



General Assembly

February Session, 2010

**Raised Bill No. 5115**

LCO No. 144

\*00144\_\_\_\_\_CE\_\*

Referred to Committee on Commerce

Introduced by:  
(CE)

**AN ACT CONCERNING RECIPIENTS OF FINANCIAL ASSISTANCE BY  
THE CONNECTICUT DEVELOPMENT AUTHORITY.**

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

1 Section 1. Subsection (c) of section 32-11a of the general statutes is  
2 repealed and the following is substituted in lieu thereof (*Effective July*  
3 *1, 2010*):

4 (c) The board of directors of the authority shall consist of the  
5 Commissioner of Economic and Community Development, the State  
6 Treasurer and the Secretary of the Office of Policy and Management,  
7 each serving ex officio, four members appointed by the Governor who  
8 shall be experienced in the field of financial lending or the  
9 development of commerce, trade and business and four members  
10 appointed as follows: One by the president pro tempore of the Senate,  
11 one by the minority leader of the Senate, one by the speaker of the  
12 House of Representatives and one by the minority leader of the House  
13 of Representatives. Each ex-officio member may designate a deputy or  
14 any member of the agency staff to represent the member at meetings of  
15 the authority with full powers to act and vote on the member's behalf.  
16 The chairperson of the board shall be appointed by the Governor, with

17 the advice and consent of both houses of the General Assembly. The  
18 board shall annually elect one of its members as vice chairperson. Each  
19 member appointed by the Governor shall serve at the pleasure of the  
20 Governor but no longer than the term of office of the Governor or until  
21 the member's successor is appointed and qualified, whichever is  
22 longer. Each member appointed by a member of the General Assembly  
23 shall serve in accordance with the provisions of section 4-1a. Members  
24 shall receive no compensation but shall be reimbursed for necessary  
25 expenses incurred in the performance of their duties under the  
26 authority legislation, as defined in subsection (hh) of section 32-23d.  
27 The Governor shall fill any vacancy for the unexpired term of a  
28 member appointed by the Governor. The appropriate legislative  
29 appointing authority shall fill any vacancy for the unexpired term of a  
30 member appointed by such authority. A member of the board shall be  
31 eligible for reappointment. Any member of the board may be removed  
32 by the Governor for misfeasance, malfeasance or wilful neglect of  
33 duty. Each member of the authority before entering upon his or her  
34 duties shall take and subscribe the oath or affirmation required by  
35 article XI, section 1, of the State Constitution. A record of each such  
36 oath shall be filed in the office of the Secretary of the State. Meetings of  
37 the board shall be held at such times as shall be specified in the bylaws  
38 adopted by the board and at such other time or times as the  
39 chairperson deems necessary. The board is empowered to adopt  
40 bylaws and regulations for putting into effect the provisions of said  
41 chapters and sections. Not later than November first, annually, the  
42 authority shall submit a report to the Commissioner of Economic and  
43 Community Development, the Auditors of Public Accounts and the  
44 joint standing committees of the General Assembly having cognizance  
45 of matters relating to the Department of Economic and Community  
46 Development, appropriations and capital bonding, which shall include  
47 the following information with respect to new and outstanding  
48 financial assistance provided by the authority during the twelve-  
49 month period ending on June thirtieth next preceding the date of the  
50 report for each financial assistance program administered by the

51 authority: (1) A list of the names, addresses and locations of all  
52 recipients of such assistance, (2) for each recipient: (A) The business  
53 activities, (B) the Standard Industrial Classification Manual codes, (C)  
54 the gross revenues during the recipient's most recent fiscal year if the  
55 recipient is an organization that makes such information public in the  
56 normal course of business, or, if the recipient does not make such  
57 information public in the normal course of business, the gross revenue  
58 information shall be provided for a recipient separately, using a  
59 system in which no recipient is listed by name but each is given a  
60 separate identity in a manner consistent with the provisions of  
61 subsection (a) of section 32-244, (D) the number of employees at the  
62 time of application, (E) whether the recipient is a minority or woman-  
63 owned business, (F) a summary of the terms and conditions for the  
64 assistance, including the type and amount of state financial assistance,  
65 job creation or retention requirements, and anticipated wage rates, and  
66 (G) the amount of investments from private and other nonstate sources  
67 that have been leveraged by the assistance, (3) the economic benefit  
68 criteria used in determining which applications have been approved or  
69 disapproved, and (4) for each recipient of assistance on or after July 1,  
70 1991, a comparison between the number of jobs to be created, the  
71 number of jobs to be retained and the average wage rates for each such  
72 category of jobs, as projected in the recipient's application, versus the  
73 actual number of jobs created, the actual number of jobs retained and  
74 the average wage rates for each such category. The Governor and the  
75 chairpersons and ranking members of the joint standing committees of  
76 the General Assembly having cognizance of matters relating to the  
77 Department of Economic and Community Development,  
78 appropriations and capital bonding may, after a request to Connecticut  
79 Innovations, Incorporated by any of said persons, examine, in  
80 confidence, the detailed data, including the specific revenue data for  
81 each recipient not listed by name, submitted pursuant to subparagraph  
82 (C) of subdivision (2) of this section. The chairpersons and ranking  
83 members of said committees may disclose such data to the members of  
84 said committees, who shall also keep such data confidential. The

85 report shall also indicate the actual number of full-time jobs and the  
86 actual number of part-time jobs in each such category and the benefit  
87 levels for each such subcategory. In addition, the report shall state (A)  
88 for each final application approved during the twelve-month period  
89 covered by the report, (i) the date that the final application was  
90 received by the authority, and (ii) the date of such approval; (B) for  
91 each final application withdrawn during the twelve-month period  
92 covered by the report, (i) the municipality in which the applicant is  
93 located, (ii) the Standard Industrial Classification Manual code for the  
94 applicant, (iii) the date that the final application was received by the  
95 authority, and (iv) the date of such withdrawal; (C) for each final  
96 application disapproved during the twelve-month period covered by  
97 the report, (i) the municipality in which the applicant is located, (ii) the  
98 Standard Industrial Classification Manual code for the applicant, (iii)  
99 the date that the final application was received by the authority, and  
100 (iv) the date of such disapproval; and (D) for each final application on  
101 which no action has been taken by the applicant or the agency in the  
102 twelve-month period covered by the report and for which no report  
103 has been submitted under this subsection, (i) the municipality in which  
104 the applicant is located, (ii) the Standard Industrial Classification  
105 Manual code for the applicant, and (iii) the date that the final  
106 application was received by the authority. The November first report  
107 shall include a summary of the activities of the authority, including all  
108 activities to assist small businesses and minority business enterprises,  
109 as defined in section 4a-60g, a complete operating and financial  
110 statement and recommendations for legislation to promote the  
111 purposes of the authority. The authority shall furnish such additional  
112 reports upon the written request of any such committee at such times  
113 and containing such information as the committee may request. The  
114 accounts of the authority shall be subject to annual audit by the state  
115 Auditors of Public Accounts. The authority may cause an audit of its  
116 books and accounts to be made at least once each fiscal year by  
117 certified public accountants. The powers of the authority shall be  
118 vested in and exercised by not less than six of the members of the

119 board of directors then in office. Such number of members shall  
120 constitute a quorum and the affirmative vote of a majority of the  
121 members present at a meeting of the board shall be necessary for any  
122 action taken by the authority. No vacancy in the membership of the  
123 board shall impair the right to exercise all the rights and perform all  
124 the duties of the authority. Any action taken by the board under the  
125 provisions of said chapters and sections may be authorized by  
126 resolution at any regular or special meeting, and each such resolution  
127 shall take effect immediately and need not be published or posted. The  
128 authority shall be exempt from the provisions of section 4-9a.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2010	32-11a(c)

**Statement of Purpose:**

To allow the Connecticut Development Authority to collect information regarding assistance recipients without naming certain recipients.

*[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.]*