressed municipalities may be two hundred fifty per cent or less of
7307 the area median income, adjusted for family size, as determined from
7308 time to time by the United States Department of Housing and Urban
7309 Development.

7310 (d) The **[**Commissioner of Economic and Community Development**]**
7311 executive director of the Connecticut Housing Finance Authority shall
7312 enter into a contract with a community housing development
7313 corporation for state financial assistance in the form of a grant-in-aid
7314 which shall be used by such community housing development
7315 corporation to provide grants for the purpose of conversion of
7316 adaptable living units into units accessible to persons with disabilities
7317 and for reconversion of such units to adaptable living units. Eligible
7318 applicants shall include any tenant or owner of a unit in a complex or
7319 building subject to the provisions of section 29-273.

7320 (e) The **[**Commissioner of Economic and Community Development**]**
7321 executive director of the Connecticut Housing Finance Authority shall
7322 enter into a contract with a community housing development
7323 corporation for state financial assistance in the form of a grant-in-aid
7324 which shall be used by such community housing development
7325 corporation to provide grants, loans, deferred loans, loan guarantees,
7326 lines of credit, or any combination thereof, to eligible developers for
7327 activities that build, expand and enhance capacity, including, but not
7328 limited to, development of marketing or neighborhood strategic plans,
7329 professional staff training, technical assistance, predevelopment
7330 expenses as provided in subsection (a) of this section and other
7331 activities pursuant to section 8-217.

7332 (f) The **[**Commissioner of Economic and Community Development**]**
7333 executive director of the Connecticut Housing Finance Authority shall
7334 adopt **[**regulations, in accordance with chapter 54**]** written procedures,
7335 in accordance with section 1-121, to administer the programs

7336 established under subsections (c) and (d) of this section. Such
7337 [regulations] written procedures shall establish maximum income
7338 levels for tenants and homeowners and provide for adjustment of
7339 income for family size and medical expenses and may set maximum
7340 loan amounts for loans made under subsection (c) of this section that
7341 are not secured and for grants made under subsection (d) of this
7342 section.

7343 Sec. 131. Section 8-239a of the general statutes is repealed and the
7344 following is substituted in lieu thereof (*Effective July 1, 2009*):

7345 The powers and duties of the Department of Community Affairs
7346 and the Commissioner of Community Affairs under sections 8-228 to
7347 8-239, inclusive, are transferred to the [Department of Economic and
7348 Community Development] Connecticut Housing Finance Authority
7349 and the [Commissioner of Economic and Community Development]
7350 executive director of the Connecticut Housing Finance Authority.

7351 Sec. 132. Section 8-240m of the general statutes is repealed and the
7352 following is substituted in lieu thereof (*Effective July 1, 2009*):

7353 (a) The state, acting by and through the [Commissioner of Economic
7354 and Community Development] executive director of the Connecticut
7355 Housing Finance Authority, may provide financial assistance,
7356 including, without limitation financial assistance in the form of grants,
7357 loans and the purchase of capital stock, for the program established
7358 pursuant to subsection (a) of section 8-240k, upon the execution of a
7359 financial assistance agreement containing such terms and conditions as
7360 the [Commissioner of Economic and Community Development]
7361 executive director of the Connecticut Housing Finance Authority shall
7362 deem necessary and appropriate to fulfill the purposes of sections 8-
7363 240k to 8-240n, inclusive. Notwithstanding the provisions of section 4-
7364 66c, the [Commissioner of Economic and Community Development]
7365 executive director of the Connecticut Housing Finance Authority may
7366 provide such financial assistance from the proceeds of bonds
7367 authorized for the [Department of Economic and Community

7368 Development] Connecticut Housing Finance Authority pursuant to
7369 said section 4-66c.

7370 (b) The Connecticut Development Authority may provide financial
7371 assistance, including, without limitation, financial assistance in the
7372 form of grants, loans and the purchase of capital stock, for the program
7373 established pursuant to subsection (a) of section 8-240k, upon the
7374 execution of a financial assistance agreement containing such terms
7375 and conditions as the Connecticut Development Authority shall deem
7376 necessary and appropriate to fulfill the purposes of sections 8-240k to
7377 8-240n, inclusive.

7378 (c) The Connecticut Housing Finance Authority may provide
7379 financial assistance, including, without limitation, financial assistance
7380 in the form of grants, loans and the purchase of capital stock, for the
7381 program established pursuant to subsection (a) of section 8-240k, upon
7382 the execution of a financial assistance agreement containing such terms
7383 and conditions as the Connecticut Housing Finance Authority shall
7384 deem necessary and appropriate to fulfill the purposes of sections 8-
7385 240k to 8-240n, inclusive.

7386 Sec. 133. Section 8-243 of the general statutes is repealed and the
7387 following is substituted in lieu thereof (*Effective July 1, 2009*):

7388 The following terms shall have the following meanings unless the
7389 context clearly indicates another meaning and intent:

7390 (a) "Act" means this chapter as amended from time to time;

7391 (b) "Authority" means the Connecticut Housing Finance Authority
7392 as created under section 8-244;

7393 (c) "Housing", "housing project" or "project" means a work or
7394 undertaking having as its primary purpose the provision of safe and
7395 adequate housing and related facilities for low and moderate income
7396 families and persons, and includes existing dwelling units for low and
7397 moderate income families and persons, notwithstanding that said

7398 housing provides other dwelling accommodations in addition to the
7399 primary purpose of providing dwelling accommodations for low and
7400 moderate income families and persons;

7401 (d) "Related facilities" means commercial, office, health, welfare,
7402 administrative, recreational, community and service facilities
7403 incidental and pertinent to housing as determined by the authority;

7404 (e) "Rents", "rentals" or "carrying charges" means the charges,
7405 excluding security deposits and down payments, paid for occupancy
7406 of housing financed or assisted under this chapter, whether such
7407 housing is owned or operated on a landlord-tenant or home ownership
7408 basis or as a condominium or a cooperative;

7409 (f) "Project cost" means the sum total of all costs incurred in the
7410 development of a housing project, which are approved by the
7411 authority as reasonable and necessary, including, but not limited to (1)
7412 costs of land acquisition and any buildings thereon; (2) costs of site
7413 preparation, demolition and development; (3) architectural,
7414 engineering, legal, authority and other fees and charges paid or
7415 payable in connection with the planning, execution and financing of
7416 the project; (4) cost of necessary studies, surveys, plans and permits; (5)
7417 insurance, interest, financing, tax and assessment costs and other
7418 operating and carrying costs during construction; (6) cost of
7419 construction or reconstruction, and fixtures and equipment related to
7420 such construction or reconstruction; (7) cost of land improvements; (8)
7421 necessary expenses in connection with the initial occupancy of the
7422 project; (9) a reasonable profit or fee to the builder and developer; (10)
7423 an allowance established by the authority for working capital,
7424 replacement and contingency reserves, and reserves for any
7425 anticipated operating deficits during the first two years of occupancy;
7426 (11) the cost of such other items, including tenant relocation, as the
7427 authority shall deem to be reasonable and necessary for the
7428 development of the project, less any and all net rents and other net
7429 revenues received from the operation of the real and personal property

7430 on the project site during construction;

7431 (g) "Development costs" means the costs approved by the authority
7432 as appropriate expenditures which may be incurred prior to initial
7433 disbursement of mortgage loan proceeds, including, but not limited to:
7434 (1) Payments for options to purchase properties for the proposed
7435 project, deposits on contracts of purchase or, with the prior approval of
7436 the authority, payments for the purchase of such properties; (2) legal,
7437 organizational and marketing expenses, including payment of
7438 attorneys' and consultants' fees, project management and clerical staff
7439 salaries, office rent and other incidental expenses; (3) payment of fees
7440 for preliminary feasibility studies and advances for planning,
7441 architectural and engineering work and land surveys and soil tests; (4)
7442 expenses of surveys as to need and market analyses; (5) necessary
7443 application and other fees to federal, state and local government
7444 agencies; and (6) such other expenses as the authority may deem
7445 appropriate to effectuate the purposes of this chapter;

7446 (h) "Low and moderate income families and persons" means
7447 families and persons who lack the amount of income necessary as
7448 determined by the authority, to rent or purchase safe and adequate
7449 housing without special financial assistance not reasonably available.
7450 The income limits for the admission of such families and persons to
7451 housing built or financed or assisted under this chapter shall be
7452 established by this authority;

7453 (i) "Assisted mortgage financing" means a below market interest
7454 rate mortgage insured or purchased, or a loan made, by the Secretary
7455 of the United States Department of Housing and Urban Development;
7456 a market interest rate mortgage insured or purchased, or a loan made,
7457 in combination with, or as augmented by, a program of rent
7458 supplements, interest subsidies or interest reduction payments,
7459 leasing, contributions or grants, or other programs now or hereafter
7460 authorized by federal law to serve low and moderate income families
7461 and persons; a mortgage loan made or insured pursuant to this

7462 chapter; or any combination of such loans, mortgage insurance or
7463 other assistance;

7464 (j) "Mortgage" means a mortgage deed, deed of trust, or other
7465 instrument which shall constitute a lien, whether first or second, on
7466 real estate or on a leasehold under a lease having a remaining term, at
7467 the time such mortgage is acquired, which does not expire for at least
7468 that number of years beyond the maturity date of the obligation
7469 secured by such mortgage as is equal to the number of years remaining
7470 until the maturity date of such obligation. As used in this subsection, a
7471 lease of a lot in a mobile manufactured home park which is indefinitely
7472 renewable pursuant to subsection (b) of section 21-70 shall satisfy the
7473 leasehold requirement, provided such lease is acceptable to a third
7474 party mortgage insurer and the authority receives an acceptable
7475 mortgage insurance policy;

7476 (k) "First mortgage" means such classes of first liens as are
7477 commonly given to secure loans on, or the unpaid purchase price of,
7478 real estate under the laws of the state, together with appropriate credit
7479 instruments;

7480 (l) "Mortgagee" means the original lender under the mortgage or
7481 participants therein, and their successors and assigns;

7482 (m) "Mortgagor" or "eligible mortgagor" means (1) a nonprofit
7483 corporation incorporated pursuant to chapter 602 or any predecessor
7484 statutes thereto, having as one of its purposes the construction,
7485 rehabilitation, ownership or operation of housing, and having articles
7486 of incorporation approved by the authority in accordance with the
7487 provisions of this chapter; (2) any business corporation incorporated
7488 pursuant to chapter 601 or any predecessor statutes thereto, having as
7489 one of its purposes the construction, rehabilitation, ownership or
7490 operation of housing, and having articles of incorporation approved by
7491 the authority in accordance with the provisions of this chapter; (3) any
7492 partnership, limited partnership, joint venture, trust or association
7493 having as one of its purposes the construction, rehabilitation,

7494 ownership or operation of housing, and having basic documents of
7495 organization approved by the authority in accordance with the
7496 provisions of this chapter; (4) a housing authority established pursuant
7497 to chapter 128; (5) a family or person approved by the authority as
7498 qualified to own, construct, rehabilitate, manage and maintain housing
7499 under a mortgage loan made or insured by the authority under the
7500 provisions of this chapter; or (6) a municipal developer; and includes
7501 the successors and assigns of the mortgagor;

7502 (n) "Mortgage payments" means periodic payments called for by a
7503 mortgage, and may include, but is not limited to, interest, installments
7504 of principal, taxes and assessments, mortgage insurance premiums and
7505 hazard insurance premiums;

7506 (o) "Aggregate family income" means the total family income of all
7507 members of a family, from whatever source derived, including but not
7508 limited to pension, annuity, retirement and social security benefits,
7509 provided there may be excluded from income, as the authority by
7510 regulation may determine, (1) reasonable allowances for dependents,
7511 (2) reasonable allowances for medical expenses, (3) all or any
7512 proportionate part of the earnings of gainfully employed minors or
7513 family members other than the chief wage earner, (4) income not
7514 received regularly and (5) other expenses;

7515 (p) "Earned surplus" shall have the same meaning as in generally
7516 accepted accounting standards;

7517 (q) "Municipality" means any city, town or borough in the state;

7518 (r) "Lending institution" means any bank, trust company, savings
7519 bank, savings and loan association or credit union, whether chartered
7520 by the United States of America or this state, and any insurance
7521 company authorized to do business in this state, and any mortgage
7522 banking firm approved by the authority;

7523 (s) "Tenant" means the occupant of any housing financed or assisted

7524 by the authority under this chapter;

7525 (t) "Second mortgage" means any class of second liens ranking
7526 immediately after a first mortgage on the same property, without any
7527 intervening liens, as are commonly given to secure loans on real estate,
7528 or the unpaid purchase price of real estate under the laws of the state,
7529 together with appropriate credit instruments, provided such second
7530 mortgage, unless granted pursuant to the exercise of powers granted
7531 to the authority under the provisions of the general statutes, is insured
7532 by an agency of the federal government or by such other entity as the
7533 authority shall determine is financially able to insure or guarantee
7534 repayment in the event of default by the mortgagor;

7535 (u) "Person" means any person, including individuals, limited
7536 liability companies, firms, partnerships, associations, public or private,
7537 organized or existing under the laws of the state or, any other state if
7538 qualified to do business in the state;

7539 (v) "Urban area" means any targeted area, as defined in Section 143
7540 of the Internal Revenue Code of 1986, or any subsequent
7541 corresponding internal revenue code of the United States, as from time
7542 to time amended;

7543 (w) "Urban area mortgage" means a mortgage securing a
7544 construction or a permanent loan to any person for the purpose of
7545 purchasing, refinancing, constructing or rehabilitating any residential
7546 building in an urban area, including related facilities, such as
7547 commercial, offices, health, welfare, administration, recreational,
7548 community and service facilities incidental and pertinent thereto as
7549 determined by the authority, but need not be a first lien upon the
7550 mortgaged property;

7551 (x) "Municipal developer" means a municipality, as defined in
7552 subsection (q) of this section, which has not declared by resolution a
7553 need for a housing authority pursuant to section 8-40, acting by and
7554 through its legislative body, except that in any town in which a town

7555 meeting or representative town meeting is the legislative body,
7556 "municipal developer" means the board of selectmen if such board is
7557 authorized to act as the municipal developer by the town meeting or
7558 representative town meeting; and

7559 (y) "Employer-assisted housing" means (1) housing that is, in whole
7560 or in part, owned, acquired, developed or managed by employers, or
7561 on behalf of employers, for the benefit of employees in the state, or (2)
7562 assistance offered by employers to employees in the purchase or lease
7563 of residential property in the state. [;]

7564 [(z) "Department" means the Department of Economic and
7565 Community Development.]

7566 Sec. 134. Section 8-265p of the general statutes is repealed and the
7567 following is substituted in lieu thereof (*Effective July 1, 2009*):

7568 The authority shall establish, within the resources allocated by the
7569 State Bond Commission to the [Department of Economic and
7570 Community Development] Connecticut Housing Finance Authority for
7571 the purposes of sections 8-265o to 8-265v, inclusive, a residential
7572 mortgage guarantee program. The purpose of the program shall be to
7573 enable residential mortgagors to obtain mortgage credit, otherwise
7574 unavailable, for the refinancing of existing mortgages. The authority
7575 shall implement the program in a manner designed to facilitate the
7576 qualifications of the loans guaranteed under the program for sale to
7577 one or more secondary mortgage markets for such loans. The authority
7578 shall compute the amount of guarantees authorized for the purposes of
7579 sections 8-265o to 8-265v, inclusive, on the basis of not more than ten
7580 times the resources allocated by the State Bond Commission to the
7581 [Department of Economic and Community Development] Connecticut
7582 Housing Finance Authority for such purposes, including fees received
7583 pursuant to section 8-265t.

7584 Sec. 135. Section 8-265w of the general statutes is repealed and the
7585 following is substituted in lieu thereof (*Effective July 1, 2009*):

7586 (a) For the purposes described in subsection (b) of this section, the
7587 State Bond Commission shall have the power, from time to time to
7588 authorize the issuance of bonds of the state in one or more series and
7589 in principal amounts not exceeding in the aggregate five million
7590 dollars.

7591 (b) The proceeds of the sale of said bonds, to the extent of the
7592 amount stated in subsection (a) of this section, shall be used by the
7593 **[**Department of Economic and Community Development**]** Connecticut
7594 Housing Finance Authority for the purpose of (1) **[**a grant to the
7595 Connecticut Housing Finance Authority for the purposes of**]** sections
7596 8-265o to 8-265v, inclusive, and (2) for loans or deferred loans **[**by the
7597 Department of Economic and Community Development**]** pursuant to
7598 sections 8-283 to 8-289, inclusive. Any proceeds authorized or allocated
7599 by the commission for loans or deferred loans pursuant to sections 8-
7600 283 to 8-289, inclusive, shall not be deemed to be authorized, allocated
7601 or available for the purposes of sections 8-265o to 8-265v, inclusive.

7602 (c) All provisions of section 3-20, or the exercise of any right or
7603 power granted thereby which are not inconsistent with the provisions
7604 of this section are hereby adopted and shall apply to all bonds
7605 authorized by the State Bond Commission pursuant to this section, and
7606 temporary notes in anticipation of the money to be derived from the
7607 sale of any such bonds so authorized may be issued in accordance with
7608 said section 3-20 and from time to time renewed. Such bonds shall
7609 mature at such time or times not exceeding twenty years from their
7610 respective dates as may be provided in or pursuant to the resolution or
7611 resolutions of the State Bond Commission authorizing such bonds.
7612 None of said bonds shall be authorized except upon a finding by the
7613 State Bond Commission that there has been filed with it a request for
7614 such authorization, which is signed by or on behalf of the Secretary of
7615 the Office of Policy and Management and states such terms and
7616 conditions as said commission, in its discretion, may require. Said
7617 bonds issued pursuant to this section shall be general obligations of the
7618 state and the full faith and credit of the state of Connecticut are

7619 pledged for the payment of the principal of and interest on said bonds
7620 as the same become due, and accordingly and as part of the contract of
7621 the state with the holders of said bonds, appropriation of all amounts
7622 necessary for punctual payment of such principal and interest is
7623 hereby made, and the Treasurer shall pay such principal and interest
7624 as the same become due.

7625 Sec. 136. Section 8-265oo of the general statutes is repealed and the
7626 following is substituted in lieu thereof (*Effective July 1, 2009*):

7627 (a) As used in this section:

7628 (1) "Authority" means the Connecticut Housing Finance Authority
7629 as created under section 8-244;

7630 (2) "Mortgage" means a mortgage deed or other instrument that
7631 constitutes a first consensual lien on one, two or three-family owner-
7632 occupied residential real property located in this state;

7633 (3) "Mortgagee" means mortgage lenders authorized to originate
7634 mortgage loans in this state; and

7635 (4) "Mortgagor" means the owner-occupant of one, two or three-
7636 family residential real property located in this state who is also the
7637 borrower under a mortgage encumbering such real property.

7638 (b) It being in the public interest for the state to extend mortgage
7639 guarantees to mortgage lending institutions to provide refinancing for
7640 mortgage loans when the decline of home values has precluded such
7641 lending, the Connecticut Housing Finance Authority shall establish
7642 and administer a program of loan guarantees to work in conjunction
7643 with loan programs established by secondary market investors to
7644 allow mortgagees to refinance residential mortgage loans when a
7645 decrease in the appraised value of the real property securing the
7646 mortgage might otherwise preclude such lending. The authority shall
7647 adopt procedures in accordance with the provisions of section 1-121 no
7648 later than January 1, 2000, to carry out the provisions of this section.

7649 Such procedures may establish a fee for such mortgage guarantee.

7650 (c) The authority shall implement the program established by this
7651 section within the resources allocated to it by the State Bond
7652 Commission [to the Department of Economic and Community
7653 Development] for the purposes of [a grant to the authority for the
7654 purposes of] this section, in a manner designed to facilitate the
7655 qualifications of mortgage guarantees under such program for sale to
7656 one or more secondary mortgage markets for such loans. The authority
7657 shall explore options that maximize the funds made available,
7658 including, but not limited to, the opportunity to minimize the state's
7659 exposure through insurance alternatives.

7660 (d) (1) The authority is authorized to enter into loan guarantee
7661 agreements with secondary market investors or lenders who meet
7662 criteria established by the authority in procedures adopted pursuant to
7663 subsection (b) of this section. The authority shall make available to the
7664 general public a description of the residential mortgage refinancing
7665 guarantee program, including, but not limited to, information
7666 regarding participation of mortgagees in the program, eligibility
7667 criteria and the terms and conditions of the mortgage guarantee.

7668 (2) Mortgagees may participate in the program by entering into a
7669 mortgage guarantee agreement with the authority. Mortgagees
7670 participating in the program shall process and underwrite mortgage
7671 guarantees in accordance with the provisions of this section and with
7672 the procedures adopted pursuant to subsection (b) of this section.

7673 (e) Mortgagors eligible for refinanced mortgages under this
7674 program shall meet the criteria established in the procedures adopted
7675 pursuant to subsection (b) of this section, including, but not limited to:

7676 (1) The mortgagor shall occupy the property as such mortgagor's
7677 primary residence, and shall continue such occupancy for five years
7678 after the date of the refinancing under this section;

7679 (2) The mortgagor shall have received the primary mortgage on the
7680 property no earlier than January 1, 1986, and no later than December
7681 31, 1992;

7682 (3) The mortgagor shall have a primary mortgage on the property
7683 with a loan to value ratio of no more than one hundred twenty-five per
7684 cent, and a recent full appraisal of the property in accordance with
7685 secondary market standards shall be required;

7686 (4) The mortgagor shall have no second mortgage on the property
7687 except a second mortgage where repayment is waived after a certain
7688 period of time has elapsed; and

7689 (5) No mortgagor shall participate in this program if such
7690 mortgagor currently has other refinancing alternatives.

7691 (f) Any mortgagee or mortgagor seeking a mortgage guarantee shall
7692 provide such information to the authority as the authority deems
7693 reasonably necessary.

7694 (g) Mortgages refinanced pursuant to this section shall be
7695 underwritten using secondary market standards, except:

7696 (1) The household income of the mortgagor shall not exceed one
7697 hundred twenty per cent of the state median income;

7698 (2) The mortgagor shall have been current on the payments on the
7699 mortgage loan for the most recent twenty-four-month period; and

7700 (3) The credit rating of the mortgagor shall meet the secondary
7701 market standards.

7702 (h) The amount of any mortgage guarantee provided under this
7703 section shall be reviewed and approved by the authority. The
7704 guarantee shall secure the mortgagee up to the amount of the
7705 guarantee for any loss incurred by the mortgagee because of default by
7706 the mortgagor including losses in principal balance.

7707 (i) The authority may terminate any mortgage guarantee if the
7708 mortgagee misrepresents any information pertaining to the application
7709 for a mortgage guarantee or fails to comply with any term of the
7710 mortgage guarantee agreement in connection with the mortgage
7711 guarantee.

7712 Sec. 137. Section 8-281 of the general statutes is repealed and the
7713 following is substituted in lieu thereof (*Effective July 1, 2009*):

7714 To be eligible to receive financial assistance under section 8-280, a
7715 state agency shall cause to be prepared and file with the **[**Department
7716 of Economic and Community Development**]** Connecticut Housing
7717 Finance Authority for the approval of the **[**commissioner**]** executive
7718 director of the authority a relocation plan based upon a plan or
7719 program of governmental action within the area of operation of the
7720 state agency which will cause the displacement of persons, families,
7721 businesses, farm operations and nonprofit organizations. Such
7722 relocation plan shall conform to the provisions of this chapter and shall
7723 include but not be limited to the following: **[**(a)**]** (1) The number of
7724 persons, families, businesses and farms to be displaced by the
7725 proposed governmental action; **[**(b)**]** (2) a statement concerning
7726 availability of sufficient, suitable accommodations as shall meet the
7727 requirements for occupancy of those persons, families, businesses and
7728 farms displaced and the dates when such accommodations will be
7729 available; **[**(c)**]** (3) a plan for carrying out the relocation of such
7730 displaced persons, families, businesses and farms; and **[**(d)**]** (4) a
7731 description and identification of the area to be affected.

7732 Sec. 138. Section 8-284 of the general statutes is repealed and the
7733 following is substituted in lieu thereof (*Effective July 1, 2009*):

7734 As used in this chapter:

7735 **[**(a)**]** (1) "Eligible family or person" means a family or person who
7736 lacks the amount of income necessary, to purchase safe and adequate
7737 housing without special financial assistance;

7738 **[**(b)**]** (2) "Commissioner" means the Commissioner of **[**Economic
7739 and**]** Community Development;

7740 **[**(c)**]** (3) "Authority" means the Connecticut Housing Finance
7741 Authority; and

7742 **[**(d)**]** (4) "Department" means the Department of **[**Economic and**]**
7743 Community Development.

7744 Sec. 139. Section 8-286 of the general statutes is repealed and the
7745 following is substituted in lieu thereof (*Effective July 1, 2009*):

7746 (a) The authority shall administer, within the resources allocated by
7747 the State Bond Commission to **[**the Department of Economic and
7748 Community Development**]** said authority for the purposes of sections
7749 8-283 to 8-289, inclusive, the homeownership loan program established
7750 by said sections 8-283 to 8-289. The purpose of the program shall be to
7751 provide, through a contract, an eligible family or person based on the
7752 financial needs of such family or person, a loan or deferred loan to
7753 assist in the purchase of a dwelling or the purchase and rehabilitation
7754 of a dwelling containing up to four residential units, provided such
7755 family or person shall reside in at least one of such units. In the case of
7756 a deferred loan, the contract shall require that payments on interest are
7757 due currently but that payments on principal may be made at a later
7758 time.

7759 (b) Such loan or deferred loan shall not exceed twenty-five per cent
7760 of the cost of acquiring such dwelling or twenty-five per cent of the
7761 value of such dwelling after rehabilitation, if greater; except that no
7762 such limitation may apply to any loan made to a tenant whose
7763 dwelling unit is being converted to a condominium and who is able to
7764 obtain a mortgage for the purchase of such dwelling unit. Such value
7765 shall be determined from the appraisal, if any, required by the lending
7766 institution granting the first mortgage loan on such dwelling, and if no
7767 such appraisal has been made at the time that a contract for loan is
7768 entered into pursuant to this chapter, the authority shall cause such

7769 appraisal to be made.

7770 (c) Commencing October 1, 1995, the proceeds of the sale of any
7771 bonds of the state authorized by any public or special act effective on
7772 or after July 1, 1995, that are to be used for the purpose of making
7773 loans or deferred loans pursuant to this chapter shall be used by the
7774 department to make grants-in-aid to the authority and used by the
7775 authority, subject to the purposes and conditions of this chapter, for
7776 the purpose of making loans or deferred loans pursuant to this
7777 chapter.

7778 (d) The **[**commissioner**]** executive director of the authority shall
7779 establish and administer within available funds a residential mortgage
7780 guarantee program for eligible persons purchasing a home for owner
7781 occupancy. Real property eligible for the program shall be located in
7782 public investment communities, as defined in section 7-545, and may
7783 contain one to three dwelling units.

7784 Sec. 140. Section 8-336f of the general statutes is repealed and the
7785 following is substituted in lieu thereof (*Effective July 1, 2009*):

7786 (a) The **[**Commissioner of Economic and Community Development**]**
7787 executive director of the Connecticut Housing Finance Authority shall
7788 establish and administer a Connecticut housing partnership program
7789 for the purpose of encouraging the formation of local housing
7790 partnerships which will work with the community, the **[**Department of
7791 Economic and Community Development**]** Connecticut Housing
7792 Finance Authority and other state agencies to solve housing problems
7793 faced by the community and develop ways to increase the supply and
7794 availability of affordable housing in the community.

7795 (b) Any municipality may, by ordinance, or by resolution of the
7796 board of selectmen in any town in which the legislative body is a town
7797 meeting, authorize the formation of a local housing partnership. Any
7798 local housing partnership shall include, but shall not be limited to, the
7799 chief elected official of the municipality and the following members to

7800 be appointed by the chief elected official: (1) Representatives of the
7801 planning commission, zoning commission, inland wetlands
7802 commission, housing authority and any local community development
7803 agency, (2) representatives of the local business community, such as
7804 local bankers, realtors and developers, (3) representatives of public
7805 interest groups, such as housing advocates, members of the clergy,
7806 members of local civic groups and representatives of local nonprofit
7807 corporations, and (4) local urban planning, land use and housing
7808 professionals.

7809 (c) The [Commissioner of Economic and Community Development]
7810 executive director of the Connecticut Housing Finance Authority may
7811 provide a local housing partnership with an initial designation under
7812 the Connecticut housing partnership program upon receipt of
7813 evidence satisfactory to the [commissioner] executive director of the
7814 authority that the local housing partnership has been formed in
7815 accordance with the provisions of subsection (b) of this section and
7816 that sufficient local resources have been committed to the local
7817 housing partnership. Upon such initial designation, the
7818 [commissioner] executive director of the authority shall provide
7819 technical assistance to the local housing partnership which assistance
7820 shall include, but shall not be limited to, the following: (1) The
7821 assignment of a primary contact person in the [Department of
7822 Economic and Community Development] Connecticut Housing
7823 Finance Authority to work directly with the local housing partnership,
7824 (2) obtaining assistance from other state agencies, regional planning
7825 agencies, regional housing councils and the Housing Advisory
7826 Committee, provided for under section 8-385, on behalf of the local
7827 housing partnership when necessary, (3) assisting the local housing
7828 partnership in developing a comprehensive local housing strategy, (4)
7829 assisting the local housing partnership in identifying available local
7830 resources, (5) discussing possible ways to create affordable housing
7831 through the use of conventional and alternative financing and through
7832 public and private land use controls, (6) explaining the requirements of
7833 and the types of assistance available under state housing programs,

7834 and (7) providing information and advice concerning available federal
7835 and private financial assistance for all aspects of housing development.

7836 (d) The [Commissioner of Economic and Community Development]
7837 executive director of the Connecticut Housing Finance Authority may
7838 provide a local housing partnership which has received an initial
7839 designation under subsection (c) of this section with a development
7840 designation under the Connecticut housing partnership program upon
7841 receipt of evidence satisfactory to the [commissioner] executive
7842 director of the authority that the local housing partnership has: (1)
7843 Examined and identified housing needs and opportunities in the
7844 community, (2) explored the availability of any state, municipal or
7845 other land that is suitable for the development of affordable housing,
7846 (3) reviewed applicable zoning regulations to determine whether such
7847 regulations restrict the development of affordable housing in the
7848 community and to identify any necessary changes to such regulations,
7849 (4) established priorities and developed a long-range plan to meet
7850 identified housing needs in the community consistent with regional
7851 housing needs, (5) established procedures for the development of a
7852 written proposal to achieve such priorities in accordance with said
7853 plan, and (6) started an activity, development or project designed to
7854 create additional affordable housing in the community. Upon such
7855 development designation: (A) The [Commissioner of Economic and
7856 Community Development] executive director of the Connecticut
7857 Housing Finance Authority shall give priority to any activity, project
7858 or development initiated or sponsored by the local housing
7859 partnership in providing any financial assistance pursuant to any
7860 program administered by the [Commissioner of Economic and
7861 Community Development] executive director of the Connecticut
7862 Housing Finance Authority under the general statutes; (B) the
7863 Commissioner of Environmental Protection shall consider formation of
7864 a local housing partnership in a municipality as a primary factor in
7865 awarding any grant-in-aid for open space land under sections 7-131d
7866 to 7-131k, inclusive; (C) the Commissioner of Environmental Protection
7867 shall consider formation of a local housing partnership in a

7868 municipality as a primary factor in making any grants and loans for
7869 water quality projects under sections 22a-475 to 22a-483, inclusive. If
7870 the [Commissioner of Economic and Community Development]
7871 executive director of the Connecticut Housing Finance Authority
7872 determines that a municipality has developed and is maintaining a
7873 balanced inventory of affordable housing, the municipality shall
7874 receive the same priority as a local housing partnership which has
7875 received a development designation under this subsection or the
7876 municipality in which such local housing partnership is formed.

7877 (e) Upon the completion of the first activity, development or project
7878 initiated or sponsored by a local housing partnership under this
7879 section, the [Commissioner of Economic and Community
7880 Development] executive director of the Connecticut Housing Finance
7881 Authority, upon receipt of satisfactory evidence of such completion,
7882 shall provide a town-aid grant to the municipality in which the local
7883 housing partnership is formed in an amount equal to twenty-five per
7884 cent of the amount of the distribution to the municipality calculated
7885 under the provisions of part IIa of chapter 240 for the fiscal year in
7886 which the activity, development or project is completed. Such
7887 town-aid grant shall be paid to the municipality from the General
7888 Fund (1) in the fiscal year following the fiscal year in which the
7889 activity, development or project is completed, and (2) in each of the
7890 three fiscal years following the fiscal year in which such initial
7891 town-aid grant is paid, provided the [Commissioner of Economic and
7892 Community Development] executive director of the Connecticut
7893 Housing Finance Authority determines in each of such years that the
7894 local housing partnership and the municipality in which the local
7895 housing partnership is formed are actively engaged in the
7896 development of affordable housing within the municipality. Such
7897 town-aid grant shall not be included in the estimates compiled by the
7898 Secretary of the Office of Policy and Management pursuant to sections
7899 4-71a and 4-71b.

7900 (f) The [Commissioner of Economic and Community Development]

7901 executive director of the Connecticut Housing Finance Authority shall
7902 adopt [regulations, in accordance with the provisions of chapter 54]
7903 written procedures, in accordance with section 1-121, to carry out the
7904 purposes of subsections (a) to (d), inclusive, of this section.

7905 Sec. 141. Section 8-336m of the general statutes is repealed and the
7906 following is substituted in lieu thereof (*Effective July 1, 2009*):

7907 As used in this section the following terms shall have the following
7908 meanings, unless the context clearly indicates a different meaning or
7909 intent:

7910 (1) "Authority" means the Connecticut Housing Finance Authority.

7911 (2) "Commissioner" means the Commissioner of [Economic and]
7912 Community Development.

7913 (3) "Department" means the Department of [Economic and]
7914 Community Development.

7915 (4) "Eligible applicant" means: (A) A nonprofit entity; (B) a
7916 municipality; (C) a housing authority; (D) a business corporation
7917 incorporated pursuant to chapter 601 or any predecessor statutes
7918 thereto or authorized to do business pursuant to said chapter 601
7919 having as one of its purposes the construction, financing, acquisition,
7920 rehabilitation or operation of affordable housing, and having a
7921 certificate or articles of incorporation approved by the commissioner;
7922 (E) any partnership, limited partnership, limited liability company,
7923 joint venture, sole proprietorship, trust or association having as one of
7924 its purposes the construction, financing, acquisition, rehabilitation or
7925 operation of affordable housing; (F) the Connecticut Housing Finance
7926 Authority; (G) a municipal developer; (H) any community
7927 development financial institution; or (I) any combination thereof.

7928 (5) "Housing", "housing development" or "development" means a
7929 work or undertaking having as its primary purpose the provision of
7930 safe, well-designed and adequate housing and related facilities for low

7931 and moderate income families and persons and includes existing
7932 housing for low and moderate income families and persons and
7933 housing whose primary purpose is to provide dwelling
7934 accommodations for low and moderate income families and persons
7935 but has dwelling accommodations for others.

7936 (6) "Housing Trust Fund" or "fund" means the Housing Trust Fund
7937 created under section 8-336o.

7938 (7) "Housing Trust Fund program" or "program" means the housing
7939 trust fund program developed and administered under section 8-336p.

7940 (8) "Low and moderate income families and persons" means families
7941 and persons whose income falls within the income levels set by the
7942 commissioner pursuant to regulations adopted under subsection (a) of
7943 section 8-336q, except that the commissioner may establish income
7944 levels up to and including one hundred twenty per cent of the area
7945 median income, as determined by the United States Department of
7946 Housing and Urban Development.

7947 (9) "Municipal developer" means a municipality acting by and
7948 through its legislative body, except that in any town in which a town
7949 meeting or representative town meeting is the legislative body,
7950 "municipal developer" means the board of selectmen if such board is
7951 authorized to act as the municipal developer by the town meeting or
7952 representative town meeting.

7953 (10) "Secretary" means the Secretary of the Office of Policy and
7954 Management.

7955 (11) "State Bond Commission" means the commission established
7956 under section 3-20.

7957 (12) "Treasurer" means the State Treasurer and includes each
7958 successor in office or authority.

7959 Sec. 142. Section 8-336p of the general statutes is repealed and the

7960 following is substituted in lieu thereof (*Effective July 1, 2009*):

7961 (a) There is established the Housing Trust Fund program which
7962 shall be developed and administered by the **[**Department of Economic
7963 and Community Development**]** Connecticut Housing Finance
7964 Authority. The purpose of the program is to: (1) Encourage the
7965 creation of housing for homeownership at a cost that will enable low
7966 and moderate income families to afford quality housing while paying
7967 no more than thirty per cent of gross household income on housing, (2)
7968 promote the rehabilitation, preservation and production of quality,
7969 well-designed rental and homeownership housing affordable to low
7970 and moderate income families or persons, (3) maximize the leveraging
7971 of state and federal funds by encouraging private sector investment in
7972 housing developments receiving assistance, (4) encourage housing that
7973 maximizes housing choices of residents, (5) enhance economic
7974 opportunity for low and moderate income individuals and their
7975 families, (6) promote the application of efficient land use that utilizes
7976 existing infrastructure and the conservation of open spaces, and (7)
7977 encourage the development of housing which aids the revitalization of
7978 communities.

7979 (b) Financial assistance shall be provided under subsection (a) of
7980 this section to eligible applicants, as defined in section 8-336m, for
7981 development of quality rental housing and homeownership for low
7982 and moderate income families or persons. The financial assistance
7983 made under the Housing Trust Fund program shall be paid from the
7984 Housing Trust Fund established under section 8-336o, and may be in
7985 the form of no interest and low interest loans, loan guarantees, grants
7986 and appraisal gap financings and other similar financings necessary to
7987 make rents or home prices affordable. Financial assistance provided
7988 under this section shall supplement (1) existing loan and tax credits
7989 programs available under state and federal law, and (2) grants, loans
7990 or financial assistance from any nonprofit or for-profit entity.

7991 (c) The resources of the program shall be made available, at least

7992 semiannually, on a competitive basis in accordance with the written
7993 program guidelines and criteria adopted pursuant to subsection (a) of
7994 section 8-336q.

7995 (d) The [Commissioner of Economic and Community Development]
7996 executive director of the Connecticut Housing Finance Authority may,
7997 with the approval of the Secretary of the Office of Policy and
7998 Management, solicit and accept contributions from private entities,
7999 nonprofit and for-profit corporations, philanthropic organizations and
8000 financial institutions, to support and expand the resources available
8001 through the Housing Trust Fund. All such funds shall be deposited in
8002 the Housing Trust Fund.

8003 (e) (1) Any contribution to the Housing Trust Fund made pursuant
8004 to subsection (d) of this section shall be distributed as designated by its
8005 contributor, except that not more than fifty per cent of the contribution
8006 may be designated. If no designation is specified, such funds shall be
8007 used by the commissioner to further the purposes of sections 8-336m to
8008 8-336q, inclusive.

8009 (2) In each fiscal year that the Housing Trust Fund has funds
8010 available for distribution, the [commissioner] executive director of the
8011 authority shall allocate from said fund three hundred thousand dollars
8012 for funding matching grants to be dedicated to funding purchases of
8013 primary residences pursuant to the provisions of sections 31-51ww to
8014 31-51eee, inclusive.

8015 (3) Any unexpended or unallocated amounts in the Housing Trust
8016 Fund for any fiscal year may be carried over to the succeeding fiscal
8017 year and adjustments may be made for short fiscal periods.

8018 (f) The [commissioner] executive director of the authority shall
8019 include in the report required pursuant to section 32-1m, an annual
8020 report concerning the activities for the prior fiscal year of the Housing
8021 Trust Fund and the Housing Trust Fund program and the efforts of the
8022 department to obtain private support for the Housing Trust Fund and

8023 the Housing Trust Fund program.

8024 Sec. 143. Section 8-367 of the general statutes is repealed and the
8025 following is substituted in lieu thereof (*Effective July 1, 2009*):

8026 (a) For the purposes described in subsection (b) of this section, the
8027 State Bond Commission shall have the power from time to time to
8028 authorize the issuance of bonds of the state in one or more series and
8029 in principal amounts not exceeding in the aggregate one hundred
8030 thousand five hundred dollars.

8031 (b) The proceeds of the sale of said bonds, to the extent of the
8032 amount stated in subsection (a) of this section, shall be used by the
8033 **[**Department of Economic and Community Development**]** Connecticut
8034 Housing Finance Authority for the purpose of grants-in-aid made
8035 pursuant to section 8-365.

8036 (c) All provisions of section 3-20, or the exercise of any right or
8037 power granted thereby which are not inconsistent with the provisions
8038 of this section are hereby adopted and shall apply to all bonds
8039 authorized by the State Bond Commission pursuant to this section, and
8040 temporary notes in anticipation of the money to be derived from the
8041 sale of any such bonds so authorized may be issued in accordance with
8042 said section 3-20 and from time to time renewed. Such bonds shall
8043 mature at such time or times not exceeding twenty years from their
8044 respective dates as may be provided in or pursuant to the resolution or
8045 resolutions of the State Bond Commission authorizing such bonds.
8046 None of said bonds shall be authorized except upon a finding by the
8047 State Bond Commission that there has been filed with it a request for
8048 such authorization, which is signed by or on behalf of the
8049 **[**Commissioner of Economic and Community Development**]** executive
8050 director of the Connecticut Housing Finance Authority and states such
8051 terms and conditions as said commission, in its discretion, may
8052 require. Said bonds issued pursuant to this section shall be general
8053 obligations of the state and the full faith and credit of the state of
8054 Connecticut are pledged for the payment of the principal of and

8055 interest on said bonds as the same become due, and accordingly and as
8056 part of the contract of the state with the holders of said bonds,
8057 appropriation of all amounts necessary for punctual payment of such
8058 principal and interest is hereby made, and the Treasurer shall pay such
8059 principal and interest as the same become due.

8060 Sec. 144. Section 8-402 of the general statutes is repealed and the
8061 following is substituted in lieu thereof (*Effective July 1, 2009*):

8062 The state, acting by and through the **[**Department of Economic and
8063 Community Development**]** Connecticut Housing Finance Authority
8064 may enter into a contract with the **[**authority,**]** developer, or mortgagor
8065 of the authority and the authority may enter into a contract with a
8066 developer or mortgagor of the authority to provide state financial
8067 assistance in the form of rental subsidy certificates for each low-income
8068 unit in the project. Any commitment to provide such subsidy shall be
8069 an obligation of the state or the authority, as the case may be, for a
8070 period of not less than fifteen years, and the amount of such subsidy
8071 shall be equal to the difference between the amount of rent plus an
8072 allowance for heat and utilities not included in the rent approved by
8073 the **[**commissioner or the**]** executive director of the authority **[**, as the
8074 case may be,**]** and thirty per cent of the annual aggregate family
8075 income of the tenant residing in the low-income unit for each such unit
8076 on an annual basis. The rent charged for a low-income unit may not be
8077 increased without the approval of the **[**commissioner or the**]** executive
8078 director of the authority. **[**, as the case may be.**]** The annual aggregate
8079 family income of a tenant for the year prior to the occupancy of a low-
8080 income unit by the tenant shall not exceed fifty per cent of the area
8081 median income, adjusted for family size, as determined by the
8082 **[**commissioner or the**]** executive director of the authority. **[**, as the case
8083 may be.**]** If such annual aggregate family income after occupancy
8084 exceeds seventy per cent of the area median income, adjusted for
8085 family size, the unit occupied by the tenant will no longer be
8086 considered a low-income unit and the next available unit will be
8087 rented to a tenant with an aggregate family income of less than fifty

8088 per cent of the area median income, adjusted for family size. No tenant
8089 residing in a project will receive financial assistance through a rental
8090 subsidy certificate under this section if the aggregate family income of
8091 the tenant in the prior year exceeds sixty per cent of the area median
8092 income, adjusted for family size.

8093 Sec. 145. Section 8-403 of the general statutes is repealed and the
8094 following is substituted in lieu thereof (*Effective July 1, 2009*):

8095 Upon preliminary approval by the State Bond Commission
8096 pursuant to the provisions of section 3-20, the state, acting by and
8097 through the **[**Department of Economic and Community Development**]**
8098 Connecticut Housing Finance Authority may enter into a contract with
8099 the authority to provide state financial assistance to a mortgagor of the
8100 authority in the form of a loan secured by a second mortgage for any
8101 housing project for which the authority has provided financial
8102 assistance in the form of a loan secured by a first mortgage; provided
8103 any such financial assistance to be funded with proceeds of bonds
8104 authorized by public or special acts effective on or after July 1, 1995,
8105 shall be provided as follows: Commencing October 1, 1995, upon
8106 preliminary approval of the State Bond Commission pursuant to the
8107 provisions of section 3-20, the state, acting by and through the
8108 **[**Department of Economic and Community Development**]** Connecticut
8109 Housing Finance Authority may provide a grant-in-aid **[**to the
8110 authority,**]** for purposes of **[**permitting the authority to extend**]**
8111 extending state financial assistance to the developer or mortgagor of
8112 the authority in the form of a loan secured by a second mortgage for
8113 any housing project for which the authority has provided financial
8114 assistance in the form of a loan secured by a first mortgage. Such loan
8115 shall be made for the purpose of providing additional financing for the
8116 project. Any loan made under this section shall bear interest payable
8117 quarterly on the first days of January, April, July and October for the
8118 preceding calendar quarter, or at such other times as are determined
8119 by the authority at a rate determined by the State Bond Commission
8120 under subsection (t) of section 3-20 and shall be repayable in such

8121 installments as may be determined by the commissioner or the
8122 authority, as the case may be, within fifty years from the date of
8123 completion of the project. Loan repayments shall be paid to the State
8124 Treasurer and deposited in the General Fund.

8125 Sec. 146. Section 10-373bb of the general statutes is repealed and the
8126 following is substituted in lieu thereof (*Effective July 1, 2009*):

8127 There is established an account to be known as the "cultural heritage
8128 development account" which shall be a separate nonlapsing account
8129 within the General Fund. The account may contain any moneys
8130 required by law to be deposited in the account. The moneys in said
8131 account shall be allocated to a grant program administered by the
8132 Connecticut Humanities Council*, to provide funds for local
8133 institutions in the humanities, including but not limited to, libraries,
8134 museums and historical and cultural societies and associations. No
8135 such grant for technical assistance shall exceed ten thousand dollars,
8136 no such grant for planning or professional development shall exceed
8137 twenty-five thousand dollars, and no such grant for implementation
8138 shall exceed one hundred fifty thousand dollars. Each grant under this
8139 section shall be matched equally by the local institution, through an in-
8140 kind contribution, monetary contribution, or any combination of an in-
8141 kind or monetary contribution. In the case of an implementation grant
8142 in the amount of five thousand dollars or more, but less than twenty-
8143 five thousand dollars, at least twenty-five per cent of the matching
8144 contribution by the local institution shall be from private sources. In
8145 the case of an implementation grant in the amount of twenty-five
8146 thousand dollars or more, at least fifty per cent of the matching
8147 contribution by the local institution shall be from private sources. The
8148 council* shall report to the joint standing committees of the General
8149 Assembly having cognizance of matters relating to appropriations and
8150 the Department of **[**Economic and**]** Community Development in
8151 December of each year concerning the grants made under the program
8152 and their purposes.

8153 Sec. 147. Section 10-416b of the general statutes is repealed and the
8154 following is substituted in lieu thereof (*Effective July 1, 2009*):

8155 (a) As used in this section, the following terms shall have the
8156 following meanings unless the context clearly indicates another
8157 meaning:

8158 **[**(1) "Commission" means the Connecticut Commission on Culture
8159 and Tourism established pursuant to section 10-392;**]**

8160 **[**(2)**]** (1) "Certified historic structure" means an historic commercial
8161 or industrial property that: (A) Is listed individually on the National or
8162 State Register of Historic Places, or (B) is located in a district listed on
8163 the National or State Register of Historic Places, and has been certified
8164 by the commission as contributing to the historic character of such
8165 district;

8166 **[**(3)**]** (2) "Certified rehabilitation" means any rehabilitation of a
8167 certified historic structure for mixed residential and nonresidential
8168 uses consistent with the historic character of such property or the
8169 district in which the property is located as determined by regulations
8170 adopted by the commission;

8171 (3) "Department" means the Department of Community
8172 Development;

8173 (4) "Owner" means any person, firm, limited liability company,
8174 nonprofit or for-profit corporation or other business entity which
8175 possesses title to an historic structure and undertakes the rehabilitation
8176 of such structure;

8177 (5) "Placed in service" means that substantial rehabilitation work has
8178 been completed which would allow for issuance of a certificate of
8179 occupancy for the entire building or, in projects completed in phases,
8180 for individual residential units that are an identifiable portion of the
8181 building;

8182 (6) "Qualified rehabilitation expenditures" means any costs incurred
8183 for the physical construction involved in the rehabilitation of a
8184 certified historic structure for mixed residential and nonresidential
8185 uses where at least thirty-three per cent of the total square footage of
8186 the rehabilitation is placed into service for residential use, excluding:
8187 (A) The owner's personal labor, (B) the cost of a new addition, except
8188 as required to comply with any provision of the State Building Code or
8189 the State Fire Safety Code, and (C) any nonconstruction cost such as
8190 architectural fees, legal fees and financing fees;

8191 (7) "Rehabilitation plan" means any construction plans and
8192 specifications for the proposed rehabilitation of a certified historic
8193 structure in sufficient detail for evaluation by compliance with the
8194 standards developed under the provisions of subsections (b) to (d),
8195 inclusive, of this section; and

8196 (8) "Substantial rehabilitation" or "substantially rehabilitate" means
8197 the qualified rehabilitation expenditures of a certified historic structure
8198 that exceed twenty-five per cent of the assessed value of such
8199 structure.

8200 (b) (1) The **[**commission**]** department shall administer a system of
8201 tax credit vouchers within the resources, requirements and purposes of
8202 this section for owners rehabilitating certified historic structures.

8203 (2) The credit authorized by this section shall be available in the tax
8204 year in which the substantially rehabilitated certified historic structure
8205 is placed in service. In the case of projects completed in phases, the tax
8206 credit shall be prorated to the substantially rehabilitated identifiable
8207 portion of the building placed in service. If the tax credit is more than
8208 the amount owed by the taxpayer for the year in which the
8209 substantially rehabilitated certified historic structure is placed in
8210 service, the amount that is more than the taxpayer's tax liability may be
8211 carried forward and credited against the taxes imposed for the
8212 succeeding five years or until the full credit is used, whichever occurs
8213 first.

8214 (3) Any credits allowed under this section that are provided to
8215 multiple owners of certified historic structures shall be passed through
8216 to persons designated as partners, members or owners, pro rata or
8217 pursuant to an agreement among such persons designated as partners,
8218 members or owners documenting an alternative distribution method
8219 without regard to other tax or economic attributes of such entity. Any
8220 owner entitled to a credit under this section may assign, transfer or
8221 convey the credits, in whole or in part, by sale or otherwise to any
8222 individual or entity and such transferee shall be entitled to offset the
8223 tax imposed under chapter 207, 208, 209, 210, 211 or 212 as if such
8224 transferee had incurred the qualified rehabilitation expenditure.

8225 (c) The commission shall develop standards for the approval of
8226 rehabilitation of certified historic structures for which a tax credit
8227 voucher is sought. Such standards shall take into account whether the
8228 rehabilitation of a certified historic structure will preserve the historic
8229 character of the building.

8230 (d) The **[**commission**]** department shall adopt regulations, in
8231 accordance with chapter 54, to carry out the purposes of this section.
8232 Such regulations shall include provisions for the filing of applications,
8233 rating criteria and for timely approval by the **[**commission**]**
8234 department.

8235 (e) Prior to beginning any rehabilitation work on a certified historic
8236 structure, the owner shall submit (1) a rehabilitation plan to the
8237 **[**commission**]** department for a determination of whether or not such
8238 rehabilitation work meets the standards developed under the
8239 provisions of subsections (b) to (d), inclusive, of this section, (2) an
8240 estimate of the qualified rehabilitation expenditures, and (3) for
8241 projects pursuant to subdivision (2) of subsection (f) of this section, (A)
8242 the number of units of affordable housing, as defined in section 8-39a,
8243 to be created, (B) the proposed rents or sale prices of such units, and
8244 (C) the median income for the municipality where the project is
8245 located. In the case of a project pursuant to subdivision (2) of

8246 subsection (f) of this section the owner shall submit a copy of data
8247 required under subdivision (3) of this subsection to the Department of
8248 Economic and Community Development.

8249 (f) If the [commission] department certifies that the rehabilitation
8250 plan conforms to the standards developed under the provisions of
8251 subsections (b) to (d), inclusive, of this section, the [commission]
8252 department shall reserve for the benefit of the owner an allocation for a
8253 tax credit equivalent to (1) twenty-five per cent of the projected
8254 qualified rehabilitation expenditures, or (2) for rehabilitation plans
8255 submitted pursuant to subsection (e) of this section on or after June 14,
8256 2007, thirty per cent of the projected qualified rehabilitation
8257 expenditures if (A) at least twenty per cent of the units are rental units
8258 and qualify as affordable housing, as defined in section 8-39a, or (B) at
8259 least ten per cent of the units are individual homeownership units and
8260 qualify as affordable housing, as defined in section 8-39a. No tax credit
8261 shall be allocated for the purposes of this subdivision unless an
8262 applicant has submitted to the commission a certificate from the
8263 Department of Economic and Community Development pursuant to
8264 subsections (k) and (l) of this section confirming that the project
8265 complies with affordable housing requirements under section 8-39a.

8266 (g) Following the completion of rehabilitation of a certified historic
8267 structure, the owner shall notify the [commission] department that
8268 such rehabilitation has been completed. The owner shall provide the
8269 [commission] department with documentation of work performed on
8270 the certified historic structure and shall submit certification of the costs
8271 incurred in rehabilitating the certified historic structure. The
8272 [commission] department shall review such rehabilitation and verify
8273 its compliance with the rehabilitation plan. Following such
8274 verification, the [commission] department shall issue a tax credit
8275 voucher to the owner rehabilitating the certified historic structure or to
8276 the taxpayer named by the owner as contributing to the rehabilitation.
8277 The tax credit voucher shall be in an amount equivalent to the lesser of
8278 the tax credit reserved upon certification of the rehabilitation plan

8279 under the provisions of subsection (f) of this section or (1) twenty-five
8280 per cent of the actual qualified rehabilitation expenditures, or (2) for
8281 projects including affordable housing pursuant to subdivision (2) of
8282 subsection (f) of this section, thirty per cent of the actual qualified
8283 rehabilitation expenditures. In order to obtain a credit against any state
8284 tax due that is specified in subsection (h) of this section, the holder of
8285 the tax credit voucher shall file the voucher with the holder's state tax
8286 return.

8287 (h) The Commissioner of Revenue Services shall grant a tax credit to
8288 a taxpayer holding the tax credit voucher issued under subsections (e)
8289 to (i), inclusive, of this section against any tax due under chapter 207,
8290 208, 209, 210, 211 or 212 in the amount specified in the tax credit
8291 voucher. Such taxpayer shall submit the voucher and the
8292 corresponding tax return to the Department of Revenue Services.

8293 (i) The **[**commission**]** department may charge an application fee in
8294 an amount not to exceed ten thousand dollars to cover the cost of
8295 administering the program established pursuant to this section.

8296 (j) The aggregate amount of all tax credits which may be reserved by
8297 the **[**Commission on Culture and Tourism**]** Department of Community
8298 Development upon certification of rehabilitation plans under
8299 subsections (a) to (i), inclusive, of this section shall not exceed fifty
8300 million dollars for the fiscal three-year period beginning July 1, 2008,
8301 and ending June 30, 2011, inclusive, and each fiscal three-year period
8302 thereafter. No project may receive tax credits in an amount exceeding
8303 ten per cent of such aggregate amount.

8304 (k) On or before October 1, 2009, and annually thereafter, the
8305 **[**Commission on Culture and Tourism**]** department shall report the
8306 total amount of historic preservation tax credits and affordable
8307 housing tax credits reserved for the previous fiscal year under
8308 subsections (a) to (i), inclusive, of this section, to the joint standing
8309 committees of the General Assembly having cognizance of matters
8310 relating to commerce and to finance, revenue and bonding. Each such

8311 report shall include the following information for each project for
8312 which tax credit has been reserved: (1) The total project costs, (2) the
8313 value of the tax credit reservation for the purpose of historic
8314 preservation, (3) a statement whether the reservation is for mixed-use
8315 and if so, the proportion of the project that is not residential, and (4)
8316 the number of residential units to be created, and, for affordable
8317 housing reservations, the value of the reservation and percentage of
8318 residential units that will qualify as affordable housing, as defined in
8319 section 8-39a.

8320 (l) (1) If the total amount of such tax credits reserved in the first
8321 fiscal year of a fiscal three-year period is more than sixty-five per cent
8322 of the aggregate amount of tax credits reserved under subsections (a)
8323 to (i), inclusive, of this section, then no additional reservation shall be
8324 allowed for the second fiscal year of such fiscal three-year period
8325 unless the joint standing committees of the General Assembly having
8326 cognizance of matters relating to commerce and to finance, revenue
8327 and bonding each vote separately to authorize continuance of tax
8328 credit reservations under the program.

8329 (2) If the total amount of such credits reserved in the second year of
8330 a fiscal three-year period exceeds ninety per cent of the aggregate
8331 amount of tax credits reserved under subsections (a) to (i), inclusive, of
8332 this section, then no additional reservation shall be allowed for the
8333 third fiscal year of such fiscal three-year period unless the joint
8334 standing committees of the General Assembly having cognizance of
8335 matters relating to commerce and to finance, revenue and bonding
8336 each vote separately to authorize the continuance of tax credit
8337 reservations under the program.

8338 (3) Any tax credit reservations issued before a suspension of
8339 additional tax credit reservations under subdivisions (1) and (2) of this
8340 subsection shall remain in place.

8341 Sec. 148. Section 10-425 of the general statutes is repealed and the
8342 following is substituted in lieu thereof (*Effective July 1, 2009*):

8343 (a) [Not later than October 1, 2008, the executive director of the
8344 Connecticut Commission on Culture and Tourism shall establish a]
8345 The Sports Advisory Board [within the commission that] shall advise
8346 the [executive director] Commissioner of Community Development on
8347 the most effective ways to utilize state resources to promote, attract
8348 and market in-state professional and amateur sports and sporting
8349 events. Such board shall also advise the [executive director]
8350 Commissioner of Community Development on ways to coordinate the
8351 use of state-owned facilities in order to enhance sports-related tourism
8352 in the state and develop methods for the dissemination of information
8353 concerning in-state professional and amateur sports and sporting
8354 events to residents of the state and the northeast.

8355 (b) Such advisory board shall consist of one member from each of
8356 the following entities: (1) The University of Connecticut's Athletic
8357 Department; (2) the Connecticut State University System's Athletic
8358 Department; (3) the XL Center; (4) Northland AEG; (5) the Traveler's
8359 Championship Golf Tournament; (6) the Pilot Pen Tennis Tournament;
8360 (7) the Special Olympics; (8) the Mohegan Sun Arena; (9) Foxwoods
8361 Resort Casino; (10) Lime Rock Park Race Track; (11) the Arena at
8362 Harbor Yard; (12) New Britain Stadium; (13) the Connecticut Marine
8363 Trades Association; (14) the Office of Policy and Management; (15) [the
8364 Department of Economic and Community Development; (16)] the
8365 Capital City Economic Development Authority; [(17)] (16) the Nutmeg
8366 State Games; [(18)] (17) the Connecticut Interscholastic Athletic
8367 Conference; [(19)] (18) Fairfield University; [(20)] (19) Quinnipiac
8368 University; [(21)] (20) Sacred Heart University; [(22)] (21) any other
8369 entity involved in sports or sporting events that the [executive
8370 director] commissioner deems appropriate; [(23)] (22) the Connecticut
8371 State Golf Association; and [(24)] (23) Dodd Stadium.

8372 (c) The [first meeting of the Sports Advisory Board shall convene
8373 not later than November 15, 2008, and the] advisory board shall meet
8374 not less than once per calendar quarter thereafter. The advisory board
8375 shall provide any recommendations of the advisory board to the

8376 [executive director] commissioner not later than thirty days after any
8377 such meeting.

8378 (d) The members of the advisory board may select a chairperson
8379 from among its membership who shall be responsible for the
8380 scheduling and conducting of any such meeting.

8381 (e) The [Connecticut Commission on Culture and Tourism]
8382 Department of Community Development shall provide staff support to
8383 the board.

8384 (f) Not later than thirty days prior to each regular session of the
8385 General Assembly, the [executive director of the Connecticut
8386 Commission on Culture and Tourism] Department of Community
8387 Development shall submit a report to the joint standing committee of
8388 the General Assembly having cognizance of matters relating to
8389 commerce that includes information on the status of the Sports
8390 Advisory Board's activities, the implementation of any
8391 recommendations of such advisory board and any legislative
8392 proposals related to such recommendations.

8393 Sec. 149. Section 10a-19f of the general statutes is repealed and the
8394 following is substituted in lieu thereof (*Effective July 1, 2009*):

8395 (a) There is established a "You Belong" loan reimbursement grant
8396 program, administered by the Department of Higher Education, for
8397 graduates of doctoral programs who are employed in Connecticut in
8398 economically valuable fields.

8399 (b) Within available appropriations, the program shall provide
8400 student loan reimbursement grants for persons who (1) have been
8401 awarded a doctoral degree from any institution of higher education,
8402 and (2) are newly employed in Connecticut in an economically
8403 valuable field, as determined by the Department of [Economic and]
8404 Community Development, on or after January 1, 2006, by a company
8405 or an institution of higher education that has registered with or

8406 otherwise been qualified under the program by the Department of
8407 [Economic and] Community Development.

8408 (c) Persons who qualify under subsection (b) of this section shall
8409 receive reimbursement grants on an annual basis for qualifying
8410 student loan payments in amounts as determined by the
8411 Commissioner of Higher Education. A person qualifying under
8412 subsection (b) of this section shall only be reimbursed for loan
8413 payments made while such person is employed in Connecticut by a
8414 qualifying company or in research at an institution of higher education
8415 in an economically valuable field. The Department of Higher
8416 Education shall develop eligibility requirements for recipients of such
8417 reimbursement grants in consultation with the Department of
8418 [Economic and] Community Development. Such requirements may
8419 include income guidelines. Persons may apply for grants to the
8420 Department of Higher Education at such time and in such manner as
8421 the Commissioner of Higher Education prescribes.

8422 (d) Any unexpended funds appropriated for purposes of this
8423 section shall not lapse at the end of the fiscal year but shall be available
8424 for expenditure during the next fiscal year.

8425 (e) The Department of Higher Education may use up to two per cent
8426 of the funds appropriated for purposes of this section for program
8427 administration, promotion and recruitment activities.

8428 Sec. 150. Section 12-3f of the general statutes is repealed and the
8429 following is substituted in lieu thereof (*Effective July 1, 2009*):

8430 (a) There is established a Department of Revenue Services Small and
8431 Medium-Sized Business Users Committee. The committee shall consist
8432 of (1) the chairpersons and ranking members of the joint standing
8433 committee of the General Assembly having cognizance of matters
8434 relating to finance, revenue and bonding, or their designees, (2) the
8435 chairpersons and ranking members of the joint standing committee of
8436 the General Assembly having cognizance of matters relating to the

8437 Department of **[**Economic and**]** Community Development, or their
8438 designees, (3) the Commissioner of Revenue Services, or his designee,
8439 (4) two members appointed by the Governor, (5) one member of the
8440 joint standing committee of the General Assembly having cognizance
8441 of matters relating to finance, revenue and bonding, who shall be
8442 appointed by the president pro tempore of the Senate, (6) one member
8443 of the joint standing committee of the General Assembly having
8444 cognizance of matters relating to appropriations, who is also a member
8445 of the subcommittee having cognizance of matters relating to
8446 appropriations for the Department of Revenue Services and who shall
8447 be appointed by the speaker of the House of Representatives, (7) two
8448 representatives of small and medium-sized businesses, one of whom
8449 shall be appointed by the majority leader of the Senate and one of
8450 whom shall be appointed by the majority leader of the House of
8451 Representatives, (8) a certified public accountant, who shall be
8452 appointed by the majority leader of the Senate, (9) an attorney with
8453 expertise in tax law, who shall be appointed by the majority leader of
8454 the House of Representatives, (10) a representative of small and
8455 medium-sized businesses and a certified public accountant, who shall
8456 be appointed by the minority leader of the House of Representatives,
8457 and (11) a representative of small and medium-sized businesses and an
8458 attorney with expertise in tax law, who shall be appointed by the
8459 minority leader of the Senate. All appointments shall be made within
8460 thirty days after July 1, 1993. The commissioner shall call the initial
8461 meeting of the committee, at which the committee shall elect one of its
8462 members to serve as chairperson.

8463 (b) The committee shall advise and make recommendations to the
8464 Commissioner of Revenue Services concerning measures to improve
8465 the department's "user friendliness".

8466 Sec. 151. Subdivisions (59) and (60) of section 12-81 of the general
8467 statutes are repealed and the following is substituted in lieu thereof
8468 (*Effective July 1, 2009*):

8469 (59) (a) Any manufacturing facility, as defined in section 32-9p,
8470 acquired, constructed, substantially renovated or expanded on or after
8471 July 1, 1978, in a distressed municipality, as defined in said section or
8472 in a targeted investment community, as defined in section 32-222, or in
8473 an enterprise zone designated pursuant to section 32-70 and for which
8474 an eligibility certificate has been issued by the Department of
8475 [Economic and] Community Development, and any manufacturing
8476 plant designated by the Commissioner of [Economic and] Community
8477 Development under subsection (a) of section 32-75c as follows: To the
8478 extent of eighty per cent of its valuation for purposes of assessment in
8479 each of the five full assessment years following the assessment year in
8480 which the acquisition, construction, renovation or expansion of the
8481 manufacturing facility is completed, except that a manufacturing
8482 facility having a standard industrial classification code of 2833 or 2834
8483 and having at least one thousand full-time employees, as defined in
8484 subsection (f) of section 32-9j, shall be eligible to have the assessment
8485 period extended for five additional years upon approval of the
8486 commissioner, in accordance with all applicable regulations, provided
8487 such full-time employees have not been relocated from another facility
8488 in the state operated by the same eligible applicant;

8489 (b) Any service facility, as defined in section 32-9p, acquired,
8490 constructed, substantially renovated or expanded on or after July 1,
8491 1996, and for which an eligibility certificate has been issued by the
8492 Department of [Economic and] Community Development, as follows:
8493 (i) In the case of an investment of twenty million dollars or more but
8494 not more than thirty-nine million dollars in the service facility, to the
8495 extent of forty per cent of its valuation for purposes of assessment in
8496 each of the five full assessment years following the assessment year in
8497 which the acquisition, construction, renovation or expansion of the
8498 service facility is completed; (ii) in the case of an investment of more
8499 than thirty-nine million dollars but not more than fifty-nine million
8500 dollars in the service facility, to the extent of fifty per cent of its
8501 valuation for purposes of assessment in each of the five full assessment
8502 years following the assessment year in which the acquisition,

8503 construction, renovation or expansion of the service facility is
8504 completed; (iii) in the case of an investment of more than fifty-nine
8505 million dollars but not more than seventy-nine million dollars in the
8506 service facility, to the extent of sixty per cent of its valuation for
8507 purposes of assessment in each of the five full assessment years
8508 following the assessment year in which the acquisition, construction,
8509 renovation or expansion of the service facility is completed; (iv) in the
8510 case of an investment of more than seventy-nine million dollars but
8511 not more than ninety million dollars in the service facility, to the extent
8512 of seventy per cent of its valuation for purposes of assessment in each
8513 of the five full assessment years following the assessment year in
8514 which the acquisition, construction, renovation or expansion of the
8515 service facility is completed; or (v) in the case of an investment of more
8516 than ninety million dollars in the service facility, to the extent of eighty
8517 per cent of its valuation for purposes of assessment in each of the five
8518 full assessment years following the assessment year in which the
8519 acquisition, construction, renovation or expansion of the service
8520 facility is completed, except that any financial institution, as defined in
8521 section 12-217u, having at least four thousand qualified employees, as
8522 determined in accordance with an agreement pursuant to subdivision
8523 (3) of subsection (n) of section 12-217u, shall be eligible to have the
8524 assessment period extended for five additional years upon approval of
8525 the commissioner, in accordance with all applicable regulations,
8526 provided such full-time employees have not been relocated from
8527 another facility in the state operated by the same eligible applicant. In
8528 no event shall the definition of qualified employee be more favorable
8529 to the employer than the definition provided in section 12-217u;

8530 (c) The completion date of a manufacturing facility, manufacturing
8531 plant or a service facility will be determined by the Department of
8532 **[**Economic and**]** Community Development taking into account the
8533 issuance of occupancy certificates and such other factors as it deems
8534 relevant. In the case of a manufacturing facility, manufacturing plant
8535 or a service facility which consists of a constructed, renovated or
8536 expanded portion of an existing plant, the assessed valuation of the

8537 facility or manufacturing plant is the difference between the assessed
8538 valuation of the plant prior to its being improved and the assessed
8539 valuation of the plant upon completion of the improvements. In the
8540 case of a manufacturing facility, manufacturing plant or a service
8541 facility which consists of an acquired portion of an existing plant, the
8542 assessed valuation of the facility or manufacturing plant is the assessed
8543 valuation of the portion acquired. This exemption shall be applicable
8544 during each such assessment year regardless of any change in the
8545 ownership or occupancy of the facility or manufacturing plant. If
8546 during any such assessment year, however, any facility for which an
8547 eligibility certificate has been issued ceases to qualify as a
8548 manufacturing facility, manufacturing plant or a service facility, the
8549 entitlement to the exemption allowed by this subdivision shall
8550 terminate for the assessment year following the date on which the
8551 qualification ceases, and there shall not be a pro rata application of the
8552 exemption. Any person who desires to claim the exemption provided
8553 in this subdivision shall file annually with the assessor or board of
8554 assessors in the distressed municipality, targeted investment
8555 community or enterprise zone designated pursuant to section 32-70 in
8556 which the manufacturing facility or service facility is located, on or
8557 before the first day of November, written application claiming such
8558 exemption on a form prescribed by the Secretary of the Office of Policy
8559 and Management. Failure to file such application in this manner and
8560 form within the time limit prescribed shall constitute a waiver of the
8561 right to such exemption for such assessment year, unless an extension
8562 of time is allowed pursuant to section 12-81k, and upon payment of the
8563 required fee for late filing;

8564 (60) (a) (1) Machinery and equipment which represents an addition
8565 to the assessment or grand list of the municipality in which this
8566 exemption is claimed and is installed in any manufacturing facility, as
8567 defined in section 32-9p, which facility is or has been constructed, or
8568 substantially renovated or expanded on or after July 1, 1978, in a
8569 distressed municipality or targeted investment community or
8570 enterprise zone designated pursuant to section 32-70 and for which an

8571 eligibility certificate has been issued by the Department of [Economic
8572 and] Community Development, concurrently with and directly
8573 attributable to such construction, renovation or expansion, (2)
8574 machinery and equipment which represents an addition to the
8575 assessment or grand list of the municipality in which this exemption is
8576 claimed and is installed, or machinery and equipment existing, in any
8577 manufacturing facility, as defined in section 32-9p, which facility is or
8578 has been acquired on or after July 1, 1978, in a distressed municipality,
8579 targeted investment community or enterprise zone designated
8580 pursuant to section 32-70 and for which an eligibility certificate has
8581 been issued by the Department of [Economic and] Community
8582 Development, and (3) machinery and equipment acquired and
8583 installed on or after October 1, 1986, in a manufacturing facility that is
8584 or has at one time been certified as eligible for the exemption under
8585 this subparagraph in accordance with section 32-9r, and which
8586 continues to be used for manufacturing purposes, provided such
8587 machinery and equipment is installed in conjunction with an
8588 expansion program that satisfies the requirements for a manufacturing
8589 facility, as defined in section 32-9p, and is contiguous to and represents
8590 an increase in square feet of floor space of not less than fifty per cent of
8591 the floor space in the certified manufacturing facility, as follows: To the
8592 extent of eighty per cent of its valuation for purposes of assessment in
8593 each of the five full assessment years for which the manufacturing
8594 facility in which it is installed qualifies for an exemption under
8595 subdivision (59) of this section, except that a facility having a code
8596 classification 2833 or 2834 in the Standard Industrial Code
8597 Classification Manual, United States Office of Management and
8598 Budget, 1987 edition, wherein at least one thousand new full-time
8599 employees, as defined in subsection (f) of section 32-9j, are employed,
8600 shall be eligible to have the assessment period under this subdivision
8601 extended for five additional years upon approval of the commissioner,
8602 provided the commissioner approves an extension of the assessment
8603 period under subdivision (59) of this section for said facility;

8604 (b) (1) Machinery and equipment which represents an addition to

8605 the assessment or grand list of the municipality in which this
8606 exemption is claimed and is installed in any service facility, as defined
8607 in section 32-9p, which facility is or has been constructed, or
8608 substantially renovated or expanded on or after July 1, 1996, and for
8609 which an eligibility certificate has been issued by the Department of
8610 **[**Economic and**]** Community Development, concurrently with and
8611 directly attributable to such construction, renovation or expansion, (2)
8612 machinery and equipment which represents an addition to the
8613 assessment or grand list of the municipality in which this exemption is
8614 claimed and is installed, or machinery and equipment existing, in any
8615 service facility, as defined in section 32-9p, which facility is or has been
8616 acquired on or after July 1, 1996, and for which an eligibility certificate
8617 has been issued by the department, and (3) machinery and equipment
8618 acquired and installed on or after July 1, 1996, in a service facility that
8619 is or has at one time been certified as eligible for the exemption under
8620 this subparagraph in accordance with section 32-9r and which
8621 continues to be used for service purposes, provided such machinery
8622 and equipment is installed in conjunction with an expansion program
8623 that satisfies the requirements for a service facility, as defined in
8624 section 32-9p, and is contiguous to and represents an increase in
8625 square feet of floor space of not less than fifty per cent of the floor
8626 space in the certified service facility, as follows: (i) In the case of an
8627 investment of twenty million dollars or more but not more than thirty-
8628 nine million dollars in the service facility, to the extent of forty per cent
8629 of its valuation for purposes of assessment in each of the five full
8630 assessment years for which the service facility in which it is installed
8631 qualifies for an exemption under subdivision (59) of this section; (ii) in
8632 the case of an investment of more than thirty-nine million dollars but
8633 not more than fifty-nine million dollars in the service facility, to the
8634 extent of fifty per cent of its valuation for purposes of assessment in
8635 each of the five full assessment years for which the service facility in
8636 which it is installed qualifies for an exemption under subdivision (59)
8637 of this section; (iii) in the case of an investment of more than fifty-nine
8638 million dollars but not more than seventy-nine million dollars in the

8639 service facility, to the extent of sixty per cent of its valuation for
8640 purposes of assessment in each of the five full assessment years for
8641 which the service facility in which it is installed qualifies for an
8642 exemption under subdivision (59) of this section; (iv) in the case of an
8643 investment of more than seventy-nine million dollars but not more
8644 than ninety million dollars in the service facility, to the extent of
8645 seventy per cent of its valuation for purposes of assessment in each of
8646 the five full assessment years for which the service facility in which it
8647 is installed qualifies for an exemption under subdivision (59) of this
8648 section; or (v) in the case of an investment of more than ninety million
8649 dollars in the service facility, to the extent of eighty per cent of its
8650 valuation for purposes of assessment in each of the five full assessment
8651 years for which the service facility in which it is installed qualifies for
8652 an exemption under subdivision (59) of this section, except that any
8653 financial institution, as defined in section 12-217u, having at least four
8654 thousand qualified employees, as determined in accordance with an
8655 agreement pursuant to subdivision (3) of subsection (n) of section 12-
8656 217u, shall be eligible to have the assessment period extended for five
8657 additional years upon approval of the commissioner, in accordance
8658 with all applicable regulations, provided such full-time employees
8659 have not been relocated from another facility in the state operated by
8660 the same eligible applicant. In no event shall the definition of qualified
8661 employee be more favorable to the employer than the definition
8662 provided in section 12-217u;

8663 (c) This exemption shall terminate for the assessment year next
8664 following if the manufacturing facility or service facility in which such
8665 machinery and equipment is installed no longer qualifies for an
8666 exemption under said subdivision (59), and there shall not be a pro
8667 rata application of the exemption of such machinery and equipment in
8668 the assessment year of such termination. Any person who desires to
8669 claim the exemption provided in this subdivision shall file annually
8670 with the assessor or board of assessors in the distressed municipality,
8671 targeted investment community or enterprise zone designated
8672 pursuant to section 32-70 in which the manufacturing facility or service

8673 facility is located, on or before the first day of November, written
8674 application claiming such exemption on a form prescribed by the
8675 Secretary of the Office of Policy and Management. Failure to file such
8676 application in this manner and form within the time limit prescribed
8677 shall constitute a waiver of the right to such exemption for such
8678 assessment year, unless an extension of time is allowed pursuant to
8679 section 12-81k, and upon payment of the required fee for late filing.
8680 This exemption shall not apply to rolling stock.

8681 Sec. 152. Subdivision (70) of section 12-81 of the general statutes is
8682 repealed and the following is substituted in lieu thereof (*Effective July*
8683 *1, 2009*):

8684 (70) (A) New machinery and equipment used directly in the
8685 manufacturing of goods or products and acquired through purchase
8686 by any business organization or any affiliate of such business
8687 organization as part of a technological upgrading of the manufacturing
8688 process at a location in a distressed municipality, targeted investment
8689 community, as defined in section 32-222, or enterprise zone designated
8690 pursuant to section 32-70, and for which an eligibility certificate has
8691 been issued by the Department of **[**Economic and**]** Community
8692 Development, which business organization (i) is engaged in the
8693 manufacturing, processing or assembling of raw materials, parts or
8694 manufactured products, (ii) has been in continuous operation in the
8695 state for a period not less than five years prior to claiming the
8696 exemption provided in this subdivision, (iii) had gross receipts in an
8697 amount less than twenty million dollars in the year prior to claiming
8698 the exemption provided in this subdivision, including receipts of any
8699 affiliates of the business organization, and (iv) has incurred costs in
8700 acquiring such machinery and equipment not less than the greater of
8701 (I) two hundred thousand dollars, or (II) two hundred per cent of the
8702 business organization's and affiliate's average expenditure for the
8703 acquisition of machinery and equipment used directly in the
8704 manufacturing of goods or products at the location in the distressed
8705 municipality, targeted investment community or enterprise zone

8706 designated pursuant to section 32-70 during the three years prior to
8707 claiming the exemption provided in this subdivision, as follows: To the
8708 extent of fifty per cent of its valuation for purposes of assessment in
8709 each of the five full assessment years following the assessment year in
8710 which such machinery and equipment is acquired;

8711 (B) Any person who desires to claim the exemption provided in this
8712 subdivision shall file annually with the assessor or board of assessors
8713 in the distressed municipality, targeted investment community or
8714 enterprise zone designated pursuant to section 32-70 in which the
8715 business organization is located, on or before the first day of
8716 November, written application claiming such exemption on a form
8717 prescribed by the Secretary of the Office of Policy and Management.
8718 Failure to file such application in this manner and form within the time
8719 limit prescribed shall constitute a waiver of the right to such
8720 exemption for such assessment year, unless an extension of time is
8721 allowed pursuant to section 12-81k, and upon payment of the required
8722 fee for late filing. No person shall be eligible to receive the exemption
8723 provided in this subdivision if such exemption is sought for machinery
8724 and equipment located in a manufacturing facility, as defined in
8725 subsection (d) of section 32-9p, currently receiving assistance under
8726 subdivisions (59) and (60) of this section, and no person shall receive
8727 such exemption for eligible machinery or equipment at each location in
8728 a distressed municipality, targeted investment community or
8729 enterprise zone designated pursuant to section 32-70 more than once in
8730 any continuous five-year period;

8731 (C) The state and the municipality and district shall hold a security
8732 interest, as defined in subdivision (35) of subsection (b) of section 42a-
8733 1-201, in any machinery or equipment which is exempt from taxation
8734 pursuant to this subdivision, in an amount equal to the tax revenue
8735 reimbursed or lost, as the case may be, which shall be subordinate to
8736 any purchase money security interest, as defined in section 42a-9-103a.
8737 Such security interest shall be enforceable against the taxpayer for a
8738 period of five years after the last assessment year in which such

8739 exemption was received in any case in which the business organization
8740 ceases all business operations or moves its business operations entirely
8741 out of this state. Any assessor who has granted an exemption under
8742 this subdivision shall provide written notification to the secretary of
8743 the cessation of such operations or the move of such operations
8744 entirely out of this state. Such notification may be made at any time
8745 after the October first of the last assessment year in which such
8746 exemption is granted and before the September thirtieth that is five
8747 years after the conclusion of said assessment year. Upon receiving such
8748 notification and complying with the provisions of section 12-35a, the
8749 state shall have a lien upon the machinery or equipment situated in
8750 this state and owned by the person that ceased all business operations
8751 or moved such operations entirely out of this state. Notwithstanding
8752 the provisions of section 12-35a, the total amount of the reimbursement
8753 made by the state for the property tax exemptions granted to the
8754 person under the provisions of this subdivision, shall be deemed to be
8755 the amount of the tax which such person failed to pay.
8756 Notwithstanding said section 12-35a, the information required to be
8757 included in the notice of lien for said tax shall be as follows: (i) The
8758 owner of the property upon which the lien is claimed, (ii) the business
8759 address or residence address of such owner, (iii) the specific property
8760 claimed to be subject to such lien, (iv) the location of such property at
8761 the time it was last made tax-exempt pursuant to this subdivision, (v)
8762 the total amount of the reimbursement made by the state for the
8763 property tax exemptions granted to such owner under the provisions
8764 of this subdivision, and (vi) the tax period or periods for which such
8765 lien is claimed. If more than one agency of the state perfects such a
8766 notice of lien on the same day, the priority of such liens shall be
8767 determined by the time of day such liens were perfected, and if
8768 perfected at the same time, the lien for the highest amount shall have
8769 priority. In addition to the other remedies provided in this subdivision,
8770 the Attorney General, upon request of the secretary, may bring a civil
8771 action in a court of competent jurisdiction to recover the amount of tax
8772 revenue reimbursed by the state from any person who received an

8773 exemption under this subdivision.

8774 Sec. 153. Section 12-263m of the general statutes is repealed and the
8775 following is substituted in lieu thereof (*Effective July 1, 2009*):

8776 (a) As used in this section: (1) "Eligible dry cleaning establishment"
8777 means any place of business engaged in the cleaning of clothing or
8778 other fabrics using tetrachlorethylene, Stoddard solvent or other
8779 chemicals or any place of business that accepts clothing or other fabrics
8780 to be cleaned by another establishment using such chemicals, (2) "gross
8781 receipts at retail" means the total amount accruing from dry cleaning
8782 services at retail, valued in money, without any deduction for the cost
8783 of the materials used, labor or service cost or any other expense, and
8784 (3) "eligible applicant" means (A) a business owner or operator of an
8785 eligible dry cleaning establishment, or (B) an owner of property that is
8786 occupied by an eligible dry cleaning establishment.

8787 (b) There shall be paid to the Commissioner of Revenue Services by
8788 each dry cleaning establishment a surcharge of one per cent of its gross
8789 receipts at retail for any dry cleaning service performed on or after
8790 January 1, 1995. Each such establishment shall register with the
8791 Commissioner of Revenue Services on forms prescribed by him. Each
8792 such establishment shall submit a return quarterly to the
8793 Commissioner of Revenue Services, applicable with respect to the
8794 calendar quarter beginning January 1, 1995, and each calendar quarter
8795 thereafter, on or before the last day of the month immediately
8796 following the end of each such calendar quarter, on a form prescribed
8797 by the commissioner, together with payment of the quarterly
8798 surcharge determined and payable in accordance with the provisions
8799 of this section. Whenever such surcharge is not paid when due, a
8800 penalty of ten per cent of the amount due or fifty dollars, whichever is
8801 greater, shall be imposed, and such surcharge shall bear interest at the
8802 rate of one per cent per month or fraction thereof until the same is
8803 paid. The Commissioner of Revenue Services shall cause copies of a
8804 form prescribed for submitting returns as required under this section

8805 to be distributed to persons subject to the surcharge. Failure to receive
8806 such form shall not be construed to relieve anyone subject to the
8807 surcharge under this section from the obligations of submitting a
8808 return, together with payment of such surcharge within the time
8809 required. The provisions of sections 12-548 to 12-554, inclusive, and
8810 sections 12-555a and 12-555b shall apply to the provisions of this
8811 section in the same manner and with the same force and effect as if the
8812 language of said sections 12-548 to 12-554, inclusive, and sections
8813 12-555a and 12-555b had been incorporated in full into this section and
8814 had expressly referred to the surcharge imposed under this section,
8815 except to the extent that any such provision is inconsistent with a
8816 provision of this section and except that the term "tax" shall be read as
8817 "dry cleaning establishment surcharge". Any moneys received by the
8818 state pursuant to this section shall be deposited into the account
8819 established pursuant to subsection (c) of this section.

8820 (c) There is established an account within the General Fund to be
8821 known as the "dry cleaning establishment remediation account". Said
8822 account shall contain any moneys required by law to be deposited in
8823 the account. Any balance remaining in the account at the end of any
8824 fiscal year shall be carried forward in the account for the fiscal year
8825 next succeeding. The account shall be used by the Department of
8826 **[**Economic and**]** Community Development for grants made to owners
8827 or operators of eligible dry cleaning establishments or owners of
8828 property on which an eligible dry cleaning establishment has been in
8829 operation for at least a year prior to the approval of the application.

8830 (d) The state, acting through the Commissioner of **[**Economic and**]**
8831 Community Development, shall use the dry cleaning establishment
8832 remediation account to provide grants to applicants for the purposes
8833 of the containment and removal or mitigation of environmental
8834 pollution resulting from the discharge, spillage, uncontrolled loss,
8835 seepage or filtration of chemical liquids or solid, liquid or gaseous
8836 products or hazardous wastes on or at the site of an eligible dry
8837 cleaning establishment or for measures undertaken to prevent such

8838 pollution which are approved by the Commissioner of Environmental
8839 Protection. In order to qualify for a grant under the provisions of this
8840 section an eligible applicant must demonstrate to the satisfaction of the
8841 Commissioner of [Economic and] Community Development that (1)
8842 the eligible dry cleaning establishment is using or has previously used,
8843 tetrachlorethylene or Stoddard solvent or other chemicals for the
8844 purpose of cleaning clothes or other fabrics, (2) the eligible dry
8845 cleaning establishment has been doing business at the site for a period
8846 of at least one year prior to the submission date or approval date of the
8847 application for assistance under this section, (3) the eligible dry
8848 cleaning establishment is not in arrears with regard to any tax levied
8849 by the state or any political subdivision of the state and the dry
8850 cleaning surcharge imposed by subsection (b) of this section, and (4)
8851 the eligible applicant is not in arrears with regard to any tax levied by
8852 the state or any political subdivision of the state. Any funds disbursed
8853 as a grant under this section shall not be subject to attachment in the
8854 satisfaction of any judgment against the recipient of such grant in any
8855 civil action.

8856 (e) Notwithstanding the terms of any grant made under this section,
8857 an eligible applicant shall bear all the costs of such pollution that are
8858 less than ten thousand dollars. The Commissioner of [Economic and]
8859 Community Development may provide a grant of up to three hundred
8860 thousand dollars to the eligible applicant where the eligible applicant
8861 has provided said commissioner with documentation satisfactory to
8862 said commissioner that the services for which payment is sought have
8863 been or will be completed. No eligible applicant shall receive more
8864 than three hundred thousand dollars per eligible dry cleaning
8865 establishment. There shall be allocated to the Department of [Economic
8866 and] Community Development annually from the account, for
8867 administrative costs, an amount equal to five per cent of the maximum
8868 balance of the account in the preceding year or one hundred thousand
8869 dollars, whichever is greater. In addition the account may be used (1)
8870 to provide grants to the Department of Environmental Protection for
8871 expenditures made investigating dry cleaning establishments, (2) to

8872 provide potable water whenever necessary, and (3) to conduct
8873 environmental site assessments.

8874 (f) Requests for grants shall be made to the Commissioner of
8875 [Economic and] Community Development. Any eligible applicant
8876 seeking a grant shall provide documentation supporting the need for
8877 the grant.

8878 (g) Any dry cleaning establishment which unlawfully or
8879 intentionally discharges or spills any chemical liquids or solid, liquid
8880 or gaseous products or hazardous wastes shall not be eligible for a
8881 grant from the account.

8882 (h) The Commissioner of [Economic and] Community Development
8883 shall establish procedures for distribution of the grants and shall adopt
8884 criteria to carry out the provisions of this section. Such criteria shall
8885 specify (1) who may apply for grants; (2) how establishments, whether
8886 owned or leased, will be determined to be eligible for grants; and (3)
8887 the costs for which grants may be made.

8888 (i) The Commissioner of [Economic and] Community Development
8889 shall include in the report required pursuant to section 32-1m an
8890 annual report that shall include information as to the number of
8891 applications received, and the number and amounts of grants made,
8892 since the inception of the program, the names of the applicants, the
8893 time period between submission of an application and the decision to
8894 approve or deny the grant, which applications were approved and
8895 which applications were denied and the reasons for denial. Such report
8896 shall further include a recommendation as to whether the surcharge
8897 and the grant program established under this section should continue.

8898 Sec. 154. Subsection (a) of section 13b-38a of the general statutes is
8899 repealed and the following is substituted in lieu thereof (*Effective July*
8900 *1, 2009*):

8901 (a) The Department of Transportation shall assist all employers in

8902 the state who employ or provide parking facilities for one hundred or
8903 more employees in one location, in establishing a commuter, trip-to-
8904 work program. The Department of Transportation, working in
8905 coordination with the Office of Policy and Management, the
8906 Department of Environmental Protection and the Department of
8907 **[**Economic and**]** Community Development, shall provide to such
8908 employers information for commuting to work, which information
8909 shall include, but not be limited to, the following: (1) Schedules and
8910 types of available modes of public transportation in the employer's
8911 region; (2) maps and listings of state commuter parking lot locations;
8912 (3) estimates of cost savings to individual employees where
8913 determinable; (4) sources of available federal and state funds,
8914 including subsidies, to aid in the implementation of employee
8915 commuter, trip-to-work programs; (5) available tax incentives to
8916 employers for participation in such program; (6) lists of state, regional
8917 and local officials operating transit districts, who may assist the
8918 employer in such a program; and (7) literature, posters, pamphlets and
8919 cost savings charts. All employers in the state who employ or provide
8920 parking facilities to one hundred or more employees in one location,
8921 who wish to participate in a commuter, trip-to-work program, shall
8922 submit to the Department of Transportation on forms provided by the
8923 commissioner, the work schedules, residence addresses and usual
8924 mode of transportation of their employees. Following an employer's
8925 request for a commuter, trip-to-work program, the department, in
8926 conjunction with any other state agency having jurisdiction, shall
8927 render necessary assistance in the implementation of the program.
8928 Based upon information received from the employer and in the order
8929 received, the Department of Transportation shall furnish to such
8930 employers a proposed commuter, trip-to-work program for their
8931 employees. Said program shall include at no cost to the employer: (A)
8932 A computer matching of employees for potential carpool, vanpool and
8933 buspool services; (B) technical assistance to the employer in
8934 implementing carpools, vanpools and buspools and utilizing existing
8935 transit systems at the employer's work location.

8936 Sec. 155. Section 13b-51b of the general statutes is repealed and the
8937 following is substituted in lieu thereof (*Effective July 1, 2009*):

8938 There shall be, within the Department of Transportation, a State
8939 Maritime Office which shall: (1) Be responsible for maritime
8940 operations, including the State Pier in New London, the Connecticut
8941 River ferries and such other operational responsibilities as shall be
8942 assigned to it; (2) serve as the Governor's principal maritime policy
8943 advisor; (3) serve as the liaison between the state and federal, local and
8944 private entities involved in maritime policy activities; (4) coordinate
8945 the state's maritime policy activities; (5) encourage year-round use of
8946 water-related industries; (6) work with the Department of **[**Economic
8947 and**]** Community Development and other state, local and private
8948 entities to maximize the economic potential of Connecticut's ports and
8949 other maritime resources; (7) conduct necessary research and planning
8950 activities; (8) assess potential state investments in ports and other
8951 maritime facilities; (9) provide staff support to the Connecticut
8952 Maritime Commission, created in section 13b-51a; and (10) undertake
8953 such other responsibilities as may be assigned to it by the
8954 commissioner or the Governor.

8955 Sec. 156. Subsection (b) of section 13b-57d of the general statutes is
8956 repealed and the following is substituted in lieu thereof (*Effective July*
8957 *1, 2009*):

8958 (b) As used in this subsection and sections 13b-57h to 13b-57k,
8959 inclusive, 13b-212d and 14-270e:

8960 (1) "TSB project" means any planning, capital or operating project
8961 recommended by the board in its strategy;

8962 (2) "Economic development plan" means a comprehensive plan
8963 describing (A) existing economic development projects, and (B)
8964 proposed economic development projects for which a letter of
8965 commitment has been issued by the Department of **[**Economic and**]**
8966 Community Development; and

8967 (3) "Economic development project" means any project, as defined
8968 in subsection (d) of section 32-23d, which is to be used or occupied by
8969 any person for (A) manufacturing, industrial, research, office or
8970 product warehousing or distribution purposes or hydroponic or
8971 aquaponic food production purposes and which the authority
8972 determines will tend to maintain or provide gainful employment,
8973 maintain or increase the tax base of the economy, or maintain, expand
8974 or diversify industry in the state, or (B) controlling, abating, preventing
8975 or disposing land, water, air or other environmental pollution,
8976 including without limitation thermal, radiation, sewage, wastewater,
8977 solid waste, toxic waste, noise or particulate pollution, except
8978 resources recovery facilities, as defined in section 22a-219a, used for
8979 the principal purpose of processing municipal solid waste and which
8980 are not expansions or additions to resources recovery facilities
8981 operating on July 1, 1990, or (C) the conservation of energy or the
8982 utilization of cogeneration technology or solar, wind, hydro, biomass
8983 or other renewable sources to produce energy for any industrial or
8984 commercial application, or (D) any other purpose which the authority
8985 determines will materially contribute to the economic base of the state
8986 by creating or retaining jobs, promoting the export of products or
8987 services beyond state boundaries, encouraging innovation in products
8988 or services, or otherwise contributing to, supporting or enhancing
8989 existing activities that are important to the economic base of the state.

8990 Sec. 157. Section 13b-57e of the general statutes is repealed and the
8991 following is substituted in lieu thereof (*Effective July 1, 2009*):

8992 (a) There is established the Connecticut Transportation Strategy
8993 Board, within the Office of Policy and Management for administrative
8994 purposes only, the members of which shall be appointed as follows:

8995 (1) Five members from the private sector who have expertise in
8996 transportation, business, finance or law as follows: (A) The Governor
8997 shall appoint one member, who shall be the chairperson, and whose
8998 first term shall expire on June 30, 2005, (B) the president pro tempore

8999 of the Senate shall appoint one member whose first term shall expire
9000 on June 30, 2004, (C) the speaker of the House of Representatives shall
9001 appoint one member whose first term shall expire on June 30, 2003, (D)
9002 the minority leader of the Senate shall appoint one member whose first
9003 term shall expire on June 30, 2003, and (E) the minority leader of the
9004 House of Representatives shall appoint one member whose first term
9005 shall expire on June 30, 2002;

9006 (2) One member from each TIA, for which position the chairpersons
9007 of the board of the local planning agencies in such TIA, after
9008 consulting with the participants in such TIA, shall nominate, for
9009 consideration by the appointing authority, three individuals who live
9010 in such TIA and who have significant experience in and knowledge of
9011 local, regional and state governmental processes, including at least one
9012 chief elected official in a town in such TIA. If the chairpersons of the
9013 board of the local planning agencies in such TIA fail to nominate three
9014 qualifying individuals within one hundred eighty days of the
9015 expiration of the previous appointment term, the appointing authority
9016 may appoint an individual meeting the qualifications of this
9017 subdivision. Appointments shall be made as follows: (A) The
9018 chairpersons of the joint standing committee of the General Assembly
9019 having cognizance of matters relating to transportation shall appoint
9020 one member from the southeast corridor TIA, whose first term shall
9021 expire on June 30, 2002, (B) the president pro tempore of the Senate
9022 shall appoint one member from the I-91 corridor TIA, whose first term
9023 shall expire on June 30, 2003, provided, on and after July 1, 2006,
9024 subsequent appointments shall be from the I-84 corridor TIA, (C) the
9025 speaker of the House of Representatives shall appoint one member
9026 from the coastal corridor TIA, whose first term shall expire on June 30,
9027 2004, (D) the majority leader of the Senate shall appoint one member
9028 from the I-395 corridor TIA, whose first term shall expire on June 30,
9029 2005, and (E) the majority leader of the House of Representatives shall
9030 appoint one member from the I-84 corridor TIA, whose first term shall
9031 expire on June 30, 2005, provided, on and after July 1, 2006, subsequent
9032 appointments shall be from the I-91 corridor TIA; and

9033 (3) The Commissioners of Transportation, Environmental
9034 Protection, [Economic and] Community Development and Public
9035 Safety, and the Secretary of the Office of Policy and Management, or
9036 their respective designees.

9037 (b) Upon the expiration of the term of a member of the board who is
9038 appointed as provided in subdivision (1) or (2) of subsection (a) of this
9039 section, each subsequent appointee to the board shall serve for a term
9040 of four years. No person shall serve as a member of the board for more
9041 than two consecutive terms. A vacancy in the position of an appointed
9042 board member shall be filled by the appointing authority for the
9043 remainder of the term.

9044 (c) The board may establish such subcommittees as it deems
9045 appropriate and appoint the members of such subcommittees from
9046 among its members. Ten members of the board shall be present to
9047 constitute a quorum.

9048 (d) The members of the board shall not be compensated for their
9049 service as members of the board.

9050 (e) The board may issue guidelines for coordination and
9051 organization to the TIAs. These guidelines shall not constitute
9052 regulations, as defined in subdivision (13) of section 4-166.

9053 (f) The Secretary of the Office of Policy and Management shall be
9054 responsible for staff support for the board. The secretary may utilize
9055 the staff of said office and, in consultation with the responsible agency
9056 head, the Department of Transportation, the Department of [Economic
9057 and] Community Development, or any other state agency for that
9058 purpose. Within available appropriations, the board may hire
9059 consultants with approval by the secretary, and such consultants shall
9060 be procured through the Office of Policy and Management or the
9061 Department of Transportation, as determined by the secretary.

9062 (g) The Transportation Strategy Board is a public agency, as defined

9063 in section 1-200, for purposes of the Freedom of Information Act, and
9064 is a quasi-public agency, as defined in section 1-79, for purposes of
9065 chapter 10.

9066 Sec. 158. Subsection (c) of section 15-101pp of the general statutes is
9067 repealed and the following is substituted in lieu thereof (*Effective July*
9068 *1, 2009*):

9069 (c) The community advisory board shall have two core purposes: (1)
9070 To provide a regular communication vehicle between airport
9071 administrators and nearby towns on issues of concern to residents
9072 such as noise and traffic, and (2) to advise the Bradley Board of
9073 Directors on issues of transportation, land use, planning, zoning and
9074 economic development on land surrounding the airport or in close
9075 proximity to it. For the purposes of subdivision (2) of this subsection,
9076 there shall be a subcommittee, appointed by the community advisory
9077 board, made up of each town's manager or planner, together with
9078 representatives from regional organizations including: The Capital
9079 Region Council of Governments, Greater Hartford Growth Council,
9080 Springfield Regional Planning Agency and the Department of
9081 **[**Economic and**]** Community Development. The subcommittee shall
9082 work to develop new businesses around the airport and shall report to
9083 the community advisory board on a regular basis on its activities.

9084 Sec. 159. Subsection (h) of section 16-50j of the general statutes is
9085 repealed and the following is substituted in lieu thereof (*Effective July*
9086 *1, 2009*):

9087 (h) Prior to commencing any hearing pursuant to section 16-50m,
9088 the council shall consult with and solicit written comments from the
9089 Department of Environmental Protection, the Department of Public
9090 Health, the Council on Environmental Quality, the Department of
9091 Agriculture, the Department of Public Utility Control, the Office of
9092 Policy and Management, the Department of **[**Economic and**]**
9093 Community Development and the Department of Transportation. In
9094 addition, the Department of Environmental Protection shall have the

9095 continuing responsibility to investigate and report to the council on all
9096 applications which prior to October 1, 1973, were within the
9097 jurisdiction of [said] the Department of Environmental Protection with
9098 respect to the granting of a permit. Copies of such comments shall be
9099 made available to all parties prior to the commencement of the
9100 hearing. Subsequent to the commencement of the hearing, said
9101 departments and council may file additional written comments with
9102 the council within such period of time as the council designates. All
9103 such written comments shall be made part of the record provided by
9104 section 16-50o. Said departments and council shall not enter any
9105 contract or agreement with any party to the proceedings or hearings
9106 described in this section or section 16-50p, that requires said
9107 departments or council to withhold or retract comments, refrain from
9108 participating in or withdraw from said proceedings or hearings.

9109 Sec. 160. Section 16a-35c of the general statutes is repealed and the
9110 following is substituted in lieu thereof (*Effective July 1, 2009*):

9111 (a) As used in this section and sections 16a-35d to 16a-35g, inclusive:

9112 (1) "Funding" includes any form of assurance, guarantee, grant
9113 payment, credit, tax credit or other assistance, including a loan, loan
9114 guarantee, or reduction in the principal obligation of or rate of interest
9115 payable on a loan or a portion of a loan;

9116 (2) "Growth-related project" means any project which includes (A)
9117 the acquisition of real property when the acquisition costs are in excess
9118 of one hundred thousand dollars, except the acquisition of open space
9119 for the purposes of conservation or preservation; (B) the development
9120 or improvement of real property when the development costs are in
9121 excess of one hundred thousand dollars; (C) the acquisition of public
9122 transportation equipment or facilities when the acquisition costs are in
9123 excess of one hundred thousand dollars; or (D) the authorization of
9124 each state grant, any application for which is not pending on July 1,
9125 2006, for an amount in excess of one hundred thousand dollars, for the
9126 acquisition or development or improvement of real property or for the

9127 acquisition of public transportation equipment or facilities, except the
9128 following: (i) Projects for maintenance, repair, additions or renovations
9129 to existing facilities, acquisition of land for telecommunications towers
9130 whose primary purpose is public safety, parks, conservation and open
9131 space, and acquisition of agricultural, conservation and historic
9132 easements; (ii) funding by the Department of [Economic and]
9133 Community Development for any project financed with federal funds
9134 used to purchase or rehabilitate existing single or multi-family housing
9135 or projects financed with the proceeds of revenue bonds if the
9136 Commissioner of [Economic and] Community Development
9137 determines that application of this section and sections 16a-35d and
9138 16a-35e (I) conflicts with any provision of federal or state law
9139 applicable to the issuance or tax-exempt status of the bonds or any
9140 provision of any trust agreement between the Department of
9141 [Economic and] Community Development and any trustee, or (II)
9142 would otherwise prohibit financing of an existing project or financing
9143 provided to cure or prevent any default under existing financing; (iii)
9144 projects that the Commissioner of [Economic and] Community
9145 Development determines promote fair housing choice and racial and
9146 economic integration as described in section 8-37cc; (iv) projects at an
9147 existing facility needed to comply with state environmental or health
9148 laws or regulations adopted thereunder; (v) school construction
9149 projects funded by the Department of Education under chapter 173;
9150 (vi) libraries; (vii) municipally owned property or public buildings
9151 used for government purposes; and (viii) any other project, funding or
9152 other state assistance not included under subparagraphs (A) to (D),
9153 inclusive, of this subdivision.

9154 (3) "Priority funding area" means the area of the state designated
9155 under subsection (b) of this section.

9156 (b) The Secretary of the Office of Policy and Management, in
9157 consultation with the Commissioners of [Economic and] Community
9158 Development, Environmental Protection, Public Works, Agriculture,
9159 Transportation, the chairman of the Transportation Strategy Board, the

9160 regional planning agencies in the state and any other persons or
9161 entities the secretary deems necessary shall develop recommendations
9162 for delineation of the boundaries of priority funding areas in the state
9163 and for revisions thereafter. In making such recommendations the
9164 secretary shall consider areas designated as regional centers, growth
9165 areas, neighborhood conservation areas and rural community centers
9166 on the state plan of conservation and development, redevelopment
9167 areas, distressed municipalities, as defined in section 32-9p; targeted
9168 investment communities, as defined in section 32-222; public
9169 investment communities, as defined in section 7-545, enterprise zones,
9170 designated by the Commissioner of **[**Economic and**]** Community
9171 Development under section 32-70, corridor management areas
9172 identified in the state plan of conservation and development and the
9173 principles of the Transportation Strategy Board approved under
9174 section 13b-57h. The secretary shall submit the recommendations to
9175 the Continuing Legislative Committee on State Planning and
9176 Development established pursuant to section 4-60d for review when
9177 the state plan of conservation and development is submitted to such
9178 committee in accordance with section 16a-29. The committee shall
9179 report its recommendations to the General Assembly at the time said
9180 state plan is submitted to the General Assembly under section 16a-30.
9181 The boundaries shall become effective upon approval of the General
9182 Assembly.

9183 Sec. 161. Subsection (a) of section 16a-41 of the general statutes is
9184 repealed and the following is substituted in lieu thereof (*Effective July*
9185 *1, 2009*):

9186 (a) Any public or private agency or organization administering an
9187 energy assistance program which is funded or administered, in whole
9188 or in part, by the state shall take simultaneous applications from
9189 applicants for all energy assistance programs and energy conservation
9190 loan, grant, audit or service programs which that agency or
9191 organization administers and for which an applicant may be eligible
9192 and shall provide the applicants with written summaries of all such

9193 programs administered by other agencies and organizations and for
9194 which an applicant may be eligible. Any public or private agency or
9195 organization administering an energy conservation loan, grant, audit
9196 or service program or renewable resources loan, grant or service
9197 program which is funded or administered, in whole or in part, by the
9198 state shall provide applicants with written summaries of all other such
9199 programs in the state for which an applicant may be eligible. The
9200 Department of Social Services, in consultation with the Department of
9201 **[**Economic and**]** Community Development and the Department of
9202 Public Utility Control, shall adopt regulations in accordance with the
9203 provisions of chapter 54 to carry out the purposes of this subsection.
9204 Such regulations shall, without limitation, set forth requirements for
9205 the form and content of the summaries. The Department of Social
9206 Services shall be responsible for collecting and disseminating
9207 information on all such programs in the state to agencies and
9208 organizations administering the programs.

9209 Sec. 162. Subsection (a) of section 17a-3 of the general statutes is
9210 repealed and the following is substituted in lieu thereof (*Effective July*
9211 *1, 2009*):

9212 (a) The department shall plan, create, develop, operate or arrange
9213 for, administer and evaluate a comprehensive and integrated
9214 state-wide program of services, including preventive services, for
9215 children and youths whose behavior does not conform to the law or to
9216 acceptable community standards, or who are mentally ill, including
9217 deaf and hearing impaired children and youths who are mentally ill,
9218 emotionally disturbed, substance abusers, delinquent, abused,
9219 neglected or uncared for, including all children and youths who are or
9220 may be committed to it by any court, and all children and youths
9221 voluntarily admitted to, or remaining voluntarily under the
9222 supervision of, the commissioner for services of any kind. Services
9223 shall not be denied to any such child or youth solely because of other
9224 complicating or multiple disabilities. The department shall work in
9225 cooperation with other child-serving agencies and organizations to

9226 provide or arrange for preventive programs, including, but not limited
9227 to, teenage pregnancy and youth suicide prevention, for children and
9228 youths and their families. The program shall provide services and
9229 placements that are clinically indicated and appropriate to the needs of
9230 the child or youth. In furtherance of this purpose, the department
9231 shall: (1) Maintain the Connecticut Juvenile Training School and other
9232 appropriate facilities exclusively for delinquents; (2) develop a
9233 comprehensive program for prevention of problems of children and
9234 youths and provide a flexible, innovative and effective program for the
9235 placement, care and treatment of children and youths committed by
9236 any court to the department, transferred to the department by other
9237 departments, or voluntarily admitted to the department; (3) provide
9238 appropriate services to families of children and youths as needed to
9239 achieve the purposes of sections 17a-1 to 17a-26, inclusive, 17a-28 to
9240 17a-49, inclusive, and 17a-51; (4) establish incentive paid work
9241 programs for children and youths under the care of the department
9242 and the rates to be paid such children and youths for work done in
9243 such programs and may provide allowances to children and youths in
9244 the custody of the department; (5) be responsible to collect, interpret
9245 and publish statistics relating to children and youths within the
9246 department; (6) conduct studies of any program, service or facility
9247 developed, operated, contracted for or supported by the department in
9248 order to evaluate its effectiveness; (7) establish staff development and
9249 other training and educational programs designed to improve the
9250 quality of departmental services and programs, provided no social
9251 worker trainee shall be assigned a case load prior to completing
9252 training, and may establish educational or training programs for
9253 children, youths, parents or other interested persons on any matter
9254 related to the promotion of the well-being of children, or the
9255 prevention of mental illness, emotional disturbance, delinquency and
9256 other disabilities in children and youths; (8) develop and implement
9257 aftercare and follow-up services appropriate to the needs of any child
9258 or youth under the care of the department; (9) establish a case audit
9259 unit to monitor each area office's compliance with regulations and

9260 procedures; (10) develop and maintain a database listing available
9261 community service programs funded by the department; (11) provide
9262 outreach and assistance to persons caring for children whose parents
9263 are unable to do so by informing such persons of programs and
9264 benefits for which they may be eligible; and (12) collect data sufficient
9265 to identify the housing needs of children served by the department
9266 and share such data with the Department of **[**Economic and**]**
9267 Community Development.

9268 Sec. 163. Subsection (c) of section 17b-337 of the general statutes is
9269 repealed and the following is substituted in lieu thereof (*Effective July*
9270 *1, 2009*):

9271 (c) The Long-Term Care Planning Committee shall consist of: (1)
9272 The chairpersons and ranking members of the joint standing and select
9273 committees of the General Assembly having cognizance of matters
9274 relating to human services, public health, elderly services and
9275 long-term care; (2) the Commissioner of Social Services, or the
9276 commissioner's designee; (3) one member of the Office of Policy and
9277 Management appointed by the Secretary of the Office of Policy and
9278 Management; (4) one member from the Department of Social Services
9279 appointed by the Commissioner of Social Services; (5) one member
9280 from the Department of Public Health appointed by the Commissioner
9281 of Public Health; (6) one member from the Department of **[**Economic
9282 and**]** Community Development appointed by the Commissioner of
9283 **[**Economic and**]** Community Development; (7) one member from the
9284 Office of Health Care Access appointed by the Commissioner of
9285 Health Care Access; (8) one member from the Department of
9286 Developmental Services appointed by the Commissioner of
9287 Developmental Services; (9) one member from the Department of
9288 Mental Health and Addiction Services appointed by the Commissioner
9289 of Mental Health and Addiction Services; (10) one member from the
9290 Department of Transportation appointed by the Commissioner of
9291 Transportation; (11) one member from the Department of Children and
9292 Families appointed by the Commissioner of Children and Families;

9293 and (12) the executive director of the Office of Protection and
9294 Advocacy for Persons with Disabilities or the executive director's
9295 designee. The committee shall convene no later than ninety days after
9296 June 4, 1998. Any vacancy shall be filled by the appointing authority.
9297 The chairperson shall be elected from among the members of the
9298 committee. The committee shall seek the advice and participation of
9299 any person, organization or state or federal agency it deems necessary
9300 to carry out the provisions of this section.

9301 Sec. 164. Section 17b-347e of the general statutes is repealed and the
9302 following is substituted in lieu thereof (*Effective July 1, 2009*):

9303 (a) The Commissioner of Social Services, in collaboration with the
9304 Commissioner of **[**Economic and**]** Community Development and the
9305 Connecticut Housing Finance Authority, shall establish a
9306 demonstration project to provide subsidized assisted living services, as
9307 defined in section 19-13-D105 of the regulations of Connecticut state
9308 agencies, for persons residing in affordable housing, as defined in
9309 section 8-39a. The demonstration project shall be conducted in at least
9310 three municipalities to be determined by the Commissioner of Social
9311 Services. The demonstration project shall be limited to a maximum of
9312 three hundred subsidized dwelling units. Applicants for such
9313 subsidized assisted living services shall be subject to the same
9314 eligibility requirements as the Connecticut home care program for the
9315 elderly pursuant to section 17b-342.

9316 (b) Not later than January 1, 1999, the Commissioner of Social
9317 Services shall enter into a memorandum of understanding with the
9318 Commissioner of **[**Economic and**]** Community Development and the
9319 Connecticut Housing Finance Authority. Such memorandum of
9320 understanding shall specify that (1) the Department of Social Services
9321 apply for a Medicaid waiver to secure federal financial participation to
9322 fund assisted living services, establish a process to select nonprofit and
9323 for-profit providers and determine the number of dwelling units in the
9324 demonstration project, (2) the Department of **[**Economic and**]**

9325 Community Development provide rental subsidy certificates pursuant
9326 to section 8-402 or rental assistance pursuant to section 8-119kk, and
9327 (3) the Connecticut Housing Finance Authority provide second
9328 mortgage loans for housing projects for which the authority has
9329 provided financial assistance in the form of a loan secured by a first
9330 mortgage pursuant to section 8-403 for the demonstration project. Not
9331 later than July 1, 1999, the Connecticut Housing Finance Authority
9332 shall issue a request for proposals for persons or entities interested in
9333 participating in the demonstration project.

9334 (c) Nothing in this section shall be construed to prohibit a
9335 combination of unsubsidized dwelling units and subsidized dwelling
9336 units under the demonstration project within the same facility.
9337 Notwithstanding the provisions of section 8-402, the Department of
9338 **[**Economic and**]** Community Development may set the rental subsidy
9339 at any percentage of the annual aggregate family income and define
9340 aggregate family income and eligibility for subsidies in a manner
9341 consistent with such demonstration project.

9342 Sec. 165. Subdivision (3) of subsection (f) of section 21-70 of the
9343 general statutes is repealed and the following is substituted in lieu
9344 thereof (*Effective July 1, 2009*):

9345 (3) Except as otherwise provided in subdivision (5) of this
9346 subsection, within one hundred twenty days after the notice provided
9347 for in subdivision (2) of this subsection has been mailed, any
9348 association representing twenty-five per cent or more of the units in
9349 the park, including an association formed after the issuance of the
9350 notice, may notify the owner of the park that it is interested in
9351 purchasing the mobile manufactured home park. A copy of such notice
9352 may be filed on the land records of the town in which the mobile
9353 manufactured home park is located. If such notice is given, except as
9354 otherwise provided in subdivision (5) of this subsection, the
9355 association shall have three hundred sixty-five days after the notice
9356 required in subdivision (2) of this subsection has been given to

9357 purchase the park through negotiation or the method set forth in
9358 subdivision (4) of this subsection. Upon the request of the association,
9359 the Department of **[**Economic and**]** Community Development shall
9360 assist the association in developing financing for the purchase of the
9361 park.

9362 Sec. 166. Section 21-84a of the general statutes is repealed and the
9363 following is substituted in lieu thereof (*Effective July 1, 2009*):

9364 (a) There is established, within the Department of Consumer
9365 Protection, a Mobile Manufactured Home Advisory Council composed
9366 of fifteen members as follows: One member of the Connecticut Real
9367 Estate Commission, one employee of the Department of **[**Economic
9368 and**]** Community Development and one employee of the Connecticut
9369 Housing Finance Authority to be appointed by the Governor; an
9370 attorney-at-law specializing in mobile manufactured home matters to
9371 be appointed by the speaker of the House of Representatives; one town
9372 planner and one representative of the banking industry to be
9373 appointed by the Governor; three mobile manufactured home park
9374 owners, one to be appointed by the Governor, one to be appointed by
9375 the minority leader of the Senate and one to be appointed by the
9376 minority leader of the House of Representatives; a representative of
9377 the mobile manufactured home industry to be appointed by the
9378 majority leader of the House of Representatives; three mobile
9379 manufactured home park tenants or representatives of such tenants,
9380 each from different geographic areas of the state, one to be appointed
9381 by the Governor, one to be appointed by the president pro tempore of
9382 the Senate and one to be appointed by the majority leader of the
9383 Senate; a senior citizen, who is either a resident of a mobile
9384 manufactured home park or a representative of other senior citizens
9385 who reside in mobile manufactured home parks, and a representative
9386 of the Housing Advisory Committee to be appointed by the Governor.
9387 The mobile manufactured home park owners and the representative of
9388 the mobile manufactured home industry shall be appointed from a list
9389 submitted to the appointing authorities by the Connecticut

9390 Manufactured Housing Association or its successor, if such
9391 organization or successor exists. The mobile manufactured home park
9392 tenants or tenant representatives and the senior citizen shall be
9393 appointed from a list submitted to the appointing authorities by the
9394 Connecticut Manufactured Home Owners Alliance or its successor, if
9395 such organization or successor exists. The Governor shall appoint a
9396 chairperson from among the members of the council. Members shall
9397 serve for a term coterminous with the term of the Governor or until
9398 their successors are appointed, whichever is later. Any vacancy shall
9399 be filled by the appointing authority for the position which has become
9400 vacant. Members of the council shall not be compensated for their
9401 services. Any council member who fails to attend three consecutive
9402 meetings or who fails to attend fifty per cent of all meetings held
9403 during any calendar year shall be deemed to have resigned from office.

9404 (b) The advisory council shall: Monitor the implementation of
9405 statutes and regulations affecting mobile manufactured homes,
9406 promote mobile manufactured homes in the state, conduct a public
9407 education program to improve public perception and local acceptance
9408 of mobile manufactured homes and promote them as affordable,
9409 decent, safe and sanitary housing, and study additional issues related
9410 to mobile manufactured homes.

9411 Sec. 167. Subsection (a) of section 22-26cc of the general statutes is
9412 repealed and the following is substituted in lieu thereof (*Effective July*
9413 *1, 2009*):

9414 (a) There is established within the Department of Agriculture a
9415 program to solicit, from owners of agricultural land, offers to sell the
9416 development rights to such land and to inform the public of the
9417 purposes, goals and provisions of this chapter. The commissioner, with
9418 the approval of the State Properties Review Board, shall have the
9419 power to acquire or accept as a gift, on behalf of the state, the
9420 development rights of any agricultural land, if offered by the owner.
9421 Notice of the offer shall be filed in the land records wherein the

9422 agricultural land is situated. If ownership of any land for which
9423 development rights have been offered is transferred, the offer shall be
9424 effective until the subsequent owner revokes the offer in writing. The
9425 state conservation and development plan established pursuant to
9426 section 16a-24 shall be applied as an advisory document to the
9427 acquisition of development rights of any agricultural lands. The factors
9428 to be considered by the commissioner in deciding whether or not to
9429 acquire such rights shall include, but not be limited to, the following:
9430 (1) The probability that the land will be sold for nonagricultural
9431 purposes; (2) the current productivity of such land and the likelihood
9432 of continued productivity; (3) the suitability of the land as to soil
9433 classification and other criteria for agricultural use; (4) the degree to
9434 which such acquisition would contribute to the preservation of the
9435 agricultural potential of the state; (5) any encumbrances on such land;
9436 (6) the cost of acquiring such rights; and (7) the degree to which such
9437 acquisition would mitigate damage due to flood hazards. Ownership
9438 by a nonprofit organization authorized to hold land for conservation
9439 and preservation purposes of land which prior to such ownership
9440 qualified for the program established pursuant to this section shall not
9441 be deemed to diminish the probability that the land will be sold for
9442 nonagricultural purposes. After a preliminary evaluation of such
9443 factors by the Commissioner of Agriculture, he shall obtain and review
9444 one or more fee appraisals of the property selected in order to
9445 determine the value of the development rights of such property. The
9446 commissioner shall notify the Department of Transportation, the
9447 Department of **[**Economic and**]** Community Development, the
9448 Department of Environmental Protection and the Office of Policy and
9449 Management that such property is being appraised. Any appraisal of
9450 the value of such land obtained by the owner and performed in a
9451 manner approved by the commissioner shall be considered by the
9452 commissioner in making such determination. The value of
9453 development rights for all purposes of this section shall be the
9454 difference between the value of the property for its highest and best
9455 use and its value for agricultural purposes as determined by the

9456 commissioner. The use or presence of pollutants or chemicals in the
9457 soil shall not be deemed to diminish the agricultural value of the land
9458 or to prohibit the commissioner from acquiring the development rights
9459 to such land. The commissioner may purchase development rights for
9460 a lesser amount provided he complies with all factors for acquisition
9461 specified in this subsection and in any implementing regulations. In
9462 determining the value of the property for its highest and best use,
9463 consideration shall be given but not limited to sales of comparable
9464 properties in the general area, use of which was unrestricted at the
9465 time of sale.

9466 Sec. 168. Section 22-455 of the general statutes is repealed and the
9467 following is substituted in lieu thereof (*Effective July 1, 2009*):

9468 There is established a Connecticut Seafood Advisory Council to
9469 assist in the promotion of Connecticut seafood products and examine
9470 market opportunities. The advisory council shall consist of one
9471 freshwater fish producer appointed by the Governor, two finfish,
9472 shellfish or lobster harvesters or representatives of harvester
9473 organizations appointed one each by the speaker and majority leader
9474 of the House of Representatives, two finfish, shellfish or lobster
9475 processors or representatives of processor organizations appointed one
9476 each by the minority leaders of the Senate and House of
9477 Representatives, one retailer serving restaurants or representing a
9478 restaurant organization appointed by the president pro tempore of the
9479 Senate, one member at-large appointed by the majority leader of the
9480 Senate, and four nonvoting members one of whom shall represent the
9481 Department of Environmental Protection, one the Department of
9482 **[**Economic and**]** Community Development and one the Department of
9483 Agriculture and one the Sea Grant Program at The University of
9484 Connecticut. The advisory council shall be within the Department of
9485 Agriculture.

9486 Sec. 169. Section 22a-1d of the general statutes is repealed and the
9487 following is substituted in lieu thereof (*Effective July 1, 2009*):

9488 (a) Environmental impact evaluations and a summary thereof,
9489 including any negative findings shall be submitted for comment and
9490 review to the Council on Environmental Quality, the Department of
9491 Environmental Protection, the Connecticut Commission on Culture
9492 and Tourism, the Office of Policy and Management, the Department of
9493 **[**Economic and**]** Community Development in the case of a proposed
9494 action that affects existing housing, and other appropriate agencies,
9495 and to the town clerk of each municipality affected thereby, and shall
9496 be made available to the public for inspection and comment at the
9497 same time. The sponsoring agency shall publish forthwith a notice of
9498 the availability of its environmental impact evaluation and summary
9499 in a newspaper of general circulation in the municipality at least once a
9500 week for three consecutive weeks and in the Environmental Monitor.
9501 The sponsoring agency preparing an environmental impact evaluation
9502 shall hold a public hearing on the evaluation if twenty-five persons or
9503 an association having not less than twenty-five persons requests such a
9504 hearing within ten days of the publication of the notice in the
9505 Environmental Monitor.

9506 (b) All comments received by the sponsoring agency and the
9507 sponsoring agency's responses to such comments shall be forwarded to
9508 the Secretary of the Office of Policy and Management.

9509 (c) All comments and responses so forwarded to the Secretary of the
9510 Office of Policy and Management shall be available for public
9511 inspection.

9512 Sec. 170. Section 22a-6r of the general statutes is repealed and the
9513 following is substituted in lieu thereof (*Effective July 1, 2009*):

9514 On or before July 1, 1997, and annually thereafter, the commissioner
9515 shall submit to the Governor and the joint standing committees of the
9516 General Assembly having cognizance of matters relating to
9517 environment and the Department of **[**Economic and**]** Community
9518 Development a report on the permitting efforts of the Department of
9519 Environmental Protection in the preceding state fiscal year. Such

9520 report shall include, but not be limited to: An identification of
9521 revenues received from permit application fees and any revenues
9522 derived from the processing of such applications as set forth in this
9523 chapter and the department's appropriation from the General Fund for
9524 permitting activities; the number and amount of permit applications
9525 received; the number of permit decisions issued and the number of
9526 permits pending; the number and amount of permit application fees
9527 refunded; the number of permit applications requiring alternative
9528 timely action schedules pursuant to section 22a-6q; and a summary of
9529 the significant improvements the department has made in its
9530 permitting programs.

9531 Sec. 171. Section 22a-241 of the general statutes is repealed and the
9532 following is substituted in lieu thereof (*Effective July 1, 2009*):

9533 (a) There shall be established a municipal solid waste recycling
9534 program. The Commissioner of Environmental Protection, in
9535 consultation and coordination with the advisory council established
9536 under subsection (c) of this section, shall develop a plan for such
9537 program. The plan shall (1) be consistent with the state-wide solid
9538 waste management plan adopted pursuant to section 22a-228, (2) give
9539 priority in all parts of the plan to regional approaches to the recycling
9540 of solid waste, (3) provide for grants from the municipal solid waste
9541 recycling trust account established under subsection (d) of this section
9542 to municipalities, regional organizations representing municipalities or
9543 agencies or political subdivisions of the state representing
9544 municipalities for purposes which may include but shall not be limited
9545 to (A) the acquisition or lease of land, easements, structures, machinery
9546 and equipment, for solid waste recycling facilities, (B) the planning,
9547 design, construction and improvement of solid waste recycling
9548 facilities, (C) the purchase or lease of collection equipment and
9549 materials for municipalities and homeowners to carry out municipal
9550 recycling programs, and (D) the support and expansion of municipal
9551 solid waste recycling programs, (4) establish standards for
9552 municipalities which shall effect the maximum level of recycling and

9553 source separation, condition each grant to a municipality under
9554 subdivision (3) of this subsection on the adoption of such standards by
9555 the municipality and give priority in the making of such grants to
9556 municipalities which, on July 17, 1986, require residents and
9557 businesses to separate recyclables from solid waste, (5) provide for the
9558 development of intermediate centers for the processing of solid waste
9559 recyclables, giving priority to sites where waste-to-energy facilities are
9560 located or planned to be located, (6) provide for financial assistance
9561 from the municipal solid waste recycling trust account for the
9562 development of such centers, and (7) review existing contracts entered
9563 into by municipalities for the delivery of solid waste to waste-to-
9564 energy facilities and provide financial incentives to such municipalities
9565 for the coordination of such contracts with the municipal solid waste
9566 recycling program.

9567 (b) The Commissioner of Environmental Protection, in consultation
9568 with such advisory council, shall submit the plan developed under
9569 subsection (a) of this section to the Governor and the General
9570 Assembly not later than January 1, 1987, and, if the General Assembly
9571 adopts a resolution approving such plan, the commissioner shall
9572 implement the municipal solid waste recycling program not later than
9573 April 1, 1987, in accordance with the provisions of such plan, and the
9574 commissioner shall adopt regulations in accordance with the
9575 provisions of chapter 54 to carry out the purposes of such program. In
9576 implementing such program the commissioner shall utilize private
9577 recycling markets to the extent feasible.

9578 (c) There is established an advisory council to advise the
9579 Commissioner of Environmental Protection on implementation of the
9580 municipal solid waste recycling program. The advisory council may
9581 study any issue related to recycling, including composting and
9582 packaging. In any such study the advisory council may consult with
9583 persons with specific information related to the study. If it deems it
9584 appropriate, the advisory council shall recommend a list of materials
9585 that should be banned in the state. The advisory council shall consist

9586 of: The Secretary of the Office of Policy and Management, or his
9587 designee; the Commissioner of [Economic and] Community
9588 Development, or his designee; the Commissioner of Administrative
9589 Services, or his designee; the Commissioner of Transportation, or his
9590 designee; the chairman of the Connecticut Resources Recovery
9591 Authority, or his designee; one person appointed by the Connecticut
9592 Conference of Municipalities; one person appointed by the Council of
9593 Small Towns; one person representing a municipality having a
9594 population of not more than ten thousand to be appointed by the
9595 minority leader of the Senate, one person representing a municipality
9596 having a population of more than ten thousand but not more than fifty
9597 thousand to be appointed by the minority leader of the House of
9598 Representatives, one person representing a municipality having a
9599 population of more than fifty thousand but not more than one
9600 hundred thousand to be appointed by the president pro tempore of the
9601 Senate, one person representing a municipality having a population of
9602 more than one hundred thousand to be appointed by the speaker of
9603 the House of Representatives; two members of the public, one of
9604 whom shall be appointed by the majority leader of the House of
9605 Representatives and one of whom shall be appointed by the majority
9606 leader of the Senate; two persons representing recycling industries, one
9607 of whom shall be appointed by the speaker of the House of
9608 Representatives and one by the minority leader of the House of
9609 Representatives; two persons representing the packaging industry, one
9610 of whom shall be appointed by the speaker of the House of
9611 Representatives and one of whom shall be appointed by the president
9612 pro tempore of the Senate; a trash hauler to be appointed by the
9613 speaker of the House of Representatives; one person representing an
9614 industry using recycled material, to be appointed by the president pro
9615 tempore of the Senate; one person representing an environmental
9616 organization to be appointed by the speaker of the House of
9617 Representatives; one person representing business and industry to be
9618 appointed by the minority leader of the House of Representatives, and
9619 a regional recycling coordinator to be appointed by the minority leader

9620 of the Senate, the cochairmen and ranking members of the joint
9621 standing committee of the General Assembly having cognizance of
9622 matters relating to the environment and four members of the General
9623 Assembly to be appointed as follows: One by the speaker of the House
9624 of Representatives, one by the president pro tempore of the Senate, one
9625 by the minority leader of the House of Representatives and one by the
9626 majority leader of the House of Representatives. The members of the
9627 task force shall elect a chairman, who shall be one of the members
9628 appointed by the speaker of the House of Representatives or by the
9629 president pro tempore of the Senate.

9630 (d) There is established an account to be known as the "municipal
9631 solid waste recycling trust account". The municipal solid waste
9632 recycling trust account shall be an account of the Environmental
9633 Quality Fund. Notwithstanding any provision of the general statutes
9634 to the contrary, any moneys required by law to be deposited in the
9635 account shall be deposited in the Environmental Quality Fund and
9636 credited to the municipal solid waste recycling trust account. Any
9637 balance remaining in said account at the end of any fiscal year shall be
9638 carried forward in said account for the fiscal year next succeeding.

9639 (e) The Commissioner of Environmental Protection may accept and
9640 receive on behalf of said account any available federal, state or private
9641 funds. Any such funds shall be deposited in the Environmental
9642 Quality Fund and credited to the municipal solid waste recycling
9643 account.

9644 (f) The proceeds of said account shall be applied to the municipal
9645 solid waste recycling program established under subsection (a) of this
9646 section, provided (1) not more than fifty thousand dollars shall be
9647 allocated, for the fiscal year ending June 30, 1987, to the Commissioner
9648 of Environmental Protection for the implementation of such program;
9649 (2) not more than two hundred thousand dollars shall be allocated for
9650 the expenses of the advisory council established under subsection (c)
9651 of this section; (3) not more than eight hundred thousand dollars shall

9652 be annually allocated to the Department of Environmental Protection
9653 for costs incurred in the administration of such program; (4) not more
9654 than four hundred thousand dollars shall be allocated to the
9655 Commissioner of Environmental Protection as follows: One hundred
9656 fifty thousand dollars shall be expended for marketing studies and
9657 market development of recycled products, two hundred thousand
9658 dollars shall be expended for the study of reuse or recycling of ash
9659 from resources recovery facilities and fifty thousand dollars shall be
9660 expended for the study required pursuant to section 17 of public act
9661 88-231*; (5) not more than fifty thousand dollars shall be allocated to
9662 the Department of **[**Economic and**]** Community Development for the
9663 fiscal year ending June 30, 1989, for development of a plan required
9664 under section 32-1e; and (6) not more than one million dollars shall be
9665 allocated to the Department of Environmental Protection for public
9666 education on waste reduction and for recovered materials market
9667 development, including but not limited to, costs incurred for recycled
9668 product promotion, technical assistance to recycling industries,
9669 recovered materials export assistance and for administrative costs.
9670 Funds allocated to the commissioner under subdivision (6) may be
9671 expended for any contract entered into pursuant to said subdivision
9672 (6) with the Commissioner of **[**Economic and**]** Community
9673 Development for development of the recovered materials market. Any
9674 funds deposited in the account pursuant to section 22a-234a which
9675 exceed the eight hundred thousand dollars allocated to the department
9676 under subdivision (3) of this subsection shall be distributed to
9677 municipalities, regional organizations representing municipalities, or
9678 agencies or political subdivisions of the state representing
9679 municipalities for competitive grants for recycling related purposes.
9680 Notwithstanding the provisions of this subsection, one million three
9681 hundred thousand dollars shall be allocated to the Department of
9682 Environmental Protection from the account for purposes of making a
9683 grant to the Southeast Connecticut Regional Resources Recovery
9684 Authority.

9685 Sec. 172. Subsection (b) of section 31-3b of the general statutes is

9686 repealed and the following is substituted in lieu thereof (*Effective July*
9687 *1, 2009*):

9688 (b) The Labor Commissioner is authorized to establish an
9689 interagency program coordinating committee to coordinate the
9690 application of all available resources for the purposes of this section.
9691 Said committee shall consist of representatives of various employment
9692 and training agencies within the Labor Department and
9693 representatives of the Department of Education and the Department of
9694 **[**Economic and**]** Community Development.

9695 Sec. 173. Section 31-3u of the general statutes is repealed and the
9696 following is substituted in lieu thereof (*Effective July 1, 2009*):

9697 (a) The Commissioner of **[**Economic and**]** Community Development
9698 may allocate the funds authorized for the purposes of this section by
9699 subsection (b) of section 32-235 to the Labor Commissioner for the
9700 purpose of providing assistance to employers (1) for the job training or
9701 retraining of (A) current employees or (B) prospective employees in
9702 newly-created jobs and (2) including, but not limited to, meeting ISO
9703 9000 quality standards. The Labor Commissioner, upon the
9704 recommendation of the Commissioner of **[**Economic and**]** Community
9705 Development, shall provide for such training or retraining through
9706 customized job training programs authorized under this chapter. The
9707 Labor Commissioner may use vouchers for the purposes of this
9708 subsection.

9709 (b) The Labor Commissioner and the Commissioner of **[**Economic
9710 and**]** Community Development shall jointly develop criteria for the
9711 evaluation and assessment of the assistance provided under subsection
9712 (a) of this section.

9713 (c) The Labor Commissioner, in consultation with the Commissioner
9714 of **[**Economic and**]** Community Development, shall submit an annual
9715 report to the joint standing committees of the General Assembly
9716 having cognizance of matters relating to the Department of **[**Economic

9717 and**]** Community Development and the Labor Department on the
9718 assistance provided under subsection (a) of this section.

9719 Sec. 174. Section 31-3dd of the general statutes is repealed and the
9720 following is substituted in lieu thereof (*Effective July 1, 2009*):

9721 The Connecticut Employment and Training Commission, in
9722 consultation with the Labor Department, the Department of **[**Economic
9723 and**]** Community Development and the regional workforce
9724 development boards, shall recommend to the Office of Policy and
9725 Management and the joint standing committee of the General
9726 Assembly having cognizance of matters relating to appropriations,
9727 budget targets for assisting state employers with their training needs.

9728 Sec. 175. Section 31-362g of the general statutes is repealed and the
9729 following is substituted in lieu thereof (*Effective July 1, 2009*):

9730 (a) As used in this section, "defense contract" includes any contract
9731 for the production or manufacture of weapons or other defense
9732 equipment to be used by the military or naval forces of this state or the
9733 United States, "defense contractor" means any contractor,
9734 subcontractor, manufacturer or service company which is a party to a
9735 defense contract and has agreed to produce or manufacture weapons
9736 or defense equipment under such contract and "value" means gross
9737 value.

9738 (b) Each defense contractor which (1) performs one or more defense
9739 contracts in this state, the combined value of which exceeds one
9740 million dollars in any one year, and (2) after October 1, 1994, is the
9741 recipient of state assistance or other funds from the Department of
9742 **[**Economic and**]** Community Development <u>or from a contract</u>
9743 <u>administered by the Department of Community Development</u> shall
9744 establish an alternative use committee. The committee shall consist of
9745 representatives of employees and employers. The employees of such
9746 contractor who are represented by a collective bargaining organization
9747 shall be represented on such committee by a representative of such

9748 organization. The employees of such contractor who are not
9749 represented by a collective bargaining organization shall designate a
9750 person to serve as their representative. The committee may invite
9751 representatives of the community to participate in committee
9752 meetings. The committee shall prepare a plan to reduce or eliminate
9753 the dependence of the contractor on defense contracts. The plan shall
9754 include: (A) Alternative products that are feasible to produce and
9755 marketable; and (B) retraining resources needed to produce such
9756 products in order to avoid dislocation of the current workforce. The
9757 Labor Commissioner shall adopt regulations pursuant to chapter 54 to
9758 administer the establishment and composition of alternate use
9759 committees and the committee's duty to establish plans pursuant to
9760 this subsection.

9761 Sec. 176. Section 10-392 of the general statutes is repealed and the
9762 following is substituted in lieu thereof (*Effective July 1, 2009*):

9763 (a) The General Assembly finds and declares that culture, history,
9764 the arts and the digital media and motion picture and tourism
9765 industries contribute significant value to the vitality, quality of life and
9766 economic health of Connecticut. **[**and therefore there is established the
9767 Connecticut Commission on Culture and Tourism.**]** The Connecticut
9768 Humanities Council and the Connecticut Trust for Historic
9769 Preservation shall operate in conjunction with the **[**commission**]**
9770 Department of Community Development for purposes of joint
9771 strategic planning, annual reporting on appropriations and fiscal
9772 reporting. The **[**purpose of the commission**]** department shall **[**be to**]**
9773 enhance and promote culture, history, the arts and the tourism and
9774 digital media and motion picture industries in Connecticut.

9775 (b) The **[**commission**]** department shall:

9776 (1) Market and promote Connecticut as a destination for leisure and
9777 business travelers through the development and implementation of a
9778 strategic state-wide marketing plan and provision of visitor services to
9779 enhance the economic impact of the tourism industry;

9780 (2) Promote the arts;

9781 (3) Recognize, protect, preserve and promote historic resources;

9782 (4) Interpret and present Connecticut's history and culture;

9783 (5) Promote Connecticut as a location in which to produce digital
9784 media and motion pictures and to establish and conduct business
9785 related to the digital media and motion picture industries to enhance
9786 these industries' economic impact in the state;

9787 (6) Beginning with the fiscal year ending June 30, 2006, and each
9788 fiscal year thereafter, prepare and submit to the Office of Policy and
9789 Management, in accordance with sections 4-77 and 4-77a, budget
9790 expenditure estimates and recommended adjustments for the next
9791 succeeding fiscal year or years and a detailed accounting of
9792 expenditures for the prior fiscal year, a copy of which shall be
9793 submitted to the General Assembly, in accordance with the provisions
9794 of section 11-4a;

9795 (7) Establish a uniform financial reporting system and forms to be
9796 used by each regional tourism district, established under section 10-
9797 397, in the preparation of the annual budget submitted to the General
9798 Assembly;

9799 (8) Integrate funding and programs whenever possible; and

9800 (9) On or before January 1, 2005, and biennially thereafter, develop
9801 and submit to the Governor and the General Assembly, in accordance
9802 with section 11-4a, a strategic plan to implement subdivisions (1) to (5),
9803 inclusive, of this subsection.

9804 (c) Any proposals for projects under the jurisdiction of the
9805 **[**commission**]** <u>department</u> and projects proposed by the Connecticut
9806 Humanities Council that require funding through the issuance of
9807 bonds by the State Bond Commission, in accordance with sections 13b-
9808 74 to 13b-77, inclusive, shall be submitted to the **[**Connecticut

9809 Commission on Culture and Tourism] Department of Community
9810 Development. The [commission] department shall review such
9811 proposals and submit any project that it believes has merit to the joint
9812 standing committee of the General Assembly having cognizance of
9813 matters relating to finance, revenue and bonding with the
9814 [commission's] department's recommendation for funding.

9815 (d) The [Connecticut Commission on Culture and Tourism]
9816 Department of Community Development shall be a successor agency
9817 to the State Commission on the Arts, the Connecticut Historical
9818 Commission, the Office of Tourism, the Connecticut Tourism Council,
9819 the Connecticut Film, Video and Media Commission and the
9820 Connecticut Film, Video and Media Office in accordance with the
9821 provisions of sections 4-38d and 4-39.

9822 [(e) Wherever the words "State Commission on the Arts",
9823 "Connecticut Historical Commission", "Office of Tourism",
9824 "Connecticut Film, Video and Media Office" and "Connecticut
9825 Commission on Arts, Tourism, Culture, History and Film" are used in
9826 the following sections of the general statutes, or in any public or
9827 special act of the 2003 or 2004 session the words "Connecticut
9828 Commission on Culture and Tourism" shall be substituted in lieu
9829 thereof: 3-110f, 3-110h, 3-110i, 4-9a, 4b-53, 4b-60, 4b-64, 4b-66a, 7-147a,
9830 7-147b, 7-147c, 7-147j, 7-147p, 7-147q, 7-147y, 8-2j, 10-382, 10-384, 10-
9831 385, 10-386, 10-387, 10-388, 10-389, 10-391, 10a-111a, 10a-112, 10a-112b,
9832 10a-112g, 11-6a, 12-376d, 13a-252, 19a-315b, 19a-315c, 22a-1d, 22a-19b,
9833 25-102qq, 25-109q, 29-259 and 32-6a.]

9834 [(f)] (e) The Legislative Commissioners' Office shall, in codifying the
9835 provisions of this section, make such technical, grammatical and
9836 punctuation changes as are necessary to carry out the purposes of this
9837 section.

9838 Sec. 177. Section 10-393 of the general statutes is repealed and the
9839 following is substituted in lieu thereof (*Effective July 1, 2009*):

9840 [(a) The Connecticut Commission on Culture and Tourism shall
9841 consist of thirty-five voting commissioners and nonvoting ex-officio
9842 members. Such ex-officio members shall be the executive directors of
9843 the Connecticut Trust for Historic Preservation and the Connecticut
9844 Humanities Council, the State Poet Laureate, the State Historian and
9845 the State Archaeologist. The State Poet Laureate, the State Historian
9846 and the State Archaeologist shall serve as commissioners without
9847 being appointed and without receiving compensation for such service.
9848 The remaining thirty commissioners shall be appointed as follows:

9849 (1) The Governor shall appoint eight commissioners: (A) One
9850 commissioner shall be an individual with knowledge of and
9851 experience in the tourism industry from within the state; (B) three
9852 commissioners shall be individuals with knowledge of or experience
9853 or interest in history or humanities; (C) one commissioner shall be an
9854 individual with knowledge of or experience or interest in the arts; (D)
9855 one commissioner shall be an individual with experience relating
9856 directly to the production of digital media or motion pictures; and (E)
9857 two commissioners shall be selected at large.

9858 (2) The speaker of the House of Representatives shall appoint four
9859 commissioners: (A) One commissioner shall be an individual with
9860 knowledge of and experience in the tourism industry from the
9861 southwestern tourism district, established under section 10-397; (B)
9862 one commissioner shall be an individual with knowledge of or
9863 experience or interest in history or humanities; (C) one commissioner
9864 shall be an individual with knowledge of or experience or interest in
9865 the arts; and (D) one commissioner shall be an individual with
9866 experience relating directly to the production of digital media or
9867 motion pictures.

9868 (3) The president pro tempore of the Senate shall appoint four
9869 commissioners: (A) One commissioner shall be an individual with
9870 knowledge of and experience in the tourism industry from the central
9871 tourism district, established under section 10-397; (B) one

9872 commissioner shall be an individual with knowledge of or experience
9873 or interest in history or humanities; (C) one commissioner shall be an
9874 individual with knowledge of or experience or interest in the arts; and
9875 (D) one commissioner shall be an individual with experience relating
9876 directly to the production of digital media or motion pictures.

9877 (4) The majority leader of the House of Representatives shall
9878 appoint three commissioners: (A) One commissioner shall be an
9879 individual with knowledge of and experience in the tourism industry
9880 from the south central tourism district, established under section 10-
9881 397; (B) one commissioner shall be an individual with knowledge of or
9882 experience or interest in the arts; and (C) one commissioner shall be an
9883 individual with experience relating directly to the production of digital
9884 media or motion pictures.

9885 (5) The majority leader of the Senate shall appoint three
9886 commissioners: (A) One commissioner shall be an individual with
9887 knowledge of and experience in the tourism industry from the eastern
9888 tourism district; (B) one commissioner shall be an individual with
9889 knowledge of or experience or interest in the arts; and (C) one
9890 commissioner shall be an individual with experience relating directly
9891 to the production of digital media or motion pictures.

9892 (6) The minority leader of the House of Representatives shall
9893 appoint four commissioners: (A) One commissioner shall be an
9894 individual with knowledge of and experience in the tourism industry
9895 from within the state; (B) one commissioner shall be an individual with
9896 knowledge of or experience or interest in history or humanities; (C)
9897 one commissioner shall be an individual with knowledge of or
9898 experience or interest in the arts; and (D) one commissioner shall be an
9899 individual with experience relating directly to the production of digital
9900 media or motion pictures.

9901 (7) The minority leader of the Senate shall appoint four
9902 commissioners: (A) One commissioner shall be an individual with
9903 knowledge of and experience in the tourism industry from the

9904 northwestern tourism district, established under section 10-397; (B) one
9905 commissioner shall be an individual with knowledge of or experience
9906 or interest in history or humanities; (C) one commissioner shall be an
9907 individual with knowledge of or experience or interest in the arts; and
9908 (D) one commissioner shall be an individual with experience relating
9909 directly to the production of digital media or motion pictures.

9910 (b) Each commissioner shall serve a term that is coterminous with
9911 such commissioner's appointing authority.

9912 (c) The commission shall have an executive director, appointed by
9913 the Governor in accordance with the provisions of chapter 46, who
9914 shall administer the commission in accordance with subsection (e) of
9915 this section. The voting commissioners shall elect annually: A
9916 commissioner from among the voting commissioners to serve as
9917 chairperson of the commission, one commissioner as vice-chairperson,
9918 and other commissioners as officers. Such commissioners shall
9919 establish bylaws as necessary for the operation of the commission.
9920 Commissioners shall receive no compensation for the performance of
9921 their duties, but may be reimbursed for their necessary expenses
9922 incurred in the performance of their duties. The commission shall meet
9923 at least once during each calendar quarter and at such other times as
9924 the chairperson deems necessary or upon the request of a majority of
9925 commissioners in office.

9926 (d) Thirteen voting commissioners of the board shall constitute a
9927 quorum and the affirmative vote of a majority of the voting
9928 commissioners present at a meeting of the commission shall be
9929 sufficient for any action taken by the commission. No vacancy of a
9930 commissioner shall impair the right of a quorum to exercise all the
9931 rights and perform all the duties of the commission. Any action taken
9932 by the commission may be authorized by resolution at any regular or
9933 special meeting and shall take effect immediately unless otherwise
9934 provided in the resolution.**]**

9935 **[**(e) The executive director of the commission shall administer the

9936 commission, subject to the supervision of the commissioners.] The
9937 [executive director] Commissioner of Community Development shall
9938 have the authority to administer all laws under the jurisdiction of [the
9939 commission] this chapter and the power and authority to: [Coordinate
9940 and direct the operation of the commission; establish rules for the
9941 internal operation of the commission; contract] Contract for facilities,
9942 services and programs to implement the purposes of the [commission
9943 established by law] chapter; and enter into agreements for funding
9944 from private sources, including corporate donations and other
9945 commercial sponsorships. The [executive director is authorized to]
9946 commissioner may do all things necessary to apply for, qualify for and
9947 accept any funds made available under any federal act for the
9948 purposes established under section 10-392. All funds received under
9949 this subsection shall be deposited into the [Connecticut Commission
9950 on] Culture and Tourism account, established under section 10-395.
9951 The [executive director] commissioner may enter into contracts with
9952 the federal government concerning the use of such funds.

9953 Sec. 178. Section 10-394 of the general statutes is repealed and the
9954 following is substituted in lieu thereof (*Effective July 1, 2009*):

9955 (a) On or before June first of each year, each regional tourism
9956 district established under section 10-397 shall prepare a proposed
9957 budget for the next succeeding fiscal year beginning July first to carry
9958 out its statutory duties. After approval by said tourism district's board
9959 of directors, and no later than June first of each year, the tourism
9960 district shall submit the proposed budget to the [executive director of
9961 the Commission on Culture and Tourism] Commissioner of
9962 Community Development for review, comments and
9963 recommendations [by the commission] concerning the proposed
9964 expenditures. The [commission] commissioner shall review, in
9965 consultation with the tourism district, the proposed budget no later
9966 than June thirtieth, and approve or disapprove the budget. If the
9967 commission disapproves any annual budget, the [commission]
9968 commissioner shall adopt an interim budget and such interim budget

9969 shall take effect at the commencement of the fiscal year and shall
9970 remain in effect until the tourism district submits and the
9971 **[**commission**]** commissioner approves a modified budget. The tourism
9972 district shall, on or before September fifteenth, submit a copy of the
9973 budget to the joint standing committees of the General Assembly
9974 having cognizance of matters relating to appropriations, finance,
9975 revenue and bonding and commerce and the Office of Policy and
9976 Management, including an explanation detailing the proposed
9977 expenditures for the tourism district for the succeeding fiscal year. No
9978 funds shall be expended by the tourism district without prior approval
9979 of the budget or adoption of an interim budget by the **[**Commission on
9980 Culture and Tourism**]** commissioner.

9981 (b) Each regional tourism district shall ensure that no more than
9982 twenty per cent of the total annual grant amount received by it
9983 pursuant to section 10-398 is used for administrative costs. The
9984 **[**executive director, with the approval of the commissioners,**]**
9985 commissioner shall develop guidelines concerning administrative costs
9986 for tourism districts.

9987 Sec. 179. Section 10-395 of the general statutes is repealed and the
9988 following is substituted in lieu thereof (*Effective July 1, 2009*):

9989 There is established an account within the General Fund to be
9990 known as the **[**"Connecticut Commission on Culture**]** "Culture and
9991 Tourism account". The account shall contain all moneys required by
9992 law to be deposited in the account, including moneys received
9993 pursuant to section 10-398.

9994 Sec. 180. Section 10-396 of the general statutes is repealed and the
9995 following is substituted in lieu thereof (*Effective July 1, 2009*):

9996 With respect to tourism activities, the **[**Connecticut Commission on
9997 Culture and Tourism**]** Commissioner of Community Development
9998 shall:

9999 (1) Develop, annually update and implement a strategic marketing
10000 plan for the national and international promotion of Connecticut as a
10001 tourism destination;

10002 (2) Develop a Connecticut strategic plan for new tourism products
10003 and attractions;

10004 (3) Provide marketing and other assistance to the tourism industry;

10005 (4) Ensure cooperation among the regional tourism districts;

10006 (5) Maintain, operate and manage the visitor welcome centers in the
10007 state;

10008 (6) Develop and administer a program of challenge grants to
10009 encourage innovation and job development, provide incentives for
10010 coordinated activity consistent with the strategic marketing plan and
10011 stimulate the development of private funds for tourism promotion;
10012 and

10013 (7) Subject to available funds, assist municipalities to accommodate
10014 tourist attractions within such municipalities or within neighboring or
10015 adjoining municipalities.

10016 Sec. 181. Section 10-397 of the general statutes is repealed and the
10017 following is substituted in lieu thereof (*Effective July 1, 2009*):

10018 (a) There are established five regional tourism districts, each of
10019 which shall promote and market districts as regional leisure and
10020 business traveler destinations to stimulate economic growth. The
10021 districts shall be as follows:

10022 (1) The eastern regional district, which shall consist of Ashford,
10023 Bozrah, Brooklyn, Canterbury, Chaplin, Colchester, Columbia,
10024 Coventry, East Lyme, Eastford, Franklin, Griswold, Groton, Hampton,
10025 Killingly, Lebanon, Ledyard, Lisbon, Lyme, Mansfield, Montville, New
10026 London, North Stonington, Norwich, Old Lyme, Plainfield, Pomfret,

10027 Preston, Putnam, Salem, Scotland, Sprague, Sterling, Stonington,
10028 Thompson, Union, Voluntown, Waterford, Willington, Windham and
10029 Woodstock;

10030 (2) The central regional district, which shall consist of Andover,
10031 Avon, Berlin, Bloomfield, Bolton, Canton, Chester, Cromwell, Deep
10032 River, East Granby, East Haddam, East Hampton, East Hartford, East
10033 Windsor, Ellington, Enfield, Essex, Farmington, Glastonbury, Granby,
10034 Haddam, Hartford, Hebron, Manchester, Marlborough, Meriden,
10035 Middletown, New Britain, Newington, Old Saybrook, Plainville,
10036 Portland, Rocky Hill, Somers, South Windsor, Southington, Simsbury,
10037 Stafford, Suffield, Tolland, Vernon, Windsor Locks, West Hartford,
10038 Westbrook, Wethersfield and Windsor;

10039 (3) The northwestern regional district, which shall consist of
10040 Ansonia, Barkhamsted, Beacon Falls, Bethel, Bethlehem, Bridgewater,
10041 Bristol, Brookfield, Burlington, Canaan, Colebrook, Cornwall,
10042 Danbury, Derby, Goshen, Hartland, Harwinton, Kent, Litchfield,
10043 Middlebury, Morris, Naugatuck, New Fairfield, New Hartford, New
10044 Milford, Newtown, Norfolk, North Canaan, Oxford, Plymouth,
10045 Prospect, Redding, Ridgefield, Roxbury, Salisbury, Seymour, Sharon,
10046 Sherman, Southbury, Thomaston, Torrington, Warren, Washington,
10047 Waterbury, Watertown, Winchester, Wolcott and Woodbury;

10048 (4) The south central regional district, which shall consist of
10049 Bethany, Branford, Cheshire, Clinton, Durham, East Haven, Guilford,
10050 Hamden, Killingworth, Madison, Middlefield, Milford, Orange, New
10051 Haven, North Branford, North Haven, Wallingford, West Haven and
10052 Woodbridge;

10053 (5) The southwestern regional district, which shall consist of
10054 Bridgeport, Darien, Easton, Fairfield, Greenwich, New Canaan,
10055 Monroe, Norwalk, Shelton, Stamford, Stratford, Trumbull, Weston,
10056 Westport and Wilton.

10057 (b) Each regional tourism district shall be overseen by a board of

10058 directors consisting of one representative from each municipality
10059 within the district, appointed by the legislative body of the
10060 municipality and, where the legislative body is a town meeting, by the
10061 board of selectmen. Any such member of a board of directors shall
10062 serve for a term of three years. In addition, the board of directors may
10063 appoint up to twenty-one persons representing tourism interests
10064 within the district to serve on the board. No board member shall be
10065 deemed a state employee for serving on said board. All appointments
10066 to the board of directors shall be reported to the [executive director of
10067 the Connecticut Commission on Culture and Tourism] Commissioner
10068 of Community Development.

10069 (c) The provisions of the Freedom of Information Act, as defined in
10070 section 1-200, shall apply to each regional tourism district.

10071 [(d) Not later than October 1, 2003, the commission shall assist each
10072 regional tourism district in establishing a committee to draft a charter
10073 and bylaws for the regional tourism district and to organize the initial
10074 meeting of the board of directors of the district, to be held no later than
10075 October 15, 2003.]

10076 [(e)] (d) Each regional tourism district shall (1) comply with uniform
10077 standards for accounting and reporting expenditures that are
10078 established by the [commission] commissioner in accordance with
10079 section 10-392 and are based on industry accounting standards
10080 developed by the International Association of Convention and Visitor
10081 Bureaus or other national organizations related to tourism, and (2) on
10082 or before January first of each year, submit to the [commission]
10083 commissioner, the Office of Policy and Management and the Office of
10084 Fiscal Analysis an independent audit in accordance with the
10085 provisions of sections 4-230 to 4-236, inclusive.

10086 [(f)] (e) Each regional tourism district shall solicit and may accept
10087 private funds for the promotion of tourism within its towns and cities
10088 and shall coordinate its activities with any private nonprofit tourist
10089 association within the district and within this state, that promotes

10090 tourism industry businesses in this state, in order to foster cooperation
10091 in the promotion of such businesses. Any funds received by a regional
10092 tourism district may be deposited in the account established in section
10093 10-395 or in an account established by such tourism district to receive
10094 such funds.

10095 Sec. 182. Section 10-397a of the general statutes is repealed and the
10096 following is substituted in lieu thereof (*Effective July 1, 2009*):

10097 (a) As used in this section:

10098 (1) **[**"Commission" means the Connecticut Commission on Culture
10099 and Tourism created by section 10-392**]** "Commissioner" means the
10100 Commissioner of Community Development;

10101 **[**(2) "Executive director" means the executive director of the
10102 Connecticut Commission on Culture and Tourism appointed pursuant
10103 to section 10-393;**]**

10104 **[**(3)**]** (2) "Former tourism district" means the tourism districts, as
10105 defined in section 32-302 of the general statutes, revision of 1958,
10106 revised to January 1, 2003; and

10107 **[**(4)**]** (3) "Regional tourism district" means one of the five regional
10108 tourism districts created by section 10-397.

10109 (b) Any former tourism district having a cash surplus, after
10110 accounting for all liabilities, may distribute such surplus to the
10111 regional tourism district or districts serving the towns formerly served
10112 by such district. Any distribution shall be divided among the new
10113 district or districts in accordance with the following schedule:

T1 Former District New District(s)

T2	Northeastern	Eastern (100%)
T3	Southeastern	Eastern (100%)
T4	North Central	Central (100%)
T5	Greater Hartford	Central (95%)
T6		Northwestern (5%)
T7	Central Connecticut	Central (80%)
T8		South Central (20%)
T9	Connecticut Valley	Central (60%)
T10		South Central (40%)
T11	Greater New Haven	South Central (67%)
T12		Northwestern (20%)
T13		Southwestern (13%)
T14	Litchfield Hills	Northwestern (100%)
T15	Housatonic Valley	Northwestern (100%)
T16	Greater Waterbury	Northwestern (100%)
T17	Greater Fairfield	Southwestern (100%)

10114 (c) Any former tourism district may, with the approval of the
10115 executive director, transfer noncash assets, including fixed assets and
10116 leases, to a regional tourism district or districts serving the towns
10117 formerly served by such district.

10118 (d) Any regional tourism district may, by vote of its board of
10119 directors and with the approval of the **[**commission**]** commissioner,
10120 assume the liabilities of a former tourism district that served all or part
10121 of the area served by the new district. No such assumption shall be
10122 approved unless (1) the regional district's approved budget makes
10123 provision for the costs arising from the assumption of liability; and (2)
10124 the **[**commission**]** commissioner finds that the proposed assumption of
10125 liability is fair and equitable.

10126 Sec. 183. Section 10-398 of the general statutes is repealed and the
10127 following is substituted in lieu thereof (*Effective July 1, 2009*):

10128 Notwithstanding subsection (a) of section 10-394, for the fiscal year

10129 ending June 30, 2004, no later than October 1, 2003, each regional
10130 tourism district established under section 10-397 shall prepare a
10131 proposed budget for the fiscal year ending June 30, 2004, to carry out
10132 its statutory duties. After approval by said tourism district's board of
10133 directors, and no later than October 1, 2003, the tourism district shall
10134 submit the proposed budget to the [executive director of the
10135 Commission on Culture and Tourism] Commissioner of Community
10136 Development for review, comments and recommendations by the
10137 [commission] commissioner concerning the proposed expenditures.
10138 The [commission] commissioner shall review, in consultation with the
10139 tourism district, the proposed budget no later than October 10, 2003,
10140 and approve or disapprove the budget. If the [commission]
10141 commissioner disapproves any annual budget, it shall adopt an
10142 interim budget and such interim budget shall take effect immediately
10143 and shall remain in effect until the tourism district submits and the
10144 [commission] commissioner approves a modified budget. The tourism
10145 district shall, on or before November 1, 2003, submit a copy of the
10146 budget to the joint standing committees of the General Assembly
10147 having cognizance of matters relating to appropriations, finance,
10148 revenue and bonding and commerce and the Office of Policy and
10149 Management, including an explanation detailing the proposed
10150 expenditures for the tourism district for the succeeding fiscal year. No
10151 funds shall be expended by the tourism district without prior approval
10152 of the budget by the [Commission on Culture and Tourism]
10153 commissioner.

10154 Sec. 184. Section 10-399 of the general statutes is repealed and the
10155 following is substituted in lieu thereof (*Effective July 1, 2009*):

10156 (a) As used in this section: "Visitor welcome center" means the
10157 welcome centers, visitor centers and tourist information centers
10158 located in West Willington, Greenwich, Danbury, Darien, North
10159 Stonington and Westbrook, which have been established to distribute
10160 information to persons traveling in the state for the purpose of
10161 influencing such persons' level of satisfaction with the state and

10162 expenditures in the state and their planning for present and future
10163 trips to the state.

10164 (b) The following measures shall be implemented to enhance the
10165 operation of visitor welcome centers:

10166 (1) Each center shall make available space for listing events and
10167 promoting attractions, by invitation to the Connecticut tourism
10168 industry, including tourism districts, chambers of commerce and any
10169 other tourism entities involved in Connecticut tourism promotion;

10170 (2) The **[**Commission on Culture and Tourism, established under
10171 section 10-392**]** Commissioner of Community Development, in
10172 consultation with the Department of Transportation, shall develop
10173 plans for (A) consistent signage for the visitor welcome centers, and (B)
10174 highway signage regulations for privately operated centers;

10175 (3) The Department of Transportation and the **[**commission**]**
10176 commissioner shall establish an "Adopt A Visitor Welcome Center"
10177 program, under which local civic organizations may provide
10178 maintenance, gardening, including wildflowers, and complimentary
10179 refreshments or any other type of service at a visitor welcome center to
10180 enhance the operation of the center;

10181 (4) The **[**commission**]** commissioner shall place a full-time year-
10182 round supervisor and a part-time assistant supervisor at the Danbury,
10183 Darien, North Stonington and West Willington centers. The
10184 responsibilities of each supervisor shall include, but not be limited to:
10185 (A) Maintaining a sufficient inventory of up-to-date brochures for
10186 dissemination to visitors, (B) scheduling staff so as to assure coverage
10187 at all times, (C) training staff, (D) compiling and maintaining statistics
10188 on center usage, (E) serving as liaison between the **[**commission**]**
10189 commissioner, the Department of Transportation, the tourism district
10190 in which the center is located and businesses in such district, (F)
10191 maintaining quality tourism services, (G) rotating displays, (H)
10192 evaluating staff, (I) problem-solving, and (J) computing travel

10193 reimbursements for volunteer staff;

10194 (5) Subject to available funds, the **[**commission**]** commissioner shall
10195 place a seasonal full-time supervisor and a seasonal part-time assistant
10196 supervisor at the Greenwich and Westbrook centers. The **[**commission**]**
10197 commissioner shall discontinue staffing at the Middletown, Plainfield
10198 and Wallingford centers, and shall, in conjunction with the tourism
10199 industry, seek contract workers to provide tourism services at the
10200 Westbrook center when not staffed by the state;

10201 (6) Subject to available funds, the **[**commission**]** commissioner, in
10202 conjunction with the tourism industry, shall develop and implement
10203 initial staff training and conduct periodic training of full-time and part-
10204 time supervisors.

10205 Sec. 185. Section 10-400 of the general statutes is repealed and the
10206 following is substituted in lieu thereof (*Effective July 1, 2009*):

10207 With respect to arts activities, the **[**Connecticut Commission on
10208 Culture and Tourism, established under section 10-392**]** Commissioner
10209 of Community Development, shall encourage, within the state or in
10210 association with other states, or both, participation in, and promotion,
10211 development, acceptance and appreciation of, artistic and cultural
10212 activities that shall include, but are not limited to, music, theater,
10213 dance, painting, sculpture, architecture, literature, films and allied arts
10214 and crafts and to this end shall have the following powers: (1) To join
10215 or contract with consultants, private patrons, individual artists and
10216 ensembles and with institutions, local sponsoring organizations and
10217 professional organizations; (2) to enter into contracts to provide grants,
10218 loans or advances to individuals, organizations, or institutions, public
10219 or private, that are engaged in or plan to engage in artistic and cultural
10220 programs or activities within the state, or that are engaged in or plan to
10221 engage in the promotion, development, or encouragement of artistic
10222 and cultural programs or activities within the state; (3) to accept, hold
10223 and administer, on behalf of the **[**commission**]** commissioner, in
10224 accordance with the provisions of sections 4-28, 4-31, 4-31a and 4b-22,

10225 real property, personal property, securities, other choses in action and
10226 moneys, or any interest therein, and income therefrom, either
10227 absolutely or in trust, for any purpose of the [commission]
10228 commissioner. The [commission] commissioner may acquire or receive
10229 such property or money for its purposes by the acceptance of state or
10230 federal or public or private loans, contributions, gifts, grants,
10231 donations, bequests or devises, and the [commission] commissioner
10232 shall deposit or credit the same in the [Connecticut Commission on]
10233 Culture and Tourism account established under section 10-395; (4) to
10234 establish a nonprofit foundation for the purpose of raising funds from
10235 private sources to encourage, within the state or in association with
10236 other states, or both, participation in, and promotion, development,
10237 acceptance and appreciation of, artistic and cultural activities that shall
10238 include, but are not limited to, music, theater, dance, painting,
10239 sculpture, architecture, literature, films, heritage, historic preservation,
10240 humanities and allied arts and crafts. All funds received by the
10241 foundation shall be held in the manner prescribed by sections 4-37e to
10242 4-37j, inclusive; and (5) to perform such other acts as may be necessary
10243 or appropriate to carry out the objectives and purposes of the
10244 [commission] commissioner. The General Assembly declares that all
10245 activities undertaken in carrying out the policies set forth in this
10246 chapter shall be directed toward encouraging and assisting, rather
10247 than in any way limiting, the freedom of artistic expression that is
10248 essential for the well-being of the arts. Said [commission]
10249 commissioner shall maintain a survey of public and private facilities
10250 engaged within the state in artistic and cultural activities and
10251 determine the needs of the citizens of this state and the methods by
10252 which existing resources may be utilized, or new resources developed,
10253 to fulfill these needs. The [commission] commissioner shall maintain a
10254 register of Connecticut artists. The name, town of residence and artistic
10255 medium of any such artist residing in Connecticut shall be entered in
10256 the register by the [commission] commissioner upon the artist's
10257 request.

10258 Sec. 186. Section 10-401 of the general statutes is repealed and the

10259 following is substituted in lieu thereof (*Effective July 1, 2009*):

10260 The **[**Connecticut Commission on Culture and Tourism, established
10261 under section 10-392**]** Commissioner of Community Development,
10262 shall establish and administer a "special incentive grant program" to
10263 provide financial assistance for artistic and cultural programs and
10264 activities pursuant to subdivision (2) of section 10-400. No state funds
10265 appropriated to the **[**commission**]** commissioner for the purposes of
10266 said program shall be disbursed unless one-third of the amount of
10267 such financial assistance consists of nonfederal funds raised and
10268 received by said **[**commission**]** commissioner.

10269 Sec. 187. Section 10-402 of the general statutes is repealed and the
10270 following is substituted in lieu thereof (*Effective July 1, 2009*):

10271 (a) For purposes of this section the following terms have the
10272 following meanings:

10273 (1) "Work of art" means any work of visual art, including but not
10274 limited to, a drawing, painting, sculpture, mosaic, photograph, work of
10275 calligraphy or work of graphic art or mixed media;

10276 (2) "Connecticut artists" means artists born in Connecticut, artists
10277 who have worked in or received a portion of their training in
10278 Connecticut, or artists living in Connecticut at the time of the purchase
10279 of their works of art.

10280 (b) The **[**Connecticut Commission on Culture and Tourism,
10281 established under section 10-392,**]** Commissioner of Community
10282 Development may establish and administer a state art collection.

10283 (c) The **[**Connecticut Commission on Culture and Tourism,
10284 established under section 10-392,**]** Commissioner of Community
10285 Development shall establish policies and procedures with respect to
10286 the activities of the art collection and perform every other matter and
10287 thing requisite to the proper management, maintenance, support and
10288 control of the Connecticut art collection.

10289 (d) The art collection shall be representative of various media,
10290 diverse styles and periods of Connecticut artists and shall be
10291 representative of Connecticut's ethnic, racial and cultural groups.

10292 (e) The **[**Connecticut Commission on Culture and Tourism,
10293 established under section 10-392,**]** Commissioner of Community
10294 Development may apply for and receive aid or grants from
10295 individuals, private artists, state sources, private foundations, local arts
10296 organizations and the federal government for the state art collection.

10297 Sec. 188. Section 10-403 of the general statutes is repealed and the
10298 following is substituted in lieu thereof (*Effective July 1, 2009*):

10299 The **[**Connecticut Commission on Culture and Tourism, established
10300 under section 10-392,**]** Commissioner of Community Development is
10301 designated as the state agency for the reception and disbursement of
10302 federal, state and private moneys or other property made available on
10303 or after July 1, 1965, for the purpose of fostering the arts within the
10304 authority of the **[**commission**]** commissioner, in accordance with the
10305 standard state fiscal procedures.

10306 Sec. 189. Section 10-404 of the general statutes is repealed and the
10307 following is substituted in lieu thereof (*Effective July 1, 2009*):

10308 Any person otherwise qualifying for a loan or grant made by the
10309 **[**Connecticut Commission on Culture and Tourism, established under
10310 section 10-392,**]** Commissioner of Community Development shall not
10311 be disqualified by reason of being under the age of eighteen years and
10312 for the purpose of applying for, receiving and repaying such a loan, or
10313 entering into a contract concerning such loan or grant, any such person
10314 shall be deemed to have full legal capacity to act and shall have all the
10315 rights, powers, privileges and obligations of a person of full age, with
10316 respect thereto.

10317 Sec. 190. Section 10-405 of the general statutes is repealed and the
10318 following is substituted in lieu thereof (*Effective July 1, 2009*):

10319 For purposes of this section and sections 10-406 to 10-408, inclusive:

10320 (1) "Arts organization" means a nonprofit organization in the state
10321 which is exempt from taxation pursuant to Section 501(c)(3) of the
10322 Internal Revenue Code of 1986, as from time to time amended, the
10323 primary purpose of which is to create, perform, present or otherwise
10324 promote the visual, performing or literary arts in the state, but shall
10325 not mean an organization, the primary purpose of which is
10326 instructional, or an organization, the primary purpose of which is to
10327 receive contributions for and provide funding to arts organizations;

10328 (2) **[**"Commission" means the Connecticut Commission on Culture
10329 and Tourism, established under section 10-392**]** "Commissioner" means
10330 the Commissioner of Community Development;

10331 (3) "Contribution" means cash, negotiable securities or other gifts of
10332 similar liquidity;

10333 (4) "Donor" means a private organization, the primary purpose of
10334 which is to receive contributions for and provide funding to arts
10335 organizations, a private foundation or private corporation,
10336 partnership, single proprietorship or association or person making a
10337 contribution to an arts organization;

10338 (5) "Fiscal year" means a period of twelve calendar months as
10339 determined by the arts organization's bylaws.

10340 Sec. 191. Section 10-409 of the general statutes is repealed and the
10341 following is substituted in lieu thereof (*Effective July 1, 2009*):

10342 (a) With respect to historical preservation, there is established
10343 within the **[**Connecticut Commission on Culture and Tourism,
10344 established under section 10-392**]** Department of Community
10345 Development, an Historic Preservation Council. The Historic
10346 Preservation Council shall consist of twelve members to be appointed
10347 by the Governor. On or before January fifth in the even-numbered
10348 years, the Governor shall appoint six members for terms of four years

10349 each to replace those whose terms expire. One of such members shall
10350 be the State Historian and one shall be the State Archaeologist.
10351 Members shall be appointed in accordance with the provisions of
10352 section 4-9a. No member shall serve for more than two consecutive full
10353 terms. Any member who fails to attend three consecutive meetings or
10354 who fails to attend fifty per cent of all meetings held during any
10355 calendar year shall be deemed to have resigned from office. The
10356 Governor shall biennially designate one member of the council to be
10357 chairperson. The Governor shall fill any vacancy for any unexpired
10358 portion of the term and may remove any member as provided by
10359 section 4-12. No compensation shall be received by the members of the
10360 council but they shall be reimbursed for their necessary expenses. The
10361 **[**Connecticut Commission on Culture and Tourism**]** Commissioner of
10362 Community Development may, with the advice of the Historic
10363 Preservation Council, (1) study and investigate historic structures and
10364 landmarks in this state and encourage and recommend the
10365 development, preservation and marking of such historic structures and
10366 landmarks found to have educational, recreational and historical
10367 significance; (2) prepare, adopt and maintain standards for a state
10368 register of historic places; (3) update and keep current the state historic
10369 preservation plan; (4) administer the National Register of Historic
10370 Places Program; (5) assist owners of historic structures in seeking
10371 federal or other aid for historic preservation and related purposes; (6)
10372 recommend to the General Assembly the placing and maintaining of
10373 suitable markers, memorials or monuments or other edifices to
10374 designate historic structures and landmarks found to have historical
10375 significance; (7) make recommendations to the General Assembly
10376 regarding the development and preservation of historic structures and
10377 landmarks owned by the state; (8) maintain a program of historical,
10378 architectural, and archaeological research and development including
10379 surveys, excavation, scientific recording, interpretation and publication
10380 of the historical, architectural, archaeological and cultural resources of
10381 the state; (9) cooperate with promotional, patriotic, educational and
10382 research groups and associations, with local, state and national

10383 historical societies, associations and commissions, with agencies of the
10384 state and its political subdivisions and with the federal government, in
10385 promoting and publicizing the historical heritage of Connecticut; (10)
10386 formulate standards and criteria to guide the several municipalities in
10387 the evaluation, delineation and establishment of historic districts; (11)
10388 cooperate with the State Building Inspector, the Codes and Standards
10389 Committee and other building officials and render advisory opinions
10390 and prepare documentation regarding the application of the State
10391 Building Code to historic structures and landmarks if requested by
10392 owners of historic structures and landmarks, the State Building
10393 Inspector, the Codes and Standards Committee or other building
10394 officials; (12) review planned state and federal actions to determine
10395 their impact on historic structures and landmarks; (13) operate the
10396 Henry Whitfield House of Guilford, otherwise known as the Old Stone
10397 House, as a state historical museum and, in its discretion, charge a fee
10398 for admission to said museum and account for and deposit the same as
10399 provided in section 4-32; (14) provide technical and financial assistance
10400 to carry out the purposes of this section and sections 10-410 to 10-416,
10401 inclusive; (15) adopt regulations in accordance with the provisions of
10402 chapter 54 for the preservation of sacred sites and archaeological sites;
10403 and (16) inventory state lands to identify sacred sites and
10404 archaeological sites. The **[**commission**]** commissioner shall study the
10405 feasibility of establishing a state museum of Connecticut history at an
10406 appropriate existing facility. The Historic Preservation Council shall
10407 (A) review and approve or disapprove requests by owners of historic
10408 properties on which the **[**commission**]** commissioner holds
10409 preservation easements to perform rehabilitation work on sacred sites
10410 and archaeological sites; (B) request the assistance of the Attorney
10411 General to prevent the unreasonable destruction of historic properties
10412 pursuant to the provisions of section 22a-19a; and (C) place and
10413 maintain suitable markers, memorials or monuments to designate sites
10414 or places found to have historic significance. The council shall meet
10415 monthly. The Connecticut Trust for Historic Preservation may provide
10416 technical assistance to the council.

10417 (b) Notwithstanding the provisions of this section or section 1-210,
10418 the [Connecticut Commission on Culture and Tourism] Commissioner
10419 of Community Development may withhold from disclosure to the
10420 public information relating to the location of archaeological sites under
10421 consideration for listing by the [commission] commissioner or those
10422 listed on the National Register of Historic Places or the state register of
10423 historic places whenever the [commission] commissioner determines
10424 that disclosure of specific information would create a risk of
10425 destruction or harm to such sites. The provisions of this subsection
10426 shall not apply to any such site unless the person who reported or
10427 discovered such site has submitted a written statement to the
10428 [commission] commissioner requesting that no disclosure be made.
10429 Upon receipt of such statement, the [commission] commissioner may
10430 withhold such information from disclosure until the July first next
10431 succeeding such receipt. Such person may request that a period of
10432 nondisclosure be extended by submitting such statements prior to July
10433 first of any year.

10434 (c) The Historic Preservation Council [of the Connecticut
10435 Commission on Culture and Tourism] shall develop a model ballot
10436 form to be mailed by clerks of municipalities on the question of
10437 creation of historic districts or districts as provided for in section 7-
10438 147a to 7-147k, inclusive.

10439 Sec. 192. Section 10-410 of the general statutes is repealed and the
10440 following is substituted in lieu thereof (*Effective July 1, 2009*):

10441 For the purposes of sections 10-409 to 10-415, inclusive,
10442 ["commission"] "commissioner" means the [Connecticut Commission
10443 on Culture and Tourism established under section 10-392]
10444 Commissioner of Community Development; "municipality" shall
10445 include any town, city or borough; "private organization" means a
10446 nonprofit organization which has the power to acquire, relocate,
10447 restore and maintain historic structures and landmarks in the state of
10448 Connecticut; "historic district" means an area in a municipality

10449 established under section 7-147a or by special act; "historic structures
10450 and landmarks" means any building, structure, object or site that is
10451 significant in American history, architecture, archaeology and culture
10452 or property used in connection therewith including sacred sites and
10453 archaeological sites; "historic preservation" means research, protection,
10454 restoration, stabilization and adaptive use of buildings, structures,
10455 objects, districts, areas and sites significant in the history, architecture,
10456 archaeology or culture of this state, its municipalities or the nation; and
10457 "state register of historic places" means the [commission's]
10458 commissioner's itemized list locating and classifying historic structures
10459 and landmarks throughout the state, as discovered in the
10460 [commission's] commissioner's field survey of 1966-1967 and as
10461 subsequently augmented.

10462 Sec. 193. Section 10-412 of the general statutes is repealed and the
10463 following is substituted in lieu thereof (*Effective July 1, 2009*):

10464 (a) The [commission] commissioner may provide an appropriate
10465 plaque or marker at a cost, to be determined by the [commission]
10466 commissioner, to the recipient for attachment to an historic structure or
10467 landmark identifying it as a Connecticut historical landmark within
10468 the criteria adopted by the [commission] commissioner and as
10469 identified through the state register of historic places, if the owner
10470 agrees to display such plaque or marker in a manner satisfactory to the
10471 [commission] commissioner. Any such plaque or marker may be
10472 repossessed by the [commission] commissioner if the historic structure
10473 or landmark is not maintained in a manner satisfactory to the
10474 [commission] commissioner.

10475 (b) The [Connecticut Commission on Culture and Tourism,
10476 established under section 10-392] Commissioner of Community
10477 Development, in consultation with the Amistad Committee, Inc., New
10478 Haven, shall establish a Freedom Trail and a program to recognize,
10479 document and mark sites in this state that are associated with the
10480 history and movement towards freedom of its African-American

10481 citizens, the Underground Railroad and the abolition of slavery. The
10482 [commission] commissioner and the Amistad Committee,
10483 Incorporated, of New Haven shall designate and mark the sites of the
10484 Freedom Trail. The Amistad Committee, Inc., of New Haven shall be
10485 responsible for the coordination and organization of the "September
10486 Freedom Trail Month". The [commission] commissioner shall establish
10487 a program to publicize the existence of the Freedom Trail and shall
10488 publish a brochure which indicates the location and history of the sites.

10489 Sec. 194. Section 10-416 of the general statutes is repealed and the
10490 following is substituted in lieu thereof (*Effective July 1, 2009*):

10491 (a) As used in this section, the following terms shall have the
10492 following meanings unless the context clearly indicates another
10493 meaning:

10494 (1) [''Commission'' means the Connecticut Commission on Culture
10495 and Tourism established under section 10-392] "Commissioner" means
10496 the Commissioner of Community Development;

10497 (2) "Historic home" means a building that: (A) Will contain one-to-
10498 four dwelling units of which at least one unit will be occupied as the
10499 principal residence of the owner for not less than five years following
10500 the completion of rehabilitation work, (B) is located in a targeted area,
10501 and (C) is (i) listed individually on the National or State Register of
10502 Historic Places, or (ii) located in a district listed on the National or
10503 State Register of Historic Places, and has been certified by the
10504 [commission] commissioner as contributing to the historic character of
10505 such district;

10506 (3) "Nonprofit corporation" means a nonprofit corporation
10507 incorporated pursuant to chapter 602 or any predecessor statutes
10508 thereto, having as one of its purposes the construction, rehabilitation,
10509 ownership or operation of housing and having articles of incorporation
10510 approved by the [Commissioner of Economic and Community
10511 Development] Connecticut Housing Finance Authority in accordance

10512 with regulations adopted pursuant to section 8-79a or 8-84;

10513 (4) "Owner" means any taxpayer filing a state of Connecticut tax
10514 return who possesses title to an historic home, or prospective title to an
10515 historic home in the form of a purchase agreement or option to
10516 purchase, or a nonprofit corporation that possesses such title or
10517 prospective title;

10518 (5) "Targeted area" means: (A) A federally designated "qualified
10519 census tract" in which seventy per cent or more of the families have a
10520 median income of eighty per cent or less of the state-wide median
10521 family income, (B) a state designated and federally approved area of
10522 chronic economic distress, or (C) an urban and regional center as
10523 identified in the Connecticut Conservation and Development Policies
10524 Plan;

10525 (6) "Qualified rehabilitation expenditures" means any costs incurred
10526 for the physical construction involved in the rehabilitation of an
10527 historic home, but excludes: (A) The owner's personal labor, (B) the
10528 cost of site improvements, unless to provide building access to persons
10529 with disabilities, (C) the cost of a new addition, except as may be
10530 required to comply with any provision of the State Building Code or
10531 the State Fire Safety Code, (D) any cost associated with the
10532 rehabilitation of an outbuilding, unless such building contributes to
10533 the historical significance of the historic home, and (E) any
10534 nonconstruction cost such as architectural fees, legal fees and financing
10535 fees;

10536 (7) "Rehabilitation plan" means any construction plans and
10537 specifications for the proposed rehabilitation of an historic home in
10538 sufficient detail to enable the **[**commission**]** <u>commissioner</u> to evaluate
10539 compliance with the standards developed under the provisions of
10540 subsections (b) to (d), inclusive, of this section; and

10541 (8) "Occupancy period" means a period of five years during which
10542 one or more owners occupy an historic home as their primary

10543 residence. The occupancy period begins on the date the tax credit
10544 voucher is issued by the [commission] commissioner.

10545 (b) The [commission] commissioner shall administer a system of tax
10546 credit vouchers within the resources, requirements and purposes of
10547 this section for owners rehabilitating historic homes or taxpayers
10548 making contributions to qualified rehabilitation expenditures. For tax
10549 years commencing on or after January 1, 2000, any owner shall be
10550 eligible for a tax credit voucher in an amount equal to thirty per cent of
10551 the qualified rehabilitation expenditures.

10552 (c) The [commission] commissioner shall develop standards for the
10553 approval of rehabilitation of historic homes for which a tax credit
10554 voucher is sought. Such standards shall take into account whether the
10555 rehabilitation of an historic home will preserve the historic character of
10556 the building.

10557 (d) The [commission] commissioner shall, in consultation with the
10558 Commissioner of Revenue Services, adopt regulations in accordance
10559 with chapter 54 to carry out the purposes of this section.

10560 (e) Prior to beginning any rehabilitation work on an historic home,
10561 the owner shall submit a rehabilitation plan to the [commission]
10562 commissioner for a determination of whether such rehabilitation work
10563 meets the standards developed under the provisions of subsections (b)
10564 to (d), inclusive, of this section and shall also submit to the
10565 [commission] commissioner an estimate of the qualified rehabilitation
10566 expenditures.

10567 (f) If the [commission] commissioner certifies that the rehabilitation
10568 plan conforms to the standards developed under the provisions of
10569 subsections (b) to (d), inclusive, of this section, the [commission]
10570 commissioner shall reserve for the benefit of the owner an allocation
10571 for a tax credit equivalent to thirty per cent of the projected qualified
10572 rehabilitation expenditures.

10573 (g) Following the completion of rehabilitation of an historic home,
10574 the owner shall notify the **[**commission**]** commissioner that such
10575 rehabilitation has been completed. The owner shall provide the
10576 **[**commission**]** commissioner with documentation of work performed
10577 on the historic home and shall certify the cost incurred in rehabilitating
10578 the home. The **[**commission**]** commissioner shall review such
10579 rehabilitation and verify its compliance with the rehabilitation plan.
10580 Following such verification, the **[**commission**]** commissioner shall issue
10581 a tax credit voucher to either the owner rehabilitating the historic
10582 home or to the taxpayer named by the owner as contributing to the
10583 rehabilitation. The tax credit voucher shall be in an amount equivalent
10584 to the lesser of the tax credit reserved upon certification of the
10585 rehabilitation plan under the provisions of subsection (f) of this section
10586 or thirty per cent of the actual qualified rehabilitation expenditures. In
10587 order to obtain a credit against any state tax due that is specified in
10588 subsections (j) to (m), inclusive, of this section, the holder of the tax
10589 credit voucher shall file the voucher with the holder's state tax return.

10590 (h) Before the **[**commission**]** commissioner issues a tax credit
10591 voucher, the owner shall deliver a signed statement to the
10592 **[**commission**]** commissioner which provides that: (1) The owner shall
10593 occupy the historic home as the owner's primary residence during the
10594 occupancy period, or (2) the owner shall convey the historic home to a
10595 new owner who will occupy it as the new owner's primary residence
10596 during the occupancy period, or (3) an encumbrance shall be recorded,
10597 in favor of the local, state or federal government or other funding
10598 source, that will require the owner or the owner's successors to occupy
10599 the historic home as the primary residence of the owner or the owner's
10600 successors for a period equal to or longer than the occupancy period.
10601 A copy of any such encumbrance shall be attached to the signed
10602 statement.

10603 (i) The owner of an historic home shall not be eligible for a tax credit
10604 voucher under subsections (b) to (d), inclusive, of this section, unless
10605 the owner incurs qualified rehabilitation expenditures exceeding

10606 twenty-five thousand dollars.

10607 (j) The Commissioner of Revenue Services shall grant a tax credit to
10608 a taxpayer holding the tax credit voucher issued under subsections (e)
10609 to (i), inclusive, of this section against any tax due under chapter 207,
10610 208, 209, 210, 211 or 212 in the amount specified in the tax credit
10611 voucher. The [commission] commissioner shall provide a copy of the
10612 voucher to the Commissioner of Revenue Services upon the request of
10613 said commissioner.

10614 (k) In no event shall a credit allowed under this section exceed thirty
10615 thousand dollars per dwelling unit for an historic home.

10616 (l) The tax credit issued under subsection (j) of this section shall be
10617 taken by the holder of the tax credit voucher in the same tax year in
10618 which the voucher is issued. Any unused portion of such credit may be
10619 carried forward to any or all of the four taxable years following the
10620 year in which the tax credit voucher is issued.

10621 (m) The aggregate amount of all tax credits which may be reserved
10622 by the [commission] commissioner upon certification of rehabilitation
10623 plans under subsections (b) to (d), inclusive, of this section shall not
10624 exceed three million dollars in any one fiscal year.

10625 Sec. 195. Section 10-416a of the general statutes is repealed and the
10626 following is substituted in lieu thereof (*Effective July 1, 2009*):

10627 (a) As used in this section, the following terms shall have the
10628 following meanings unless the context clearly indicates another
10629 meaning:

10630 (1) [''Commission'' means the Connecticut Commission on Culture
10631 and Tourism established pursuant to section 10-392] "Commissioner"
10632 means the Commissioner of Community Development;

10633 (2) "Certified historic structure" means an historic commercial or
10634 industrial property that: (A) Is listed individually on the National or

10635 State Register of Historic Places, or (B) is located in a district listed on
10636 the National or State Register of Historic Places, and has been certified
10637 by the [commission] commissioner as contributing to the historic
10638 character of such district;

10639 (3) "Certified rehabilitation" means any rehabilitation of a certified
10640 historic structure for residential use consistent with the historic
10641 character of such property or the district in which the property is
10642 located as determined by regulations adopted by the [commission]
10643 commissioner;

10644 (4) "Owner" means any person, firm, limited liability company,
10645 nonprofit or for-profit corporation or other business entity which
10646 possesses title to an historic structure and undertakes the rehabilitation
10647 of such structure;

10648 (5) "Placed in service" means that substantial rehabilitation work has
10649 been completed which would allow for issuance of a certificate of
10650 occupancy for the entire building or, in projects completed in phases,
10651 for individual residential units that are an identifiable portion of the
10652 building;

10653 (6) "Qualified rehabilitation expenditures" means any costs incurred
10654 for the physical construction involved in the rehabilitation of a
10655 certified historic structure for residential use, excluding: (A) The
10656 owner's personal labor, (B) the cost of a new addition, except as
10657 required to comply with any provision of the State Building Code or
10658 the State Fire Safety Code, and (C) any nonconstruction cost such as
10659 architectural fees, legal fees and financing fees;

10660 (7) "Rehabilitation plan" means any construction plans and
10661 specifications for the proposed rehabilitation of a certified historic
10662 structure in sufficient detail for evaluation by compliance with the
10663 standards developed under the provisions of subsections (b) to (d),
10664 inclusive, of this section; and

10665 (8) "Substantial rehabilitation" or "substantially rehabilitate" means
10666 the qualified rehabilitation expenditures of a certified historic structure
10667 that exceed twenty-five per cent of the assessed value of such
10668 structure.

10669 (b) (1) The **[**commission**]** commissioner shall administer a system of
10670 tax credit vouchers within the resources, requirements and purposes of
10671 this section for owners rehabilitating certified historic structures.

10672 (2) The credit authorized by this section shall be available in the tax
10673 year in which the substantially rehabilitated certified historic structure
10674 is placed in service. In the case of projects completed in phases, the tax
10675 credit shall be prorated to the substantially rehabilitated identifiable
10676 portion of the building placed in service. If the tax credit is more than
10677 the amount owed by the taxpayer for the year in which the
10678 substantially rehabilitated certified historic structure is placed in
10679 service, the amount that is more than the taxpayer's tax liability may be
10680 carried forward and credited against the taxes imposed for the
10681 succeeding five years or until the full credit is used, whichever occurs
10682 first.

10683 (3) Any credits allowed under this section that are provided to
10684 multiple owners of certified historic structures shall be passed through
10685 to persons designated as partners, members or owners, pro rata or
10686 pursuant to an agreement among such persons designated as partners,
10687 members or owners documenting an alternative distribution method
10688 without regard to other tax or economic attributes of such entity. Any
10689 owner entitled to a credit under this section may assign, transfer or
10690 convey the credits, in whole or in part, by sale or otherwise to any
10691 individual or entity and such transferee shall be entitled to offset the
10692 tax imposed under chapter 207, 208, 209, 210, 211 or 212 as if such
10693 transferee had incurred the qualified rehabilitation expenditure.

10694 (c) The **[**commission**]** commissioner shall develop standards for the
10695 approval of rehabilitation of certified historic structures for which a tax
10696 credit voucher is sought. Such standards shall take into account

10697 whether the rehabilitation of a certified historic structure will preserve
10698 the historic character of the building.

10699 (d) The [commission] commissioner shall adopt regulations, in
10700 accordance with chapter 54, to carry out the purposes of this section.
10701 Such regulations shall include provisions for filing of applications,
10702 rating criteria and for timely approval by the [commission]
10703 commissioner.

10704 (e) Prior to beginning any rehabilitation work on a certified historic
10705 structure, the owner shall submit (1) a rehabilitation plan to the
10706 [commission] commissioner for a determination of whether or not such
10707 rehabilitation work meets the standards developed under the
10708 provisions of subsections (b) to (d), inclusive, of this section, and (2) an
10709 estimate of the qualified rehabilitation expenditures. The provisions of
10710 this subsection shall not disqualify applications for tax credits for
10711 certified historic structures for which rehabilitation commenced but
10712 were not placed in service before July 1, 2006.

10713 (f) If the [commission] commissioner certifies that the rehabilitation
10714 plan conforms to the standards developed under the provisions of
10715 subsections (b) to (d), inclusive, of this section, the [commission]
10716 commissioner shall reserve for the benefit of the owner an allocation
10717 for a tax credit equivalent to twenty-five per cent of the projected
10718 qualified rehabilitation expenditures, not exceeding two million seven
10719 hundred thousand dollars.

10720 (g) Following the completion of rehabilitation of a certified historic
10721 structure, the owner shall notify the [commission] commissioner that
10722 such rehabilitation has been completed. The owner shall provide the
10723 [commission] commissioner with documentation of work performed
10724 on the certified historic structure and shall submit certification of the
10725 costs incurred in rehabilitating the certified historic structure. The
10726 [commission] commissioner shall review such rehabilitation and verify
10727 its compliance with the rehabilitation plan. Following such
10728 verification, the [commission] commissioner shall issue a tax credit

10729 voucher to the owner rehabilitating the certified historic structure or to
10730 the taxpayer named by the owner as contributing to the rehabilitation.
10731 The tax credit voucher shall be in an amount equivalent to the lesser of
10732 the tax credit reserved upon certification of the rehabilitation plan
10733 under the provisions of subsection (f) of this section or twenty-five per
10734 cent of the actual qualified rehabilitation expenditures not exceeding
10735 two million seven hundred thousand dollars. In order to obtain a
10736 credit against any state tax due that is specified in subsections (h) to (j),
10737 inclusive, of this section, the holder of the tax credit voucher shall file
10738 the voucher with the holder's state tax return.

10739 (h) The Commissioner of Revenue Services shall grant a tax credit to
10740 a taxpayer holding the tax credit voucher issued under subsections (e)
10741 to (i), inclusive, of this section against any tax due under chapter 207,
10742 208, 209, 210, 211 or 212 in the amount specified in the tax credit
10743 voucher. Such taxpayer shall submit the voucher and the
10744 corresponding tax return to the Department of Revenue Services.

10745 (i) The aggregate amount of all tax credits which may be reserved
10746 by the **[**commission**]** commissioner upon certification of rehabilitation
10747 plans under subsections (b) to (d), inclusive, of this section shall not
10748 exceed fifteen million dollars in any one fiscal year.

10749 (j) The **[**commission**]** commissioner may charge an application fee in
10750 an amount not to exceed ten thousand dollars to cover the cost of
10751 administering the program established pursuant to this section.

10752 Sec. 196. Section 10-417 of the general statutes is repealed and the
10753 following is substituted in lieu thereof (*Effective July 1, 2009*):

10754 (a) With respect to digital media and motion picture activities, the
10755 **[**Connecticut Commission on Culture and Tourism, established under
10756 section 10-392,**]** Commissioner of Community Development shall have
10757 the following powers and duties:

10758 (1) To promote the use of Connecticut locations, structures, facilities

10759 and services for the production and postproduction of all digital media
10760 and motion pictures and other media-related products;

10761 (2) To provide support services to visiting and in-state production
10762 companies, including assistance to digital media and motion picture
10763 producers in securing permits from state agencies, authorities or
10764 institutions or municipalities or other political subdivisions of the
10765 state;

10766 (3) To develop and update a resource library concerning the many
10767 possible state sites which are suitable for production;

10768 (4) To develop and update a production manual of available digital
10769 media and motion picture production facilities and services in the
10770 state;

10771 (5) To conduct and attend trade shows and production workshops
10772 to promote Connecticut locations and facilities;

10773 (6) To prepare an explanatory guide showing the impact of relevant
10774 state and municipal tax statutes, regulations and administrative
10775 opinions on typical production activities and to implement the tax
10776 credits provided for in section 12-217jj;

10777 (7) To formulate and propose guidelines for state agencies for a "one
10778 stop permitting" process for matters including, but not limited to, the
10779 use of state roads and highways, the use of state-owned real or
10780 personal property for production activities and the conduct of
10781 regulated activities, and to hold workshops to assist state agencies in
10782 implementing such process;

10783 (8) To formulate and recommend to municipalities model local
10784 ordinances and forms to assist production activities, including, but not
10785 limited to, "one stop permitting" of digital media and motion picture
10786 and other production activity to be conducted in a municipality, and to
10787 hold workshops to assist municipalities in implementing such
10788 ordinances;

10789 (9) To accept any funds, gifts, donations, bequests or grants of funds
10790 from private and public sources for the purposes of this section;

10791 (10) To request and obtain from any state agency, authority or
10792 institution or any municipality or other political subdivision of the
10793 state such assistance and data as will enable the **[**commission**]**
10794 commissioner to carry out the purposes of this section;

10795 (11) To assist and promote cooperation among all segments of
10796 management and labor that are engaged in digital media and motion
10797 pictures;

10798 (12) To take any other administrative action which may improve the
10799 position of the state's digital media and motion picture production
10800 industries in national and international markets.

10801 (b) On or before January 15, 2008, and biennially thereafter, the
10802 **[**commission**]** commissioner shall submit to the General Assembly, in
10803 accordance with section 11-4a, a report on the activities of the
10804 **[**commission**]** commissioner under this section and the estimated direct
10805 and indirect economic impact of all digital media, motion pictures and
10806 related production activity in the state, during the preceding calendar
10807 years. Each such report shall also include an analysis of the impact on
10808 the state of each qualified production, as defined in section 12-217jj.

10809 Sec. 197. Section 10-418 of the general statutes is repealed and the
10810 following is substituted in lieu thereof (*Effective July 1, 2009*):

10811 Notwithstanding any provision of the general statutes, each state
10812 agency, department or institution issuing a request for proposals for
10813 any digital media, motion picture or related production activity shall,
10814 at the time of such issuance, transmit a copy of such request for
10815 proposals to the **[**Connecticut Commission on Culture and Tourism.
10816 Said commission**]** Commissioner of Community Development. The
10817 commissioner shall notify the executive head of each state agency of
10818 the requirements of this section.

10819 Sec. 198. (NEW) (*Effective from passage*) The Legislative
10820 Commissioners' Office shall make such technical and conforming
10821 changes as necessary to carry out the purposes sections 1 to 197,
10822 inclusive, of this act.

This act shall take effect as follows and shall amend the following sections:		
Section 1	*July 1, 2009*	32-1b
Sec. 2	*July 1, 2009*	32-1c
Sec. 3	*July 1, 2009*	32-1e
Sec. 4	*July 1, 2009*	32-1f
Sec. 5	*July 1, 2009*	32-1g
Sec. 6	*July 1, 2009*	32-1k
Sec. 7	*July 1, 2009*	32-1m
Sec. 8	*July 1, 2009*	32-1n
Sec. 9	*July 1, 2009*	32-1o
Sec. 10	*July 1, 2009*	32-4h
Sec. 11	*July 1, 2009*	32-5a
Sec. 12	*July 1, 2009*	32-5b
Sec. 13	*July 1, 2009*	32-6
Sec. 14	*July 1, 2009*	32-8a
Sec. 15	*July 1, 2009*	32-9c
Sec. 16	*July 1, 2009*	32-9i
Sec. 17	*July 1, 2009*	32-9j
Sec. 18	*July 1, 2009*	32-9n
Sec. 19	*July 1, 2009*	32-9q
Sec. 20	*July 1, 2009*	32-9t(a)(1)
Sec. 21	*July 1, 2009*	32-9cc
Sec. 22	*July 1, 2009*	32-9kk
Sec. 23	*July 1, 2009*	32-9qq
Sec. 24	*July 1, 2009*	32-9vv
Sec. 25	*July 1, 2009*	32-11a
Sec. 26	*July 1, 2009*	32-16(a)
Sec. 27	*July 1, 2009*	32-22
Sec. 28	*July 1, 2009*	32-23c
Sec. 29	*July 1, 2009*	32-23d
Sec. 30	*July 1, 2009*	32-23o
Sec. 31	*July 1, 2009*	32-23t

Sec. 32	*July 1, 2009*	32-23v
Sec. 33	*July 1, 2009*	32-23x
Sec. 34	*July 1, 2009*	32-23ii
Sec. 35	*July 1, 2009*	32-23*ll*
Sec. 36	*July 1, 2009*	32-23qq
Sec. 37	*July 1, 2009*	32-23ss
Sec. 38	*July 1, 2009*	32-35
Sec. 39	*July 1, 2009*	32-47a
Sec. 40	*July 1, 2009*	32-58
Sec. 41	*July 1, 2009*	32-58b
Sec. 42	*July 1, 2009*	32-59
Sec. 43	*July 1, 2009*	32-70
Sec. 44	*July 1, 2009*	32-70a
Sec. 45	*July 1, 2009*	32-96
Sec. 46	*July 1, 2009*	32-98
Sec. 47	*July 1, 2009*	32-100
Sec. 48	*July 1, 2009*	32-180
Sec. 49	*July 1, 2009*	32-182
Sec. 50	*July 1, 2009*	32-222
Sec. 51	*July 1, 2009*	32-228
Sec. 52	*July 1, 2009*	32-235
Sec. 53	*July 1, 2009*	32-236
Sec. 54	*July 1, 2009*	32-241
Sec. 55	*July 1, 2009*	32-242
Sec. 56	*July 1, 2009*	32-244
Sec. 57	*July 1, 2009*	32-244a
Sec. 58	*July 1, 2009*	32-245
Sec. 59	*July 1, 2009*	32-246
Sec. 60	*July 1, 2009*	32-261(a)
Sec. 61	*July 1, 2009*	32-262(b)
Sec. 62	*July 1, 2009*	32-265(f)
Sec. 63	*July 1, 2009*	32-284
Sec. 64	*July 1, 2009*	32-285
Sec. 65	*July 1, 2009*	32-291
Sec. 66	*July 1, 2009*	32-324a
Sec. 67	*July 1, 2009*	32-324b
Sec. 68	*July 1, 2009*	32-324e
Sec. 69	*July 1, 2009*	32-324f
Sec. 70	*July 1, 2009*	32-324g
Sec. 71	*July 1, 2009*	32-324h

Sec. 72	*July 1, 2009*	32-329
Sec. 73	*July 1, 2009*	32-345
Sec. 74	*July 1, 2009*	32-348
Sec. 75	*July 1, 2009*	32-349
Sec. 76	*July 1, 2009*	32-356
Sec. 77	*July 1, 2009*	32-454
Sec. 78	*July 1, 2009*	32-462
Sec. 79	*July 1, 2009*	32-480
Sec. 80	*July 1, 2009*	32-500
Sec. 81	*July 1, 2009*	32-501
Sec. 82	*July 1, 2009*	32-502
Sec. 83	*July 1, 2009*	32-511
Sec. 84	*July 1, 2009*	32-616
Sec. 85	*July 1, 2009*	32-701
Sec. 86	*July 1, 2009*	32-718
Sec. 87	*July 1, 2009*	47-88b(f)
Sec. 88	*July 1, 2009*	47-284
Sec. 89	*July 1, 2009*	47-288
Sec. 90	*July 1, 2009*	47a-56k
Sec. 91	*July 1, 2009*	2c-2b(d)
Sec. 92	*July 1, 2009*	4-38c
Sec. 93	*July 1, 2009*	4-66c
Sec. 94	*July 1, 2009*	4-168a(c)
Sec. 95	*July 1, 2009*	7-136e
Sec. 96	*July 1, 2009*	7-136f
Sec. 97	*July 1, 2009*	7-392(d)
Sec. 98	*July 1, 2009*	8-37i
Sec. 99	*July 1, 2009*	8-37k
Sec. 100	*July 1, 2009*	8-37o
Sec. 101	*July 1, 2009*	8-37t
Sec. 102	*July 1, 2009*	8-37x
Sec. 103	*July 1, 2009*	8-37y
Sec. 104	*July 1, 2009*	8-37aa
Sec. 105	*July 1, 2009*	8-37bb
Sec. 106	*July 1, 2009*	8-37ff
Sec. 107	*July 1, 2009*	8-37jj
Sec. 108	*July 1, 2009*	8-37kk
Sec. 109	*July 1, 2009*	8-37pp
Sec. 110	*July 1, 2009*	8-37qq
Sec. 111	*July 1, 2009*	8-37tt

Sec. 112	*July 1, 2009*	8-37uu
Sec. 113	*July 1, 2009*	8-37xx
Sec. 114	*July 1, 2009*	8-37yy
Sec. 115	*July 1, 2009*	8-37aaa
Sec. 116	*July 1, 2009*	8-37*lll*
Sec. 117	*July 1, 2009*	8-68j
Sec. 118	*July 1, 2009*	8-78
Sec. 119	*July 1, 2009*	8-119*ll*
Sec. 120	*July 1, 2009*	8-163
Sec. 121	*July 1, 2009*	8-166
Sec. 122	*July 1, 2009*	8-167
Sec. 123	*July 1, 2009*	8-169w
Sec. 124	*July 1, 2009*	8-206
Sec. 125	*July 1, 2009*	8-206d
Sec. 126	*July 1, 2009*	8-208b
Sec. 127	*July 1, 2009*	8-214a
Sec. 128	*July 1, 2009*	8-214e
Sec. 129	*July 1, 2009*	8-216c
Sec. 130	*July 1, 2009*	8-218
Sec. 131	*July 1, 2009*	8-239a
Sec. 132	*July 1, 2009*	8-240m
Sec. 133	*July 1, 2009*	8-243
Sec. 134	*July 1, 2009*	8-265p
Sec. 135	*July 1, 2009*	8-265w
Sec. 136	*July 1, 2009*	8-265oo
Sec. 137	*July 1, 2009*	8-281
Sec. 138	*July 1, 2009*	8-284
Sec. 139	*July 1, 2009*	8-286
Sec. 140	*July 1, 2009*	8-336f
Sec. 141	*July 1, 2009*	8-336m
Sec. 142	*July 1, 2009*	8-336p
Sec. 143	*July 1, 2009*	8-367
Sec. 144	*July 1, 2009*	8-402
Sec. 145	*July 1, 2009*	8-403
Sec. 146	*July 1, 2009*	10-373bb
Sec. 147	*July 1, 2009*	10-416b
Sec. 148	*July 1, 2009*	10-425
Sec. 149	*July 1, 2009*	10a-19f
Sec. 150	*July 1, 2009*	12-3f
Sec. 151	*July 1, 2009*	12-81(59) and (60)

Sec. 152	*July 1, 2009*	12-81(70)
Sec. 153	*July 1, 2009*	12-263m
Sec. 154	*July 1, 2009*	13b-38a(a)
Sec. 155	*July 1, 2009*	13b-51b
Sec. 156	*July 1, 2009*	13b-57d(b)
Sec. 157	*July 1, 2009*	13b-57e
Sec. 158	*July 1, 2009*	15-101pp(c)
Sec. 159	*July 1, 2009*	16-50j(h)
Sec. 160	*July 1, 2009*	16a-35c
Sec. 161	*July 1, 2009*	16a-41(a)
Sec. 162	*July 1, 2009*	17a-3(a)
Sec. 163	*July 1, 2009*	17b-337(c)
Sec. 164	*July 1, 2009*	17b-347e
Sec. 165	*July 1, 2009*	21-70(f)(3)
Sec. 166	*July 1, 2009*	21-84a
Sec. 167	*July 1, 2009*	22-26cc(a)
Sec. 168	*July 1, 2009*	22-455
Sec. 169	*July 1, 2009*	22a-1d
Sec. 170	*July 1, 2009*	22a-6r
Sec. 171	*July 1, 2009*	22a-241
Sec. 172	*July 1, 2009*	31-3b(b)
Sec. 173	*July 1, 2009*	31-3u
Sec. 174	*July 1, 2009*	31-3dd
Sec. 175	*July 1, 2009*	31-362g
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Sec. 196	*July 1, 2009*	10-417
Sec. 197	*July 1, 2009*	10-418
Sec. 198	*from passage*	New section

Statement of Purpose:

To reorganize and consolidate certain state economic and community development functions.

[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.]