General Assembly

Raised Bill No. 1059

January Session, 2011

LCO No. **3845**

03845_____GAE

Referred to Committee on Government Administration and Elections

Introduced by:
(GAE)

AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE COMMISSION ON ENHANCING AGENCY OUTCOMES.

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

Section 1. (*Effective from passage*) (a) The Department of Administrative Services shall provide personnel, payroll, affirmative action and business office functions of the following state agencies, in accordance with section 60 of public act 05-251: The Office of the Chief Medical Examiner, Connecticut State Library, Division of Special Revenue, Department of Economic and Community Development and Military Department. The personnel, payroll, affirmative action and business office functions of such agencies shall be merged and consolidated within the Department of Administrative Services.

(b) Notwithstanding the provisions of subsections (a) to (d), inclusive, of section 4-85 of the general statutes, the Governor may, with the approval of the Finance Advisory Committee, modify or reduce requisitions for allotments, revise the total number of positions which may be filled by any state agency during the fiscal years ending June 30, 2011, and June 30, 2012, and transfer funds and positions to

16 the Department of Administrative Services, in order to consolidate
17 personnel, payroll, affirmative action and business office functions as
18 determined by subsection (a) of this section. In the event there are
19 filled positions in excess of the work requirements resulting from the
20 efficiencies created from the merger, individuals will be transferred to
21 funded vacancies in other agencies in the same or comparable
22 classifications.

23 Sec. 2. Section 12-557c of the general statutes is repealed and the
24 following is substituted in lieu thereof (*Effective July 1, 2011*):

25 (a) There shall be a Division of Special Revenue within the
26 Department of Revenue Services. **[**for administrative purposes only.**]**
27 The Division of Special Revenue shall, in cooperation with the Gaming
28 Policy Board, implement and administer the provisions of sections 7-
29 169 to 7-186, inclusive, this chapter and chapters 226b and 229a under
30 the supervision of an executive director.

31 (b) The Division of Special Revenue shall be under the direction and
32 control of an executive director who shall be responsible for the
33 operation of his division. The executive director shall be appointed by
34 the Governor, with the approval of the General Assembly, and shall be
35 qualified and experienced in the functions performed by the Division
36 of Special Revenue. The executive director may appoint a deputy and
37 an executive assistant for the efficient conduct of the business of the
38 division. The deputy executive director shall, in the absence or
39 disqualification of the executive director or on his death, exercise the
40 powers and duties of the executive director until he resumes his duties
41 or the vacancy is filled. The deputy executive director and the
42 executive assistant shall serve at the pleasure of the executive director.
43 The executive director and the deputy executive director shall not
44 participate actively in political management and campaigns. Such
45 activity includes holding office in a political party, political
46 organization or political club, campaigning for a candidate in a
47 partisan election by making speeches, writing on behalf of a candidate,

48 soliciting votes in support of or in opposition to a candidate and
49 making contributions of time and money to political parties.

50 **[**(c) Whenever the term "Commission on Special Revenue" occurs or
51 is referred to in the public acts of the 1979 session of the General
52 Assembly, it shall be deemed to refer to the Division of Special
53 Revenue within the Department of Business Regulation.**]**

54 Sec. 3. Section 12-562 of the general statutes is repealed and the
55 following is substituted in lieu thereof (*Effective July 1, 2011*):

56 (a) Except as provided in subsection (b) of this section, the
57 **[**executive director**]** Commissioner of Consumer Protection shall have
58 power to enforce the provisions of this chapter and chapter 226b, and
59 with the advice and consent of the board, shall adopt all necessary
60 regulations for that purpose and for carrying out, enforcing and
61 preventing violation of any of the provisions of this chapter, for the
62 inspection of licensed premises or enterprises, for insuring proper, safe
63 and orderly conduct of licensed premises or enterprises and for
64 protecting the public against fraud or overcharge. The executive
65 director and Commissioner of Consumer Protection shall have power
66 generally to do whatever is reasonably necessary for the carrying out
67 of the intent of this chapter; and may call upon other administrative
68 departments of the state government and of municipal governments
69 for such information and assistance as he deems necessary to the
70 performance of his duties.

71 (b) The special policemen in the **[**Division of Special Revenue**]**
72 Department of Consumer Protection and the legalized gambling
73 investigative unit in the Division of State Police within the Department
74 of Public Safety shall be responsible for the criminal enforcement of the
75 provisions of sections 7-169 to 7-186, inclusive, this chapter and
76 chapters 226b and 229a. They shall have the powers and duties
77 specified in section 29-7c.

78 Sec. 4. Section 12-564a of the general statutes is repealed and the

following is substituted in lieu thereof (*Effective July 1, 2011*):

The executive director of the Division of Special Revenue shall submit a report to the Commissioner of Public Safety and the joint standing committee of the General Assembly having cognizance of matters relating to legalized gambling, not later than the fifteenth business day of each month, which report shall set forth a detailed statement of (1) any investigations conducted by the Division of Special Revenue in the previous month, and (2) such arrest data as the commissioner or committee may require, including, but not limited to, the number of arrests made by the special policemen in the security unit of the **[**Division of Special Revenue**]** Department of Consumer Protection.

Sec. 5. Subsection (k) of section 12-574 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2011*):

(k) The **[**executive director**]** Commissioner of Consumer Protection shall have the power to require that the books and records of any licensee, other than an occupational licensee, shall be maintained in any manner which he may deem best, and that any financial or other statements based on such books and records shall be prepared in accordance with generally accepted accounting principles in such form as he shall prescribe. The **[**executive director**]** commissioner or **[**his**]** a designee shall also be authorized to visit, to investigate and to place expert accountants and such other persons as he may deem necessary, in the offices, tracks, frontons, off-track betting facilities or places of business of any such licensee, for the purpose of satisfying himself that the division's regulations are strictly complied with.

Sec. 6. Section 12-574d of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(a) The **[**executive director of the Division of Special Revenue**]** Commissioner of Consumer Protection may order the random

110 collection and testing of urine specimens from racing dogs following a
111 race or at any time during a meet conducted by any licensee
112 authorized to conduct dog racing events under the pari-mutuel
113 system. If the **[**executive director**]** commissioner determines from such
114 random testing that the integrity of dog racing events may be
115 compromised, the **[**executive director**]** commissioner may order the
116 conduct of more frequent testing at one or more dog race tracks for
117 such period of time as the **[**executive director**]** commissioner deems
118 necessary or advisable. The **[**executive director**]** commissioner shall
119 determine the laboratory responsible for the conduct of such testing
120 and the amount of the fee for such test which shall be based upon the
121 actual cost of such test and which shall be payable on a basis
122 determined by the **[**executive director**]** commissioner. Each such
123 licensee shall pay such fee directly to such laboratory with respect to
124 racing dogs at its dog race track.

125 (b) The **[**executive director**]** commissioner shall adopt regulations, in
126 accordance with the provisions of chapter 54, to implement the
127 provisions of subsection (a) of this section. The **[**executive director**]**
128 commissioner may implement policies and procedures necessary to
129 carry out the provisions of subsection (a) of this section while in the
130 process of adopting regulations, provided the **[**executive director**]**
131 commissioner prints notice of intent to adopt the regulations in the
132 Connecticut Law Journal within twenty days after implementation.
133 Such policies and procedures shall be valid until the time final
134 regulations are effective.

135 Sec. 7. Subsection (k) of section 12-575 of the general statutes is
136 repealed and the following is substituted in lieu thereof (*Effective July*
137 *1, 2011*):

138 (k) The **[**executive director**]** Commissioner of Consumer Protection
139 may authorize deputies and the Commissioner of Revenue Services or
140 his agents are authorized to enter upon the premises at any racing
141 event, jai alai exhibition or off-track betting race event for the purpose

142 of inspecting books and records, supervising and examining cashiers,
143 ticket sellers, pool sellers and other persons handling money at said
144 event and such other supervision as may be necessary for the
145 maintenance of order at such event.

146 Sec. 8. Section 12-585 of the general statutes is repealed and the
147 following is substituted in lieu thereof (*Effective July 1, 2011*):

148 (a) All reasonable expenses incurred by or on behalf of the division
149 <u>or the Department of Consumer Protection</u> for any investigation of a
150 person or business organization in connection with an initial
151 application or contract, the application for transfer of ownership in
152 whole or in part of an existing licensed facility, the assignment of an
153 existing contract, or the addition of or change in any member of a
154 board of directors, officer, shareholder or bondholder of any such
155 person or business organization, shall be paid to the division <u>or</u>
156 <u>department</u> by the person or business organization under
157 investigation. All funds received by the division <u>or department</u> under
158 the provisions of this subsection shall be paid into the General Fund.

159 (b) Each such person or business organization shall be billed for
160 such expenses on a quarterly basis or at the conclusion of the
161 investigation, as determined by the executive director. Failure on the
162 part of the person or business organization to remit payment within
163 fifteen days after receipt of an invoice from the division <u>or department</u>
164 shall constitute grounds to refuse to grant approval of the request of
165 the person or business organization for which such investigation was
166 undertaken, or in the case of a licensee, failure to remit payment within
167 fifteen days shall, in addition, constitute grounds for the licensing
168 authority: (1) To suspend or revoke such license; (2) if the executive
169 director, to impose a fine of not more than two thousand five hundred
170 dollars, or if the board, to impose a fine of not more than seventy-five
171 thousand dollars; (3) to rescind the applicable contract; or (4) to impose
172 any combination of said penalties.

173 Sec. 9. Subsections (h) and (i) of section 12-815a of the general

174 statutes are repealed and the following is substituted in lieu thereof
175 (*Effective July 1, 2011*):

176 (h) (1) The executive director may suspend or revoke for good cause
177 a vendor, affiliate or occupational license after a hearing held before
178 the executive director in accordance with chapter 54. The executive
179 director may order summary suspension of any such license in
180 accordance with subsection (c) of section 4-182.

181 (2) Any such applicant aggrieved by the action of the executive
182 director concerning an application for a license, or any person or
183 business organization whose license is suspended or revoked, may
184 appeal to the Gaming Policy Board not later than fifteen days after
185 such decision. Any person or business organization aggrieved by a
186 decision of the board may appeal pursuant to section 4-183.

187 (3) The **[**executive director**]** Commissioner of Consumer Protection
188 may impose a civil penalty on any licensee for a violation of any
189 provision of this chapter or any regulation adopted under section 12-
190 568a in an amount not to exceed two thousand five hundred dollars
191 after a hearing held in accordance with chapter 54.

192 (i) The **[**executive director**]** Commissioner of Consumer Protection
193 may require that the books and records of any vendor or affiliate
194 licensee be maintained in any manner which the **[**executive director**]**
195 commissioner may deem best, and that any financial or other
196 statements based on such books and records be prepared in
197 accordance with generally accepted accounting principles in such form
198 as the **[**executive director**]** commissioner shall prescribe. The **[**executive
199 director**]** commissioner or a designee may visit, investigate and place
200 expert accountants and such other persons as deemed necessary in the
201 offices or places of business of any such licensee for the purpose of
202 satisfying himself or herself that such licensee is in compliance with
203 the regulations of the division.

204 Sec. 10. Subsection (k) of section 7-169 of the general statutes is

205 repealed and the following is substituted in lieu thereof (*Effective July*
206 *1, 2011*):

207 (k) (1) Whenever it appears to the executive director after an
208 investigation by the Department of Consumer Protection that any
209 person is violating or is about to violate any provision of this section or
210 section 7-169a or administrative regulations issued pursuant thereto,
211 the executive director may in his discretion, to protect the public
212 welfare, order that any permit issued pursuant to this section be
213 immediately suspended or revoked and that the person cease and
214 desist from the actions constituting such violation or which would
215 constitute such violation. After such an order is issued, the person
216 named therein may, within fourteen days after receipt of the order, file
217 a written request for a hearing. Such hearing shall be held in
218 accordance with the provisions of chapter 54.

219 (2) Whenever the executive director finds as the result of an
220 investigation by the Department of Consumer Protection that any
221 person has violated any provision of this section or section 7-169a or
222 administrative regulations issued pursuant thereto or made any false
223 statement in any application for a permit or in any report required by
224 this section or section 7-169a or by the executive director, the executive
225 director may send a notice to such person by certified mail, return
226 receipt requested. Any such notice shall include (A) a reference to the
227 section or regulation alleged to have been violated or the application
228 or report in which an alleged false statement was made, (B) a short and
229 plain statement of the matter asserted or charged, (C) the fact that any
230 permit issued pursuant to this section may be suspended or revoked
231 for such violation or false statement and the maximum penalty that
232 may be imposed for such violation or false statement, and (D) the time
233 and place for the hearing. Such hearing shall be fixed for a date not
234 earlier than fourteen days after the notice is mailed.

235 (3) The executive director shall hold a hearing upon the charges
236 made unless such person fails to appear at the hearing. Such hearing

237 shall be held in accordance with the provisions of chapter 54. If such
238 person fails to appear at the hearing or if, after the hearing, the
239 executive director finds that such person committed such a violation or
240 made such a false statement, the executive director may, in his
241 discretion, suspend or revoke such permit and order that a civil
242 penalty of not more than two hundred dollars be imposed upon such
243 person for such violation or false statement. The executive director
244 shall send a copy of any order issued pursuant to this subdivision by
245 certified mail, return receipt requested, to any person named in such
246 order. Any person aggrieved by a decision of the executive director
247 under this subdivision shall have a right of appeal to the Gaming
248 Policy Board for a hearing. Any person aggrieved by a decision of the
249 Gaming Policy Board shall have a right of appeal pursuant to section
250 4-183.

251 (4) Whenever the executive director revokes a permit issued
252 pursuant to this section, he shall not issue any permit to such permittee
253 for one year after the date of such revocation.

254 (5) Any person who promotes or operates any bingo game without
255 a permit therefor, or who violates any provision of this section or
256 section 7-169a or administrative regulations issued pursuant thereto,
257 or who makes any false statement in any application for a permit or in
258 any report required by this section or section 7-169a or by the
259 executive director shall be fined not more than two hundred dollars or
260 imprisoned not more than sixty days, or both.

261 Sec. 11. Subsection (b) of section 7-169c of the general statutes is
262 repealed and the following is substituted in lieu thereof (*Effective July*
263 *1, 2011*):

264 (b) Each such organization which operates bingo games shall keep
265 accurate records of receipts and disbursements, which shall be
266 available for inspection by the **[**executive director**]** Department of
267 Consumer Protection.

268 Sec. 12. Subsection (h) of section 7-169h of the general statutes is
269 repealed and the following is substituted in lieu thereof (*Effective July*
270 *1, 2011*):

271 (h) (1) Whenever it appears to the executive director of the Division
272 of Special Revenue after an investigation <u>by the Department of</u>
273 <u>Consumer Protection</u> that any person is violating or is about to violate
274 any provision of this section or administrative regulations issued
275 pursuant thereto, the executive director may in his discretion, to
276 protect the public welfare, order that any permit issued pursuant to
277 this section be immediately suspended or revoked and that the person
278 cease and desist from the actions constituting such violation or which
279 would constitute such violation. After such an order is issued, the
280 person named therein may, within fourteen days after receipt of the
281 order, file a written request for a hearing. Such hearing shall be held in
282 accordance with the provisions of chapter 54.

283 (2) Whenever the executive director finds as the result of an
284 investigation <u>by the Department of Consumer Protection</u> that any
285 person has violated any provision of this section or administrative
286 regulations issued pursuant thereto or made any false statement in any
287 application for a permit or in any report required by the executive
288 director, the executive director may send a notice to such person by
289 certified mail, return receipt requested. Any such notice shall include
290 (A) a reference to the section or regulation alleged to have been
291 violated or the application or report in which an alleged false
292 statement was made, (B) a short and plain statement of the matter
293 asserted or charged, (C) the fact that any permit issued pursuant to this
294 section may be suspended or revoked for such violation or false
295 statement and the maximum penalty that may be imposed for such
296 violation or false statement, and (D) the time and place for the hearing.
297 Such hearing shall be fixed for a date not earlier than fourteen days
298 after the notice is mailed.

299 (3) The executive director shall hold a hearing upon the charges

300 made unless such person fails to appear at the hearing. Such hearing
301 shall be held in accordance with the provisions of chapter 54. If such
302 person fails to appear at the hearing or if, after the hearing, the
303 executive director finds that such person committed such a violation or
304 made such a false statement, the executive director may, in his
305 discretion, suspend or revoke such permit and order that a civil
306 penalty of not more than two hundred dollars be imposed upon such
307 person for such violation or false statement. The executive director
308 shall send a copy of any order issued pursuant to this subdivision by
309 certified mail, return receipt requested, to any person named in such
310 order. Any person aggrieved by a decision of the executive director
311 under this subdivision shall have a right of appeal to the Gaming
312 Policy Board for a hearing. Any person aggrieved by a decision of the
313 Gaming Policy Board shall have a right of appeal pursuant to section
314 4-183.

315 (4) Whenever the executive director revokes a permit issued
316 pursuant to this section, he shall not issue any permit to such permittee
317 for one year after the date of such revocation.

318 Sec. 13. Subsection (b) of section 7-169e of the general statutes is
319 repealed and the following is substituted in lieu thereof (*Effective July*
320 *1, 2011*):

321 (b) Each such association or organization shall keep accurate records
322 of receipts and disbursements related to such games of bingo, and such
323 records shall be available for inspection by the **[**executive director**]**
324 <u>Department of Consumer Protection</u>.

325 Sec. 14. Subsections (a) and (b) of section 7-181 of the general
326 statutes are repealed and the following is substituted in lieu thereof
327 (*Effective July 1, 2011*):

328 (a) Whenever it appears to the executive director of the Division of
329 Special Revenue after an investigation <u>by the Department of Consumer</u>
330 <u>Protection</u> that any person is violating or is about to violate any

331 provision of sections 7-170 to 7-185, inclusive, or administrative
332 regulations issued pursuant thereto, the executive director may in his
333 discretion, to protect the public welfare, order that any registration or
334 permit issued pursuant to said sections be immediately suspended or
335 revoked and that the person cease and desist from the actions
336 constituting such violation or which would constitute such violation.
337 After such an order is issued, the person named therein may, within
338 fourteen days after receipt of the order, file a written request for a
339 hearing. Such hearing shall be held in accordance with the provisions
340 of chapter 54.

341 (b) Whenever the executive director of the Division of Special
342 Revenue finds as the result of an investigation <u>by the Department of</u>
343 <u>Consumer Protection</u> that any person has violated any provision of
344 sections 7-170 to 7-185, inclusive, or administrative regulations issued
345 pursuant thereto or made any false statement in any application for a
346 permit or in any report required by the provisions of said sections, the
347 executive director may send a notice to such person by certified mail,
348 return receipt requested. Any such notice shall include (1) a reference
349 to the section or regulation alleged to have been violated or the
350 application or report in which an alleged false statement was made, (2)
351 a short and plain statement of the matter asserted or charged, (3) the
352 fact that any registration or permit issued pursuant to sections 7-170 to
353 7-185, inclusive, may be suspended or revoked for such violation or
354 false statement and the maximum penalty that may be imposed for
355 such violation or false statement, and (4) the time and place for the
356 hearing. Such hearing shall be fixed for a date not earlier than fourteen
357 days after the notice is mailed.

358 Sec. 15. Section 7-182 of the general statutes is repealed and the
359 following is substituted in lieu thereof (*Effective July 1, 2011*):

360 Any sponsoring organization which holds, operates or conducts any
361 bazaar or raffle, and its members who were in charge thereof, shall
362 furnish to the chief of police of the municipality or to the first

363 selectman, as the case may be, a verified statement, in duplicate,
364 showing (1) the amount of the gross receipts derived from each bazaar
365 or raffle, (2) in the case of a raffle, the number and price of tickets sold,
366 (3) each item of expense incurred or paid, and each item of
367 expenditure made or to be made and the name and address of each
368 person to whom each such item has been or is to be paid, (4) the net
369 profit derived from each bazaar or raffle and the uses to which the net
370 profit has been or is to be applied, and (5) a list of prizes of a retail
371 value of fifty dollars or more offered or given with the amount paid for
372 each prize purchased or the retail value for each prize donated and the
373 names and addresses of the persons to whom the prizes were given.
374 Such report shall be furnished during the next succeeding month. The
375 chief of police or first selectman, as the case may be, shall forward the
376 original copy of such report to the executive director of the Division of
377 Special Revenue, who shall keep it on file and available for public
378 inspection for a period of one year thereafter. The sponsoring
379 organization shall maintain and keep any books and records that may
380 be necessary to substantiate the particulars of such report, which books
381 and records shall be preserved for at least one year from the date of
382 such report and shall be available for inspection by the Department of
383 Consumer Protection. Such report shall be certified to under penalty of
384 false statement by the three persons designated in the permit
385 application as being responsible for the bazaar or raffle. The report
386 required pursuant to this section for a "Class No. 7" raffle authorized
387 pursuant to section 7-175, shall be submitted to the executive director
388 of the Division of Special Revenue during the next succeeding month
389 following the final prize drawing.

390 Sec. 16. Section 21a-11 of the general statutes is repealed and the
391 following is substituted in lieu thereof (*Effective July 1, 2011*):

392 (a) The Commissioner of Consumer Protection may, subject to the
393 provisions of chapter 67, employ such agents and assistants as are
394 necessary to enforce the provisions of the general statutes wherein said
395 commissioner is empowered to carry out the duties and

396 responsibilities assigned to him or his department. For the purpose of
397 inquiring into any suspected violation of such provisions, the
398 commissioner and his deputy and assistants shall have free access, at
399 all reasonable hours, to all places and premises, homes and apartments
400 of private families keeping no boarders excepted. On the tender of the
401 market price, the commissioner or his deputy may take from any
402 person, firm or corporation samples of any article which he suspects is
403 sold, offered for sale, kept with intent to sell, made or manufactured
404 contrary to any provision of this chapter or related chapters under the
405 jurisdiction of said commissioner. He may analyze such samples or
406 have them analyzed by a state chemist or by an experiment station or
407 by the laboratories of the Department of Public Health, and a sworn or
408 affirmed certificate by such analyst shall be prima facie evidence of the
409 ingredients and constituents of the samples analyzed. If such analysis
410 shows that any such sample does not conform to the requirements of
411 law, and gives the commissioner or his deputy reasonable grounds for
412 believing that any provision of this chapter or related chapters under
413 his jurisdiction has been violated, he shall cause such violator to be
414 prosecuted.

415 (b) The enforcement powers of the Division of Special Revenue
416 concerning the provisions of sections 7-169 to 7-186, inclusive, chapters
417 226, 226b and 229a.

418 (c) Any person who refuses the access provided for herein to the
419 commissioner, his deputy or assistants, or who refuses to sell the
420 samples provided for **[**herein**]** in this section, shall be fined not more
421 than twenty-five dollars or imprisoned not more than thirty days or
422 both. Evidence of violation of any provision of this section shall be
423 prima facie evidence of wilful violation.

424 Sec. 17. Section 29-7c of the general statutes is repealed and the
425 following is substituted in lieu thereof (*Effective July 1, 2011*):

426 There is established a unit in the Division of State Police within the
427 Department of Public Safety to be known as the legalized gambling

428 investigative unit. The unit, in conjunction with the special policemen
429 in the **[**Division of Special Revenue**]** Department of Consumer
430 Protection, shall be responsible for (1) the criminal enforcement of the
431 provisions of sections 7-169 to 7-186, inclusive, and chapters 226, 226b
432 and 229a, and (2) the investigation, detection of and assistance in the
433 prosecution of any criminal matter or alleged violation of criminal law
434 with respect to legalized gambling, provided the legalized gambling
435 investigative unit shall be the primary criminal enforcement agency.
436 Nothing in this section shall limit the powers granted to persons
437 appointed to act as special policemen in accordance with the
438 provisions of section 29-18c.

439 Sec. 18. Section 29-18c of the general statutes is repealed and the
440 following is substituted in lieu thereof (*Effective July 1, 2011*):

441 The Commissioner of Public Safety may appoint not more than four
442 persons employed as investigators in the security unit of the **[**Division
443 of Special Revenue**]** Department of Consumer Protection, upon the
444 nomination of the **[**executive director of the Division of Special
445 Revenue**]** Commissioner of Consumer Protection, to act as special
446 policemen in said unit. Such appointees shall serve at the pleasure of
447 the Commissioner of Public Safety. During such tenure, they shall have
448 all the powers conferred on state policemen while investigating or
449 making arrests for any offense arising from the operation of any off-
450 track betting system or the conduct of any lottery game. Such special
451 policemen shall be certified under the provisions of sections 7-294a to
452 7-294e, inclusive.

453 Sec. 19. Subsection (c) of section 31-51y of the general statutes is
454 repealed and the following is substituted in lieu thereof (*Effective July*
455 *1, 2011*):

456 (c) Nothing in sections 31-51t to 31-51aa, inclusive, shall restrict or
457 prevent a urinalysis drug test program conducted under the
458 supervision of the **[**Division of Special Revenue within the Department
459 of Revenue Services**]** Department of Consumer Protection relative to

460 jai alai players, jai alai court judges, jockeys, harness drivers or
461 stewards participating in activities upon which pari-mutuel wagering
462 is authorized under chapter 226.

463 Sec. 20. (*Effective from passage*) (a) Not later than six months after the
464 effective date of this section, the Commissioner of Developmental
465 Services shall report a plan to deinstitutionalize the residents of
466 Southbury Training School developed under subsection (b) of this
467 section, in accordance with the provisions of section 11-4a of the
468 general statutes, to the joint standing committee of the General
469 Assembly having cognizance of matters relating to government
470 administration and elections and to the Governor.

471 (b) The Commissioner of Developmental Services, or the
472 commissioner's designee, shall lead a working group that shall
473 develop a plan to deinstitutionalize the residents of Southbury
474 Training School. Such working group shall include the Secretary of the
475 Office of Policy and Management, or the secretary's designee, and a
476 representative of (1) the residents of the school, (2) state employees
477 who work at the school or a union representing such employees, (3) an
478 advocacy group for the residents, and (4) a private provider of services
479 needed by such residents, each of whom shall be selected by the
480 commissioner. The plan to deinstitutionalize the residents of the school
481 shall consider the feasibility to safely move the residents into new
482 settings in the community. The group shall consider the following: (A)
483 The relationships built between the residents and the staff, and (B)
484 whether it is appropriate for state employees to continue to deliver
485 services to the residents or whether private providers should deliver
486 such services, or both. Any recommendations contained in the plan
487 shall be developed using a cost-benefit analysis that considers both
488 financial costs as well as quality of care issues.

489 Sec. 21. (*Effective from passage*) (a) Not later than six months after the
490 effective date of this section, the Commissioner of Mental Health and
491 Addiction Services shall report a plan to deinstitutionalize the patients

492 of Riverview Hospital for Children and Youth developed under
493 subsection (b) of this section, in accordance with the provisions of
494 section 11-4a of the general statutes, to the joint standing committee of
495 the General Assembly having cognizance of matters relating to
496 government administration and elections and to the Governor.

497 (b) The Commissioner of Mental Health and Addiction Services, or
498 the commissioner's designee, shall lead a working group that shall
499 develop a plan to deinstitutionalize the patients of Riverview Hospital
500 for Children and Youth. Such working group shall include the
501 Secretary of the Office of Policy and Management, or the secretary's
502 designee, the Commissioners of Children and Families and Public
503 Heath, or the commissioners' designees, and a representative of (1) the
504 patients of the hospital, (2) state employees who work at the hospital
505 or a union representing such employees, (3) an advocacy group for the
506 patients, and (4) a private provider of services needed by such patients,
507 each of whom shall be selected by the Commissioner of Mental Health
508 and Addiction Services. The group shall consider the following: (A)
509 The quality of care provided to the patients, (B) the promotion of home
510 and community-based care, (C) whether it is appropriate for state
511 employees to continue to deliver services to the patients or whether
512 private providers should deliver such services, or both, (D) the
513 possibility of downsizing staff without compromising the quality of
514 care, and (E) alternative prevention and intervention treatment
515 programs that could result in an avoidance of inpatient care. Any
516 recommendations contained in the plan shall be developed using a
517 cost-benefit analysis that considers both financial costs as well as
518 quality of care issues.

519 Sec. 22. (*Effective from passage*) (a) Not later than three months from
520 the effective date of this section, the Secretary of the Office of Policy
521 and Management shall (1) develop a plan to reduce the manager and
522 supervisor-to-employee ratio for agencies in the executive branch to
523 one manager or supervisor for every ten employees, and (2) report
524 such plan, in accordance with the provisions of section 11-4a of the

525 general statutes, to the joint standing committee of the General
526 Assembly having cognizance of matters relating to government
527 administration and elections and the Governor. The plan shall ensure
528 that such ratio is achieved as a bottom-line number spread across all
529 such agencies not later than nine months from the date of the
530 completion of the plan.

531 (b) Not later than nine months from the reporting of such plan
532 under subsection (a) of this section, any executive branch agency that
533 fails to comply with any goal established for such agency in such plan,
534 shall report the agency's reasons for lack of compliance, in accordance
535 with the provisions of section 11-4a of the general statutes, to the
536 Secretary of the Office of Policy and Management, the joint standing
537 committee of the General Assembly having cognizance of matters
538 relating to government administration and elections and the Governor.

539 Sec. 23. (*Effective from passage*) The Secretary of the Office of Policy
540 and Management shall, in consultation with the Commissioners of
541 Public Health, Developmental Services, Children and Families, Mental
542 Health and Addiction Services and Social Services, create a plan for the
543 consolidation of the personnel, payroll, affirmative action and business
544 office functions of the following state agencies not later than three
545 months after the effective date of this section: The Departments of
546 Public Health, Developmental Services, Children and Families, Mental
547 Health and Addiction Services and Social Services. Such plan shall
548 achieve a reduction in costs to said agencies of twenty-eight per cent.
549 Not later than three months after the effective date of this section, the
550 secretary shall submit such plan, in accordance with the provisions of
551 section 11-4a of the general statutes, to the Governor and the joint
552 standing committee of the General Assembly having cognizance of
553 matters relating to government administration.

554 Sec. 24. (NEW) (*Effective July 1, 2011*) (a) On and after July 1, 2011,
555 (1) "Connecticut Economic Development Authority" shall be
556 substituted for "Connecticut Development Authority" in the following

557 sections of the general statutes: 8-134a, 8-192a, 8-240m, 13b-79w, 16-
558 243v, 22a-134, 22a-173, 22a-259, 22a-264, 32-9qq, 32-22b, 32-23k, 32-23q,
559 32-23r, 32-23s, 32-23t, 32-23z, 32-23aa, 32-23ss, 32-23zz, 32-41s, 32-223,
560 32-265, 32-266, 32-285, 32-341, 32-477, 32-500, 32-503 and 32-609.

561 (b) On and after July 1, 2011, (1) "Connecticut Economic
562 Development Authority" shall be substituted for "Connecticut
563 Innovations, Incorporated", and (2) "authority" shall be substituted for
564 "corporation" in the following sections of the general statutes: 16-245n,
565 16-245bb, 16a-38p, 19a-32f, 32-39d, 32-39e, 32-40a, 32-40b, 32-40c, 32-
566 41o, 32-41q, 32-41s, 32-41w, 32-43, 32-47 and 32-478.

567 (c) On and after July 1, 2011, (1) "Connecticut Economic
568 Development Authority" shall be substituted for "Department of
569 Economic and Community Development, (2) "authority" shall be
570 substituted for "department", (3) "executive director of the Connecticut
571 Economic Development Authority" shall be substituted for the
572 "Commissioner of Economic and Community Development", (4)
573 "executive director" shall be substituted for "commissioner", (5)
574 "procedures" shall be substituted for "regulations" and "procedure"
575 shall be substituted for "regulation", and (6) "section 1-121" shall be
576 substituted for "chapter 54", in the following sections of the general
577 statutes: 3-20, 4a-57b, 4a-60g, 4a-61, 4b-21, 4b-66a, 7-137b, 7-392, 7-578,
578 8-30g, 8-37o, 8-37s, 8-37v, 8-37w, 8-37y, 8-37ff, 8-37qq, 8-37rr, 8-37tt, 8-
579 37vv, 8-37xx, 8-37aaa, 8-39, 8-44a, 8-45, 8-47, 8-49, 8-57, 8-64a, 8-68, 8-
580 68a, 8-68b, 8-68c, 8-68d, 8-68e, 8-68g, 8-68h, 8-70, 8-71, 8-72, 8-72a, 8-73,
581 8-74, 8-76, 8-76a, 8-77, 8-79, 8-79a, 8-80, 8-81a, 8-82, 8-83, 8-84, 8-85, 8-
582 87, 8-92, 8-113a, 8-114a, 8-114d, 8-115a, 8-116a, 8-117b, 8-118a, 8-118b,
583 8-118c, 8-119c, 8-119f, 8-119h, 8-119i, 8-119j, 8-119k, 8-119*l*, 8-119n, 8-
584 119t, 8-119x, 8-119dd, 8-119ee, 8-119ff, 8-119gg, 8-119hh, 8-119jj, 8-
585 119kk, 8-119zz, 8-154a, 8-154c, 8-154e, 8-155 to 8-159, 8-161, 8-162, 8-
586 163, 8-166, 8-167, 8-169w, 8-170 to 8-185, 8-187, 8-206e, 8-206f, 8-208, 8-
587 208b, 8-209, 8-214a, 8-214b, 8-214d, 8-214e, 8-214f, 8-214g, 8-214h, 8-215,
588 8-216, 8-216b, 8-216c, 8-218, 8-218a, 8-218b, 8-218c, 8-218e, 8-218h, 8-
589 219a, 8-219b, 8-219c, 8-219d, 8-219e, 8-220, 8-220a, 8-240p, 8-265p, 8-

590 271, 8-272, 8-274, 8-278, 8-279, 8-281, 8-286, 8-336f, 8-336p, 8-355, 8-359,
591 8-365, 8-367, 8-367a, 8-376, 8-378, 8-381, 8-384, 8-386, 8-388, 8-389, 8-400,
592 8-401, 8-405, 8-410, 8-411, 8-412, 8-415, 8-420, 8-423, 10-373bb, 10-425,
593 10a-19f, 10a-72i, 10a-170b, 12-81aa, 12-217e, 12-217n, 12-217gg, 12-217ii,
594 12-217nn, 12-217oo, 12-263m, 12-631, 13b-51b, 13b-79v, 15-101pp, 16a-
595 40, 16a-40b, 16a-40j, 16a-40k, 17b-748, 21-70a, 22a-1d, 22a-133m, 22a-
596 133u, 23-102, 25-33b, 25-109q, 29-271, 31-3b, 31-3u, 31-3dd, subsection
597 (a) of section 31-311, 31-362b, 31-362d, 32-1c, 32-1f, 32-1g, 32-1*l*, 32-1n,
598 32-1p, 32-1q, 32-1r, 32-4b, 32-4f, 32-5b, 32-6, 32-6a, 32-6k, 32-6*l*, 32-7, 32-
599 7e, 32-8a, 32-8b, 32-9c, 32-9i, 32-9j, 32-9p, 32-9q, 32-9t, 32-9u, 32-9cc, 32-
600 9ee, 32-9kk, 32-9*ll*, 32-9qq, 32-9tt, 32-9uu, 32-9vv, 32-9ww, 32-9xx, 32-
601 9yy, 32-11a, 32-16, 32-22, 32-23c, 32-23d, 32-23o, 32-23r, 32-23t, 32-23v,
602 32-23x, 32-23ii, 32-23*ll*, 32-23qq, 32-23ss, 32-35, 32-39, 32-41q, 32-41s, 32-
603 57, 32-58, 32-58b, 32-59, 32-70, 32-70a, 32-70b, 32-70d, 32-70e, 32-75, 32-
604 75a, 32-75c, 32-76, 32-80, 32-96, 32-98, 32-100, 32-180, 32-182, 32-222, 32-
605 222a, 32-223, 32-228, 32-235, 32-236, 32-238, 32-238a, 32-240, 32-241, 32-
606 242, 32-242a, 32-244, 32-244a, 32-245, 32-246, 32-261, 32-262, 32-265, 32-
607 266, 32-284, 32-285, 32-290, 32-290a, 32-291, 32-324a, 32-324b, 32-324c,
608 32-324d, 32-324e, 32-324f, 32-324g, 32-324h, 32-327, 32-329, 32-342, 32-
609 345, 32-348, 32-349, 32-350, 32-353, 32-356, 32-450, 32-454, 32-462a, 32-
610 476, 32-500, 32-501, 32-502, 32-505, 32-511, 32-614, 32-616, 32-700, 32-
611 701, 32-717, 32-718, 32-726, 32-730, 32-741, 32-742, 32-743, 32-744, 32-
612 745, 36b-21, 38a-88a, 38a-88b, 42-125*l*, 47-88b, 47-284, 47-288, 47-294, 47-
613 295, 47a-56i, 47a-56j and 47a-56k.

614 (d) On and after July 1, 2011, "Connecticut Economic Development
615 Authority" shall be substituted for "Connecticut Housing Finance
616 Authority" in the following sections of the general statutes: 3-27b, 3-
617 27f, 4-66aa, 8-30g, 8-68f, 8-68k, 8-216, 8-218, 8-244b, 8-244c, 8-244d, 8-
618 262a, 8-265f, 8-265g, 8-265h, 8-265i, 8-265bb, 8-265ii, 8-265*ll*, 8-265mm,
619 8-265nn, 8-265pp, 8-265qq, 8-395, 10-8b, 17a-485b, 17a-485e, 17b-244,
620 17b-340, 31-3nn, 36a-760 and 38a-1051.

621 Sec. 25. (NEW) (*Effective July 1, 2011*) (a) There is established a
622 Connecticut Economic Development Authority. The department head

623 shall be the executive director, who shall be appointed in accordance
624 with the provisions of section 26 of this act, with the powers and duties
625 prescribed in section 26 of this act.

626 (b) The Connecticut Economic Development Authority shall
627 constitute a successor agency to the Department of Economic and
628 Community Development in accordance with the provisions of
629 sections 4-38d and 4-39 of the general statutes.

630 (c) Wherever the term "Commissioner of Economic and Community
631 Development" are used in the general statutes, the term "executive
632 director of the Connecticut Economic Development Authority" shall be
633 substituted in lieu thereof.

634 (d) Any order or regulation of the Department of Economic and
635 Community Development which is in force on July 1, 2011, shall
636 continue in force and effect as an order or regulation of the
637 Connecticut Economic Development Authority until amended,
638 repealed or superseded pursuant to law. Where any order or
639 regulation of said departments conflict, the executive director of the
640 Connecticut Economic Development Authority may implement
641 policies and procedures in accordance with section 1-121 of the general
642 statutes consistent with the provisions of this act.

643 Sec. 26. (NEW) (*Effective July 1, 2011*) (a) As used in this section and
644 sections 27 to 33, inclusive, of this act:

645 (1) "Authority" means the Connecticut Economic Development
646 Authority; and

647 (2) "Executive director" means the executive director of the
648 Connecticut Economic Development Authority.

649 (b) There is hereby created as a body politic and corporate,
650 constituting a public instrumentality and political subdivision of the
651 state created for the performance of an essential public and
652 governmental function, the Connecticut Economic Development

653 Authority, that is empowered to carry out the purposes of the
654 authority, as provided in section 27 of this act, which are determined to
655 be public purposes for which public funds may be expended. The
656 Connecticut Economic Development Authority shall not be construed
657 to be a department, institution or agency of the state.

658 (c) The powers of the authority shall be vested in and exercised by a
659 board of directors. The board of directors of the authority shall consist
660 of the State Treasurer and the Secretary of the Office of Policy and
661 Management, or their respective designees, five members appointed
662 by the Governor and four members appointed as follows: One by the
663 president pro tempore of the Senate, one by the minority leader of the
664 Senate, one by the speaker of the House of Representatives and one by
665 the minority leader of the House of Representatives. Each ex-officio
666 member shall have full powers to vote, and a member may designate a
667 deputy or any member of the agency staff to represent such member at
668 meetings of the authority with full powers to act and vote on the
669 member's behalf. Each member appointed by the Governor shall serve
670 at the pleasure of the Governor but no longer than the term of office of
671 the Governor or until the member's successor is appointed and
672 qualified, whichever is longer. Each member appointed by a member
673 of the General Assembly shall serve in accordance with the provisions
674 of section 4-1a of the general statutes. Members shall receive no
675 compensation but shall be reimbursed for necessary expenses incurred
676 in the performance of their duties. Any vacancy on the board shall be
677 filled for the unexpired term by the appointing authority of such
678 member. Any member of the board may be removed by the Governor
679 for misfeasance, malfeasance or wilful neglect of duty.

680 (d) Each member of the authority, before entering upon his or her
681 duties, shall take and subscribe the oath or affirmation required by
682 article XI, section 1, of the State Constitution. A record of each such
683 oath shall be filed in the office of the Secretary of the State. Each
684 member of the board of directors of the authority shall execute a surety
685 bond in the penal sum of fifty thousand dollars, or, in lieu thereof, the

686 chairperson of the board shall execute a blanket position bond
687 covering each member and the chief executive officer and the
688 employees of the authority, each surety bond to be conditioned upon
689 the faithful performance of the duties of the office or offices covered, to
690 be executed by a surety company authorized to transact business in
691 this state as surety and to be approved by the Attorney General and
692 filed in the office of the Secretary of the State. The cost of each such
693 bond shall be paid by the authority.

694 (e) Notwithstanding any provision of the general statutes, it shall
695 not constitute a conflict of interest for a trustee, director, partner or
696 officer of any person, firm or corporation or any individual having a
697 financial interest in a person, firm or corporation to serve as a member
698 of the board of directors of the authority; provided such trustee,
699 director, partner or officer of any person, firm or corporation or any
700 individual having a financial interest in a person, firm or corporation
701 shall file with the authority a record of his or her capacity with or
702 interest in such person, firm or corporation and abstain and absent
703 himself or herself from any deliberation, action and vote by the board
704 that directly concerns such person, firm or corporation.

705 (f) The board shall annually elect from its members a chairperson
706 and a vice-chairperson. Meetings of the board shall be held at such
707 times as shall be specified in the by-laws adopted by the board and at
708 such other time or times as the chairperson or a majority of the board
709 deems necessary.

710 (g) The board of directors of the authority shall adopt written
711 procedures, in accordance with the provisions of section 1-121 of the
712 general statutes, for: (1) Adopting an annual budget and plan of
713 operations, including a requirement of board approval before the
714 budget or plan may take effect; (2) hiring, promoting and
715 compensating employees of the authority, including an affirmative
716 action policy and a requirement of board approval before a position
717 may be created; (3) purchasing, leasing or acquiring real and personal

718 property and personal services, including a requirement of board
719 approval for any nonbudgeted expenditure in excess of five thousand
720 dollars; (4) contracting for financial, legal, bond underwriting and
721 other professional services, including a requirement that the authority
722 solicit proposals at least once every three years for each such service
723 which it uses; (5) issuing and retiring bonds, bond anticipation notes
724 and other obligations of the authority; (6) awarding loans, grants and
725 other financial assistance, including eligibility criteria, the application
726 process and the role played by the authority's staff and board of
727 directors and including deadlines for the approval or disapproval of
728 applications for such assistance by the authority; and (7) the use of
729 surplus funds to the extent authorized under this section and sections
730 27 to 33, inclusive, of this act.

731 (h) Neither members of the board of directors of the authority nor
732 any person executing the notes and bonds shall be liable personally on
733 the notes or bonds or be subject to any personal liability or
734 accountability by reason of the issuance thereof.

735 (i) The powers of the authority shall be vested in and exercised by
736 not less than seven of the members of the board of directors then in
737 office. Such number of members shall constitute a quorum and the
738 affirmative vote of a majority of the members present at a meeting of
739 the board shall be necessary for any action taken by the authority. No
740 vacancy in the membership of the board shall impair the right to
741 exercise all the rights and perform all the duties of the authority. Any
742 action taken by the board under the provisions of this section and
743 sections 27 to 33, inclusive, of this act may be authorized by resolution
744 at any regular or special meeting, and each such resolution shall take
745 effect immediately and need not be published or posted. The authority
746 shall be exempt from the provisions of section 4-9a of the general
747 statutes.

748 (j) The board of directors of the authority may delegate to three or
749 more of its members such board powers and duties as it may deem

750 proper. At least one of such members shall not be a state employee.

751 (k) The authority shall continue as long as it shall have bonds or
752 other obligations outstanding and until its existence is terminated by
753 law. Upon the termination of the existence of the authority, all its
754 rights and properties shall pass to and be vested in the state.

755 (l) The authority shall be subject to examination by the State
756 Treasurer. The accounts of the authority shall be subject to annual
757 audits by the Auditors of Public Accounts.

758 Sec. 27. (NEW) (*Effective July 1, 2011*) (a) The purposes of the
759 Connecticut Economic Development Authority shall be:

760 (1) To support the economic, workforce and community
761 development policies, programs, goals and strategies of the state;

762 (2) To discharge the responsibilities of the authority under sections
763 26 to 33, inclusive, of this act, chapters 578, 579, 581, 584, 588*l*, 588n,
764 588r and 588u of the general statutes, and any other provisions of the
765 general statutes or any public or special act setting forth or governing
766 the powers and duties of the authority;

767 (3) To stimulate and encourage the research and development of
768 new technologies and products;

769 (4) To encourage the creation and transfer of new technologies;

770 (5) To assist existing businesses in adopting current and innovative
771 technological processes;

772 (6) To stimulate and provide services to industry that will advance
773 the adoption and utilization of technology;

774 (7) To achieve improvements in the quality of products and services;

775 (8) To stimulate and encourage the development and operation of
776 new and existing science parks and incubator facilities; and

777 (9) To promote science, engineering, mathematics and other
778 disciplines that are essential to the development and application of
779 technology within the state by the infusion of financial aid for research,
780 invention and innovation in situations in which such financial aid
781 would not otherwise be reasonably available from commercial or other
782 sources;

783 (b) For the purposes of subsection (a) of this section, the authority
784 shall have the following powers, in addition to any others provided by
785 law:

786 (1) To have perpetual succession as a body corporate and to adopt
787 bylaws, policies and procedures for the regulation of its affairs and
788 conduct of its businesses as provided by law;

789 (2) To solicit, receive and accept aid, grants or contributions from
790 any source of money, property or labor or other things of value, to be
791 held, used and applied to carry out the purposes of the authority,
792 subject to the conditions upon which such grants and contributions
793 may be made, including, but not limited to, gifts or grants from any
794 department or agency of the United States or the state;

795 (3) To (A) employ such assistants, agents and other employees as
796 may be necessary or desirable, which employees shall be exempt from
797 the classified service and shall not be employees, as defined in
798 subsection (b) of section 5-270 of the general statutes; (B) establish all
799 necessary or appropriate personnel practices and policies, including
800 those relating to hiring, promotion, compensation, retirement and
801 collective bargaining, which need not be in accordance with chapter 68
802 of the general statutes, and the authority shall not be an employer as
803 defined in subsection (a) of section 5-270 of the general statutes; and
804 (C) engage consultants, attorneys and appraisers as may be necessary
805 or desirable to carry out its purposes in accordance with chapters 578,
806 579, 581, 584, 588*l*, 588n, 588r and 588u of the general statutes;

807 (4) To make and enter into all contracts and agreements necessary or

808 incidental to the performance of its duties and the execution of its
809 powers under this act;

810 (5) To sue and be sued, plead and be impleaded, adopt a seal and
811 alter the same at pleasure;

812 (6) To maintain an office at such place or places within the state as it
813 may designate;

814 (7) To invest in, acquire, lease, purchase, own, manage, hold and
815 dispose of real property and lease, convey or deal in or enter into
816 agreements with respect to such property on any terms necessary or
817 incidental to the carrying out of these purposes; provided, however, all
818 such acquisitions of real property for the authority's own use with
819 amounts appropriated by the state to the authority or with the
820 proceeds of bonds supported by the full faith and credit of the state
821 shall be subject to the approval of the Secretary of the Office of Policy
822 and Management and the provisions of section 4b-23 of the general
823 statutes;

824 (8) To acquire, lease, purchase, own, manage, hold and dispose of
825 personal property, and lease, convey or deal in or enter into
826 agreements with respect to such property on any terms necessary or
827 incidental to the carrying out of these purposes;

828 (9) To account for and audit funds of the authority and funds of any
829 recipients of financial aid from the authority;

830 (10) With the approval of the State Treasurer, to invest any funds
831 not needed for immediate use or disbursement, including any funds
832 held in reserve, in obligations issued or guaranteed by the United
833 States of America or this state and in other obligations which are legal
834 investments for municipalities or retirement funds in this state;

835 (11) To procure insurance against any loss in connection with its
836 property and other assets in such amounts and from such insurers as it
837 deems desirable;

838 (12) To the extent permitted under its contract with other persons, to
839 consent to any termination, modification, forgiveness or other change
840 of any term of any contractual right, payment, royalty, contract or
841 agreement of any kind to which the authority is a party;

842 (13) In connection with any application for assistance under or
843 commitments therefor, to make and collect such fees as the authority
844 shall determine to be reasonable;

845 (14) To hold patents, copyrights, trademarks, marketing rights,
846 licenses, or any other evidences of protection or exclusivity as to any
847 products as defined herein, issued under the laws of the United States
848 or any state or any nation;

849 (15) To borrow money or accept gifts, grants or loans of funds,
850 property or service from any source, public or private, and comply,
851 subject to the provisions of law, with the terms and conditions thereof;

852 (16) To insure any or all payments to be made by the borrower
853 under the terms of any agreement for the extension of credit or making
854 of a loan by the authority in connection with any economic
855 development project to be financed, wholly or in part, through the
856 issuance of bonds or mortgage payments of any mortgage which is
857 given by a mortgagor to the mortgagee who has provided the
858 mortgage for an economic development project upon such terms and
859 conditions as the authority may prescribe and as provided herein, and
860 the faith and credit of the state are pledged thereto;

861 (17) To request for its guidance, in connection with any project, a
862 finding of the municipal planning commission, or, if there is no
863 planning commission, a finding of the municipal officers of the
864 municipality in which the economic development project is proposed
865 to be located, or of the regional planning agency of which such
866 municipality is a member, as to the expediency and advisability of the
867 economic development project;

868 (18) To advise the Governor, the General Assembly and the
869 Commissioner of Higher Education on matters relating to economic
870 development, finance, science, engineering and technology which may
871 have an impact on state policies, programs, employers and residents,
872 and on job creation and retention;

873 (19) To do all acts and things necessary and convenient to carry out
874 the purposes of sections 26 to 33, inclusive, of this act.

875 Sec. 28. (NEW) (*Effective July 1, 2011*) The exercise of the powers
876 vested in the Connecticut Economic Development Authority, and any
877 subsidiary of such authority, shall constitute the performance of an
878 essential governmental function and the authority shall not be
879 required to pay any taxes or assessments upon or in respect of a
880 project, or any property or moneys of the authority, levied by the state,
881 any municipality or political subdivision or special district having
882 taxing powers of the state.

883 Sec. 29. (NEW) (*Effective July 1, 2011*) (a) (1) The Connecticut
884 Economic Development Authority, established pursuant to section 25
885 of this act, may form one or more subsidiaries to carry out the public
886 purposes of the authority and may transfer to any such subsidiary any
887 moneys and real or personal property of any kind or nature. Any such
888 subsidiary may be organized as a stock or nonstock corporation or a
889 limited liability company. Each such subsidiary shall have and may
890 exercise such powers of the authority as are set forth in the resolution
891 of the authority prescribing the purposes for which such subsidiary is
892 formed and such other powers provided to it by law.

893 (2) Each such subsidiary shall act through its board of directors, at
894 least one-half of which shall be members of the board of directors of
895 the authority, or their designees, or officers or employees of the
896 authority. A resolution of the authority shall prescribe the purposes for
897 which each such subsidiary is formed.

898 (3) The provisions of section 1-125 of the general statutes and this

899 subsection shall apply to any officer, director, designee or employee
900 appointed as a member, director or officer of any such subsidiary. Any
901 such persons so appointed shall not be personally liable for the debts,
902 obligations or liabilities of any such subsidiary as provided in said
903 section 1-125. The subsidiary shall, and the authority may, provide for
904 the indemnification to protect, save harmless and indemnify such
905 officer, director, designee or employee as provided by said section 1-
906 125.

907 (4) Each such subsidiary shall be deemed a quasi-public agency for
908 purposes of chapter 12 of the general statutes and shall have all the
909 privileges, immunities, tax exemptions and other exemptions of the
910 authority, including the privileges, immunities, tax exemptions and
911 other exemptions provided under the general statutes for special
912 capital reserve funds. Each such subsidiary shall be subject to suit
913 provided its liability shall be limited solely to the assets, revenues and
914 resources of the subsidiary and without recourse to the general funds,
915 revenues, resources or any other assets of the authority. Each such
916 subsidiary is authorized to assume or take title to property subject to
917 any existing lien, encumbrance or mortgage and to mortgage, convey
918 or dispose of its assets and pledge its revenues in order to secure any
919 borrowing, provided each such borrowing or mortgage shall be a
920 special obligation of the subsidiary, which obligation may be in the
921 form of bonds, bond anticipation notes and other obligations to the
922 extent permitted under sections 26 to 33, inclusive, of this act to fund
923 and refund the same and provide for the rights of the holders thereof,
924 and to secure the same by pledge or revenues, notes and other assets
925 and which shall be payable solely from the assets, revenues and other
926 resources of the subsidiary. The authority shall have the power to
927 assign to a subsidiary any rights, moneys or other assets it has under
928 any governmental program including the nursing home loan program.
929 No borrowing shall be undertaken by a subsidiary of the authority
930 without the approval of the authority.

931 (b) (1) The authority may establish one or more subsidiaries to

932 stimulate, encourage and carry out the remediation, development and
933 financing of contaminated property within this state, in coordination
934 with the Department of Environmental Protection, and to provide
935 financial, developmental and environmental expertise to others
936 including, but not limited to, municipalities, interested in or
937 undertaking such remediation, development or financing which are
938 determined to be public purposes for which public funds may be
939 expended. Each subsidiary shall be deemed a quasi-public agency for
940 purposes of chapter 12 of the general statutes. The authority may
941 transfer to any such subsidiary any moneys and real or personal
942 property. Each such subsidiary shall have all the privileges,
943 immunities, tax exemptions and other exemptions of the authority.

944 (2) Each such subsidiary may sue and shall be subject to suit
945 provided the liability of each such subsidiary shall be limited solely to
946 the assets, revenues and resources of such subsidiary and without
947 recourse to the general funds, revenues, resources or any other assets
948 of the authority or any other subsidiary. No such subsidiary may
949 provide for any bonded indebtedness of the state for the cost of any
950 liability or contingent liability for the remediation of contaminated real
951 property unless such indebtedness is specifically authorized by an act
952 of the General Assembly. Each such subsidiary shall have the power to
953 do all acts and things necessary or convenient to carry out the
954 purposes of this subsection, section 12-81r of the general statutes,
955 subsection (h) of section 22a-133m of the general statutes, subsection
956 (a) of section 22a-133x of the general statutes, sections 22a-133aa, 22a-
957 133bb and 22a-133dd of the general statutes, subsection (l) of section
958 22a-134a of the general statutes, and sections 22a-452f, 32-7e and 32-
959 23pp to 32-23rr, inclusive, of the general statutes, including, but not
960 limited to, (A) solicit, receive and accept aid, grants or contributions
961 from any source of money, property or labor or other things of value,
962 to be held, used and applied to carry out the purposes of this
963 subsection, section 12-81r of the general statutes, subsection (h) of
964 section 22a-133m of the general statutes, subsection (a) of section 22a-
965 133x of the general statutes, sections 22a-133aa, 22a-133bb and 22a-

966 133dd of the general statutes, subsection (l) of section 22a-134a of the
967 general statutes, and sections 22a-452f, 32-7e and 32-23pp to 32-23rr,
968 inclusive, of the general statutes, subject to the conditions upon which
969 such grants and contributions may be made, including, but not limited
970 to, gifts, grants or loans, from any department, agency or quasi-public
971 agency of the United States or this state; (B) enter into agreements with
972 persons upon such terms and conditions as are consistent with the
973 purposes of such subsidiary to acquire or facilitate the remediation,
974 development or financing of contaminated real or personal property;
975 (C) to acquire, take title, lease, purchase, own, manage, hold and
976 dispose of real and personal property and lease, convey or deal in or
977 enter into agreements with respect to such property; (D) examine,
978 inspect, rehabilitate, remediate or improve real or personal property or
979 engage others to do so on such subsidiary's behalf, or enter into
980 contracts therefor; (E) mortgage, convey or dispose of its assets and
981 pledge its revenues in order to secure any borrowing, for the purpose
982 of financing, refinancing, rehabilitating, remediating, improving or
983 developing its assets, provided each such borrowing or mortgage shall
984 be a special obligation of such subsidiary, which obligation may be in
985 the form of notes, bonds, bond anticipation notes and other obligations
986 issued by or to such subsidiary to the extent permitted under sections
987 26 to 33, inclusive, of this act to fund and refund the same and provide
988 for the rights of the holders thereof, and to secure the same by pledge
989 of revenues, notes or other assets and which shall be payable solely
990 from the assets, revenues and other resources of such subsidiary; (F) to
991 create real estate investment trusts or similar entities or to become a
992 member of a limited liability company or to become a partner in
993 limited or general partnerships or establish other contractual
994 arrangements with private and public sector entities as such subsidiary
995 deems necessary to remediate, develop or finance environmentally
996 contaminated property in the state; and (G) any other powers
997 necessary or appropriate to carry out the purposes of this subsection,
998 subsection (h) of section 22a-133m of the general statutes, subsection
999 (a) of section 22a-133x of the general statutes, sections 22a-133aa, 22a-

1000 133bb and 22a-133dd of the general statutes, subsection (l) of section
1001 22a-134a of the general statutes, and sections 22a-452f, 32-7e and 32-
1002 23pp to 32-23rr, inclusive, of the general statutes. The board of
1003 directors, executive director, officers and staff of the authority may
1004 serve as members of any advisory or other board which may be
1005 established to carry out the purposes of this subsection, subsection (h)
1006 of section 22a-133m of the general statutes, subsection (a) of section
1007 22a-133x of the general statutes, sections 22a-133aa, 22a-133bb and 22a-
1008 133dd of the general statutes, subsection (l) of section 22a-134a of the
1009 general statutes, and sections 22a-452f, 32-7e and 32-23pp to 32-23rr,
1010 inclusive, of the general statutes.

1011 (c) Each such subsidiary shall act through its board of directors, at
1012 least one-half of which shall be members of the board of directors of
1013 the authority, or their designees, or officers or employees of the
1014 authority. A resolution of the authority shall prescribe the purposes for
1015 which each such subsidiary is formed.

1016 (d) The provisions of section 1-125 of the general statutes and this
1017 subsection shall apply to any officer, director, designee or employee
1018 appointed as a member, director or officer of any such subsidiary. Any
1019 such persons so appointed shall not be personally liable for the debts,
1020 obligations or liabilities of any such subsidiary as provided in section
1021 1-125 of the general statutes. The subsidiary shall, and the authority
1022 may, provide for the indemnification to protect, save harmless and
1023 indemnify such officer, director, designee or employee as provided by
1024 section 1-125 of the general statutes.

1025 (e) The authority, or such subsidiary, may take such actions as are
1026 necessary to comply with the provisions of the Internal Revenue Code
1027 of 1986 or any subsequent corresponding internal revenue code of the
1028 United States, as from time to time amended, to qualify and maintain
1029 any such subsidiary as a corporation exempt from taxation under said
1030 internal revenue code.

1031 (f) The authority may make loans to each such subsidiary, following

1032 standard authority procedures, from its assets and the proceeds of its
1033 bonds, notes and other obligations, provided the source and security
1034 for the repayment of such loans is derived from the assets, revenues
1035 and resources of the subsidiary.

1036 Sec. 30. (NEW) (*Effective July 1, 2011*) (a) The board of directors of
1037 the Connecticut Economic Development Authority, established
1038 pursuant to section 25 of this act, shall appoint an executive director
1039 who shall not be a member of the board and such other officers as the
1040 board determines necessary. Such officers shall be exempt from
1041 classified service, serve at the pleasure of the board and receive such
1042 compensation as shall be fixed by the board.

1043 (b) The executive director shall direct and supervise administrative
1044 affairs and technical activities in accordance with the directives of the
1045 board. He or she shall perform such other duties as may be directed by
1046 the board in carrying out the purposes of sections 25 to 33, inclusive, of
1047 this act and chapters 578, 579, 581, 584, 588*l*, 588n, 588r and 588u of the
1048 general statutes. The executive director shall attend all meetings of the
1049 board, keep a record of the proceedings of the board and shall
1050 maintain and be custodian of all books, documents and papers filed
1051 with the authority and of the minute book or journal of the authority
1052 and of its official seal. He or she may cause copies to be made of all
1053 minutes and other records and documents of the authority and may
1054 give certificates under the official seal of the authority to the effect that
1055 such copies are true copies, and all persons dealing with the authority
1056 may rely upon such certificates.

1057 Sec. 31. (NEW) (*Effective July 1, 2011*) (a) Not later than November 1,
1058 2011, and annually thereafter, the Connecticut Economic Development
1059 Authority, established pursuant to section 25 of this act, shall submit a
1060 report, in accordance with the provisions of section 11-4a of the general
1061 statutes, to the Governor, the Auditors of Public Accounts and the joint
1062 standing committees of the General Assembly having cognizance of
1063 matters relating to commerce, appropriations and the budgets of state

1064 agencies and finance, revenue and capital bonding, which shall include
1065 the following information with respect to new and outstanding
1066 financial assistance provided by the authority during the twelve-
1067 month period ending on June thirtieth next preceding the date of the
1068 report for each financial assistance program administered by the
1069 authority: (1) A list of the names, addresses and locations of all
1070 recipients of such assistance, (2) for each recipient: (A) The business
1071 activities, (B) the North American Industry, Classification System
1072 codes, (C) the gross revenues during the recipient's most recent fiscal
1073 year, (D) the number of employees at the time of application, (E)
1074 whether the recipient is a minority or woman-owned business, (F) a
1075 summary of the terms and conditions for the assistance, including the
1076 type and amount of state financial assistance, job creation or retention
1077 requirements, and anticipated wage rates, and (G) the amount of
1078 investments from private and other nonstate sources that have been
1079 leveraged by the assistance, (3) the economic benefit criteria used in
1080 determining which applications have been approved or disapproved,
1081 and (4) for each recipient of assistance, a comparison between the
1082 number of jobs to be created, the number of jobs to be retained and the
1083 average wage rates for each such category of jobs, as projected in the
1084 recipient's application, versus the actual number of jobs created, the
1085 actual number of jobs retained and the average wage rates for each
1086 such category. The report shall also indicate the actual number of full-
1087 time jobs and the actual number of part-time jobs in each such category
1088 and the benefit levels for each such subcategory. In addition, the report
1089 shall state (i) for each final application approved during the twelve-
1090 month period covered by the report, (I) the date that the final
1091 application was received by the authority, and (II) the date of such
1092 approval; (ii) for each final application withdrawn during the twelve-
1093 month period covered by the report, (I) the municipality in which the
1094 applicant is located, (II) the North American Industry Classification
1095 System code for the applicant, (III) the date that the final application
1096 was received by the authority, and (IV) the date of such withdrawal;
1097 (iii) for each final application disapproved during the twelve-month

1098 period covered by the report, (I) the municipality in which the
1099 applicant is located, (II) the North American Industry Classification
1100 System code for the applicant, (III) the date that the final application
1101 was received by the authority, and (IV) the date of such disapproval;
1102 and (v) for each final application on which no action has been taken by
1103 the applicant or the agency in the twelve-month period covered by the
1104 report and for which no report has been submitted under this
1105 subsection, (I) the municipality in which the applicant is located, (II)
1106 the North American Industry Classification System code for the
1107 applicant, and (III) the date that the final application was received by
1108 the authority. The provisions of this subsection shall not apply to
1109 activities of the authority under the provisions of chapter 581 of the
1110 general statutes which shall continue to be reported on as provided in
1111 section 32-47a of the general statutes.

1112 (b) The report described in subsection (a) of this section shall also
1113 include a summary of the activities of the authority, including all
1114 activities to assist small businesses and minority business enterprises,
1115 as defined in section 4a-60g of the general statutes, a complete
1116 operating and financial statement and recommendations for legislation
1117 to promote the purposes of the authority.

1118 Sec. 32. (NEW) (*Effective July 1, 2011*) (a) (1) In accordance with the
1119 provisions of section 4-38d of the general statutes, all powers and
1120 duties of the Connecticut Development Authority under the provisions
1121 of chapter 579 of the general statutes, shall be transferred to the
1122 Connecticut Economic Development Authority established pursuant to
1123 section 25 of this act. On and after July 1, 2011, the Connecticut
1124 Brownfields Redevelopment Authority, a subsidiary of the
1125 Connecticut Development Authority created pursuant to subsection (l)
1126 of section 32-11a of the general statutes, shall be a subsidiary of the
1127 Connecticut Economic Development Authority.

1128 (2) All notes, bonds or other obligations issued by the Connecticut
1129 Development Authority for the financing of any project or projects

1130 shall be in accordance with their terms of full force and effect and valid
1131 and binding upon the Connecticut Economic Development Authority
1132 as the successor to the Connecticut Development Authority and with
1133 respect to any resolution, contract, deed, trust agreement, mortgage,
1134 conditional sale or loan agreement, commitment, obligation or liability
1135 or other such document, public record, right, remedy, special act or
1136 public act, obligation, liability or responsibility pertaining thereto, the
1137 Connecticut Economic Development Authority shall be, and shall be
1138 deemed to be, the successor to the Connecticut Development
1139 Authority. All properties, rights in land, buildings and equipment and
1140 any funds, moneys, revenues and receipts or assets of such authority
1141 pledged or otherwise securing any such notes, bonds or other
1142 obligations shall belong to the Connecticut Economic Development
1143 Authority as successor to the Connecticut Development Authority,
1144 subject to such pledges and other security arrangements and to
1145 agreements with the holders of the outstanding notes, bonds or other
1146 obligations. Any resolution with respect to the issuance of bonds of
1147 Connecticut Development Authority for the purposes of sections 26 to
1148 33, inclusive, of this act and any other action taken by the Connecticut
1149 Economic Development Authority with respect to assisting in the
1150 financing of any project shall be, or shall be deemed to be, a resolution
1151 of the Connecticut Economic Development Authority or an action
1152 taken by the Connecticut Economic Development Authority subject
1153 only to any agreements with the holders of outstanding notes, bonds
1154 or other obligations of the authority.

1155 (3) Whenever the term "Connecticut Development Authority" is
1156 used or referred to in the general statutes, the term "Connecticut
1157 Economic Development Authority" shall be substituted in lieu thereof.

1158 (4) The procedures of the Connecticut Development Authority,
1159 adopted pursuant to section 1-121 of the general statutes, shall remain
1160 in full force and effect with respect to any other matter before the
1161 Connecticut Economic Development Authority.

1162 (b) (1) In accordance with the provisions of section 4-38d of the
1163 general statutes, all powers, duties and personnel of Connecticut
1164 Innovations, Incorporated, under the provisions of chapter 581 of the
1165 general statutes shall be transferred to the Connecticut Economic
1166 Development Authority established pursuant to section 25 of this act.
1167 All cash, notes, receivables, liabilities, appropriations, authorizations,
1168 allocations, and all other assets and properties of Connecticut
1169 Innovations, Incorporated, shall be transferred to the Connecticut
1170 Economic Development Authority. Such transfer shall not affect the
1171 validity, enforceability or binding nature of any contract or agreement
1172 for financial aid made by Connecticut Innovations, Incorporated,
1173 under the authorization of this act before July 1, 2011. On and after
1174 July 1, 2011, any and all subsidiaries of the Connecticut Innovations,
1175 Incorporated, shall be subsidiaries of the Connecticut Economic
1176 Development Authority.

1177 (2) All notes, bonds or other obligations issued by Connecticut
1178 Economic Innovations, Incorporated for the financing of any project or
1179 projects shall be in accordance with their terms of full force and effect
1180 and valid and binding upon the Connecticut Economic Development
1181 Authority as the successor to Connecticut Innovations, Incorporated
1182 and with respect to any resolution, contract, deed, trust agreement,
1183 mortgage, conditional sale or loan agreement, commitment, obligation
1184 or liability or other such document, public record, right, remedy,
1185 special act or public act, obligation, liability or responsibility
1186 pertaining thereto, the Connecticut Economic Development Authority
1187 shall be, and shall be deemed to be, the successor to Connecticut
1188 Innovations, Incorporated. All properties, rights in land, buildings and
1189 equipment and any funds, moneys, revenues and receipts or assets of
1190 such commission pledged or otherwise securing any such notes, bonds
1191 or other obligations shall belong to the Connecticut Economic
1192 Development Authority as successor to Connecticut Innovations,
1193 Incorporated, subject to such pledges and other security arrangements
1194 and to agreements with the holders of the outstanding notes, bonds or
1195 other obligations. Any resolution with respect to the issuance of bonds

1196 of the Connecticut Economic Development Authority for the purposes
1197 of sections 26 to 33, inclusive, of this act and any other action taken by
1198 the Connecticut Economic Development Authority with respect to
1199 assisting in the financing of any project shall be, or shall be deemed to
1200 be, a resolution of the Connecticut Economic Development Authority
1201 or an action taken by the Connecticut Economic Development
1202 Authority subject only to any agreements with the holders of
1203 outstanding notes, bonds or other obligations of the authority.

1204 (3) Whenever the term "Connecticut Innovations, Incorporated" is
1205 used or referred to in the general statutes, the term "Connecticut
1206 Economic Development Authority" shall be substituted in lieu thereof.

1207 (4) The procedures of Connecticut Innovations, Incorporated,
1208 adopted pursuant to section 1-121 of the general statutes, shall remain
1209 in full force and effect with respect to any matter arising under the
1210 provisions of chapter 581 of the general statutes.

1211 (c) Except as expressly provided in this act, nothing in this act shall
1212 be deemed to limit the powers exercised by the Connecticut
1213 Development Authority or Connecticut Innovations, Incorporated,
1214 before July 1, 2011.

1215 Sec. 33. (NEW) (*Effective July 1, 2011*) (a) During the period from July
1216 1, 2011, to September 30, 2011, the Connecticut Development Authority
1217 and Connecticut Innovations, Incorporated, may enter into any
1218 agreements with the Connecticut Economic Development Authority
1219 that are necessary to facilitate the assumption by the Connecticut
1220 Economic Development Authority of the responsibilities of
1221 Connecticut Innovations, Incorporated, pursuant to this section and
1222 sections 26 to 32, inclusive, of this act.

1223 (b) The Connecticut Development Authority and Connecticut
1224 Innovations, Incorporated, shall provide professional and clerical
1225 support, facilities, equipment and supplies to the Connecticut
1226 Economic Development Authority during the period from July 1, 2011,

1227 to September 30, 2011, inclusive.

1228 Sec. 34. Subsection (l) of section 1-79 of the general statutes is
1229 repealed and the following is substituted in lieu thereof (*Effective July*
1230 *1, 2011*):

1231 (l) "Quasi-public agency" means the **[**Connecticut Development
1232 Authority, Connecticut Innovations, Incorporated**]** Connecticut
1233 Economic Development Authority, Connecticut Health and Education
1234 Facilities Authority, Connecticut Higher Education Supplemental Loan
1235 Authority, Connecticut Housing Finance Authority, Connecticut
1236 Housing Authority, Connecticut Resources Recovery Authority, Lower
1237 Fairfield County Convention Center Authority, Capital City Economic
1238 Development Authority, Connecticut Lottery Corporation and Health
1239 Information Technology Exchange of Connecticut.

1240 Sec. 35. Subdivision (1) of section 1-120 of the general statutes is
1241 repealed and the following is substituted in lieu thereof (*Effective July*
1242 *1, 2011*):

1243 (1) "Quasi-public agency" means the Connecticut Economic
1244 Development Authority, **[**Connecticut Innovations, Incorporated,**]**
1245 Connecticut Health and Educational Facilities Authority, Connecticut
1246 Higher Education Supplemental Loan Authority, Connecticut Housing
1247 Finance Authority, Connecticut Housing Authority, Connecticut
1248 Resources Recovery Authority, Capital City Economic Development
1249 Authority, Connecticut Lottery Corporation and Health Information
1250 Technology Exchange of Connecticut.

1251 Sec. 36. Section 1-124 of the general statutes is repealed and the
1252 following is substituted in lieu thereof (*Effective July 1, 2011*):

1253 (a) The Connecticut Economic Development Authority, the
1254 Connecticut Health and Educational Facilities Authority, the
1255 Connecticut Higher Education Supplemental Loan Authority, the
1256 Connecticut Housing Finance Authority, the Connecticut Housing

1257 Authority, the Connecticut Resources Recovery Authority, the Health
1258 Information Technology Exchange of Connecticut and the Capital City
1259 Economic Development Authority shall not borrow any money or
1260 issue any bonds or notes which are guaranteed by the state of
1261 Connecticut or for which there is a capital reserve fund of any kind
1262 which is in any way contributed to or guaranteed by the state of
1263 Connecticut until and unless such borrowing or issuance is approved
1264 by the State Treasurer or the Deputy State Treasurer appointed
1265 pursuant to section 3-12. The approval of the State Treasurer or said
1266 deputy shall be based on documentation provided by the authority
1267 that it has sufficient revenues to (1) pay the principal of and interest on
1268 the bonds and notes issued, (2) establish, increase and maintain any
1269 reserves deemed by the authority to be advisable to secure the
1270 payment of the principal of and interest on such bonds and notes, (3)
1271 pay the cost of maintaining, servicing and properly insuring the
1272 purpose for which the proceeds of the bonds and notes have been
1273 issued, if applicable, and (4) pay such other costs as may be required.

1274 (b) To the extent the Connecticut Economic Development Authority,
1275 **[**Connecticut Innovations, Incorporated,**]** Connecticut Higher
1276 Education Supplemental Loan Authority, Connecticut Housing
1277 Finance Authority, Connecticut Housing Authority, Connecticut
1278 Resources Recovery Authority, Connecticut Health and Educational
1279 Facilities Authority, the Health Information Technology Exchange of
1280 Connecticut or the Capital City Economic Development Authority is
1281 permitted by statute and determines to exercise any power to
1282 moderate interest rate fluctuations or enter into any investment or
1283 program of investment or contract respecting interest rates, currency,
1284 cash flow or other similar agreement, including, but not limited to,
1285 interest rate or currency swap agreements, the effect of which is to
1286 subject a capital reserve fund which is in any way contributed to or
1287 guaranteed by the state of Connecticut, to potential liability, such
1288 determination shall not be effective until and unless the State
1289 Treasurer or his or her deputy appointed pursuant to section 3-12 has
1290 approved such agreement or agreements. The approval of the State

1291 Treasurer or his or her deputy shall be based on documentation
1292 provided by the authority that it has sufficient revenues to meet the
1293 financial obligations associated with the agreement or agreements.

1294 Sec. 37. Section 1-125 of the general statutes is repealed and the
1295 following is substituted in lieu thereof (*Effective July 1, 2011*):

1296 The directors, officers and employees of the Connecticut Economic
1297 Development Authority, **[**Connecticut Innovations, Incorporated,**]**
1298 Connecticut Higher Education Supplemental Loan Authority,
1299 Connecticut Housing Finance Authority, Connecticut Housing
1300 Authority, Connecticut Resources Recovery Authority, including ad
1301 hoc members of the Connecticut Resources Recovery Authority,
1302 Connecticut Health and Educational Facilities Authority, Capital City
1303 Economic Development Authority, the Health Information Technology
1304 Exchange of Connecticut and Connecticut Lottery Corporation and
1305 any person executing the bonds or notes of the agency shall not be
1306 liable personally on such bonds or notes or be subject to any personal
1307 liability or accountability by reason of the issuance thereof, nor shall
1308 any director or employee of the agency, including ad hoc members of
1309 the Connecticut Resources Recovery Authority, be personally liable for
1310 damage or injury, not wanton, reckless, wilful or malicious, caused in
1311 the performance of his or her duties and within the scope of his or her
1312 employment or appointment as such director, officer or employee,
1313 including ad hoc members of the Connecticut Resources Recovery
1314 Authority. The agency shall protect, save harmless and indemnify its
1315 directors, officers or employees, including ad hoc members of the
1316 Connecticut Resources Recovery Authority, from financial loss and
1317 expense, including legal fees and costs, if any, arising out of any claim,
1318 demand, suit or judgment by reason of alleged negligence or alleged
1319 deprivation of any person's civil rights or any other act or omission
1320 resulting in damage or injury, if the director, officer or employee,
1321 including ad hoc members of the Connecticut Resources Recovery
1322 Authority, is found to have been acting in the discharge of his or her
1323 duties or within the scope of his or her employment and such act or

1324 omission is found not to have been wanton, reckless, wilful or
1325 malicious.

1326 Sec. 38. Section 3-24d of the general statutes is repealed and the
1327 following is substituted in lieu thereof (*Effective July 1, 2011*):

1328 The Treasurer may also sell participation certificates or securities of
1329 the Tax-Exempt Proceeds Fund to the Connecticut Housing Finance
1330 Authority, the Connecticut Resources Recovery Authority, the
1331 **[**Connecticut Development Authority**]** Connecticut Economic
1332 Development Authority, the Connecticut Health and Educational
1333 Facilities Authority, the Connecticut Student Loan Foundation, any
1334 municipalities within the state and any other authorities, agencies,
1335 instrumentalities and political subdivisions of the state or of any
1336 municipality within the state. The participation certificates or securities
1337 shall bear and pay such interest and be issued subject to such terms
1338 and conditions as shall be determined and established by the
1339 Treasurer.

1340 Sec. 39. Section 3-24f of the general statutes is repealed and the
1341 following is substituted in lieu thereof (*Effective July 1, 2011*):

1342 Participation certificates or securities of the Tax-Exempt Proceeds
1343 Fund issued by the Treasurer under the provisions of sections 3-24a to
1344 3-24h, inclusive, are hereby made legal investments for the Connecticut
1345 Housing Finance Authority, the Connecticut Resources Recovery
1346 Authority, the **[**Connecticut Development Authority**]** Connecticut
1347 Economic Development Authority, the Connecticut Health and
1348 Educational Facilities Authority, the Connecticut Student Loan
1349 Foundation, all municipalities within the state, and all other
1350 authorities, agencies, instrumentalities and political subdivisions of the
1351 state or of any municipality within the state.

1352 Sec. 40. Section 4-124ff of the general statutes is repealed and the
1353 following is substituted in lieu thereof (*Effective July 1, 2011*):

1354 (a) The Office of Workforce Competitiveness shall, within available
1355 appropriations and in consultation with the council established under
1356 subsection (b) of this section, establish a competitive "Innovation
1357 Challenge Grant" program to promote and encourage partnerships
1358 and collaborations involving technology-based business and industry
1359 with institutions of higher education and regional vocational-technical
1360 schools for the development of educational programs in emerging and
1361 interdisciplinary technology fields and to address related issues.

1362 (b) There is established a Council of Advisors on Strategies for the
1363 Knowledge Economy to promote the formation of university-industry
1364 partnerships, identify benchmarks for technology-based workforce
1365 innovation and competitiveness and advise the award process (1) for
1366 innovation challenge grants to public postsecondary schools and their
1367 business partners, and (2) grants under section 4-124hh. The council
1368 shall be chaired by the director of the Office of Workforce
1369 Competitiveness and shall include the Secretary of the Office of Policy
1370 and Management, the **[**Commissioners of Economic and Community
1371 Development and**]** Commissioner of Higher Education, the Labor
1372 Commissioner, the executive **[**directors**]** director of **[**Connecticut
1373 Innovations, Incorporated and the Connecticut Development
1374 Authority**]** the Connecticut Economic Development Authority and
1375 four representatives from the technology industry, one of whom shall
1376 be appointed by the president pro tempore of the Senate, one of whom
1377 shall be appointed by the speaker of the House of Representatives, one
1378 of whom shall be appointed by the minority leader of the Senate and
1379 one of whom shall be appointed by the minority leader of the House of
1380 Representatives.

1381 Sec. 41. Section 8-134 of the general statutes is repealed and the
1382 following is substituted in lieu thereof (*Effective July 1, 2011*):

1383 For the purpose of carrying out or administering a redevelopment
1384 plan or other functions authorized under this chapter, a municipality,
1385 acting by and through its redevelopment agency, is hereby authorized,

1386 subject only to the limitations and procedures set forth in this section,
1387 to issue from time to time bonds of the municipality which are payable
1388 solely from and secured by: (a) A pledge of and lien upon any or all of
1389 the income, proceeds, revenues and property of redevelopment
1390 projects, including the proceeds of grants, loans, advances or
1391 contributions from the federal government, the state or other source,
1392 including financial assistance furnished by the municipality or any
1393 other public body pursuant to section 8-135; (b) taxes or payments in
1394 lieu of taxes, or both, in whole or in part, allocated to and paid into a
1395 special fund of the municipality pursuant to the provisions of section
1396 8-134a; or (c) any combination of the methods in subsections (a) and (b)
1397 of this section. For the purposes of a specified project only, the
1398 **[**Connecticut Development Authority**]** Connecticut Economic
1399 Development Authority may, upon a resolution with respect to such
1400 project adopted by the legislative body of the municipality, issue and
1401 administer bonds which are payable solely or in part from and secured
1402 by the pledge and security provided for in this section subject to the
1403 general terms and provisions of law applicable to the issuance of
1404 bonds by the **[**Connecticut Development Authority**]** Connecticut
1405 Economic Development Authority, except that the provisions of
1406 subsection (b) of section 32-23j shall not apply. Any bonds payable and
1407 secured as provided in this section shall be authorized by a resolution
1408 adopted by the legislative body of the municipality, notwithstanding
1409 the provisions of any other statute, local law or charter governing the
1410 authorization and issuance of bonds generally by the municipality. No
1411 such resolution shall be adopted until after a public hearing has been
1412 held upon such authorization. Notice of such hearing shall be
1413 published not less than five days prior to such hearing in a newspaper
1414 having a general circulation in the municipality. Such bonds shall be
1415 issued and sold in such manner; bear interest at such rate or rates,
1416 including variable rates to be determined in such manner as set forth
1417 in the proceedings authorizing the issuance of the bonds; provide for
1418 the payment of interest on such dates, whether before or at maturity;
1419 be issued at, above or below par; mature at such time or times not

1420 exceeding forty years from their date in the case of bonds issued to
1421 finance housing and facilities related thereto or thirty years from their
1422 date in all other cases; have such rank or priority; be payable in such
1423 medium of payment; be issued in such form, including, without
1424 limitation, registered or book-entry form, carry such registration and
1425 transfer privileges and be made subject to purchase or redemption
1426 before maturity at such price or prices and under such terms and
1427 conditions, including the condition that such bonds be subject to
1428 purchase or redemption on the demand of the owner thereof; and
1429 contain such other terms and particulars as the legislative body of the
1430 municipality or the officers delegated such authority by the legislative
1431 body of the municipality body shall determine. The proceedings under
1432 which bonds are authorized to be issued may, subject to the provisions
1433 of the general statutes, contain any or all of the following: (1)
1434 Provisions respecting custody of the proceeds from the sale of the
1435 bonds and any bond anticipation notes, including any requirements
1436 that such proceeds be held separate from or not be commingled with
1437 other funds of the municipality; (2) provisions for the investment and
1438 reinvestment of bond proceeds until such proceeds are used to pay
1439 project costs and for the disposition of any excess bond proceeds or
1440 investment earnings thereon; (3) provisions for the execution of
1441 reimbursement agreements, or similar agreements, in connection with
1442 credit facilities, including, but not limited to, letters of credit or policies
1443 of bond insurance, remarketing agreements and agreements for the
1444 purpose of moderating interest rate fluctuations; (4) provisions for the
1445 collection, custody, investment, reinvestment and use of the pledged
1446 revenues or other receipts, funds or moneys pledged for payment of
1447 bonds as provided in this section; (5) provisions regarding the
1448 establishment and maintenance of reserves, sinking funds and any
1449 other funds and accounts as shall be approved by the legislative body
1450 of the municipality in such amounts as may be established by the
1451 legislative body of the municipality and the regulation and disposition
1452 thereof, including requirements that any such funds and accounts be
1453 held separate from or not be commingled with other funds of the

1454 municipality; (6) covenants for the establishment of maintenance
1455 requirements with respect to facilities and properties; (7) provisions for
1456 the issuance of additional bonds on a parity with bonds issued prior to
1457 the issuance of such additional bonds, including establishment of
1458 coverage requirements with respect to such bonds as herein provided;
1459 (8) provisions regarding the rights and remedies available to the bond
1460 owners, note owners or any trustee under any contract, loan
1461 agreement, document, instrument or trust indenture in case of a
1462 default, including the right to appoint a trustee to represent their
1463 interests upon occurrence of any event of default, as defined in any
1464 such default proceedings, provided that if any bonds or bond
1465 anticipation notes are secured by a trust indenture, the respective
1466 owners of such bonds or notes shall have no authority except as set
1467 forth in such trust indenture to appoint a separate trustee to represent
1468 them; and (9) other provisions or covenants of like or different
1469 character from the foregoing which are consistent with this section and
1470 which the legislative body of the municipality determines in such
1471 proceedings are necessary, convenient or desirable in order to better
1472 secure the bonds or bond anticipation notes, or will tend to make the
1473 bonds or bond anticipation notes more marketable, and which are in
1474 the best interests of the municipality. Any provisions which may be
1475 included in proceedings authorizing the issuance of bonds under this
1476 section may be included in an indenture of trust duly approved in
1477 accordance with this section which secures the bonds and any notes
1478 issued in anticipation thereof, and in such case the provisions of such
1479 indenture shall be deemed to be a part of such proceedings as though
1480 they were expressly included therein. Any pledge made by the
1481 municipality shall be valid and binding from the time when the pledge
1482 is made, and any revenues or other receipts, funds or moneys so
1483 pledged and thereafter received by the municipality shall be subject
1484 immediately to the lien of such pledge without any physical delivery
1485 thereof or further act. The lien of any such pledge shall be valid and
1486 binding as against all parties having claims of any kind in tort, contract
1487 or otherwise against the municipality, irrespective of whether such

1488 parties have notice of such lien. Neither the resolution nor any other
1489 instrument by which a pledge is created need be recorded. The
1490 legislative body of the municipality may enter into a trust indenture by
1491 and between the municipality and a corporate trustee, which may be
1492 any trust company or bank having the powers of a trust company
1493 within or without the municipality. Such trust indenture may contain
1494 such provisions for protecting and enforcing the rights and remedies
1495 of the bond owners and note owners as may be reasonable and proper
1496 and not in violation of law, including covenants setting forth the duties
1497 of the municipality in relation to the exercise of its powers pursuant to
1498 this section and the custody, safeguarding and application of all
1499 moneys. The municipality may provide by such trust indenture for the
1500 payment of the pledged revenues or other receipts, funds or moneys to
1501 the trustee under such trust indenture or to any other depository, and
1502 for the method of disbursement thereof, with such safeguards and
1503 restrictions as it may determine. All expenses incurred in carrying out
1504 such trust indenture may be treated as project costs. Such bonds shall
1505 not be included in computing the aggregate indebtedness of the
1506 municipality, provided, if such bonds are made payable, in whole or in
1507 part, from funds contracted to be advanced by the municipality, the
1508 aggregate amount of such funds not yet appropriated to such purpose
1509 shall be included in computing the aggregate indebtedness of the
1510 municipality. As used in this section, "bonds" means any bonds,
1511 including refunding bonds, notes, interim certificates, debentures or
1512 other obligations. For purposes of this section and section 8-134a,
1513 references to the **[**Connecticut Development Authority**]** Connecticut
1514 Economic Development Authority shall include any subsidiary of the
1515 **[**Connecticut Development Authority**]** Connecticut Economic
1516 Development Authority established pursuant to **[**subsection (l) of
1517 section 32-11a**]** section 25 of this act.

1518 Sec. 42. Subsection (w) of section 32-23d of the general statutes is
1519 repealed and the following is substituted in lieu thereof (*Effective July*
1520 *1, 2011*):

1521 (w) "Authority" means the **[**Connecticut Development Authority or
1522 its successor as established and created under section 32-11a**]**
1523 Connecticut Economic Development Authority.

1524 Sec. 43. Subdivision (3) of subsection (a) of section 32-23v of the
1525 general statutes is repealed and the following is substituted in lieu
1526 thereof (*Effective July 1, 2011*):

1527 (3) "Authority" means the **[**Connecticut Development Authority
1528 established under section 32-11a**]** Connecticut Economic Development
1529 Authority or its successor.

1530 Sec. 44. Subsection (a) of section 32-23x of the general statutes is
1531 repealed and the following is substituted in lieu thereof (*Effective July*
1532 *1, 2011*):

1533 (a) As used in this section:

1534 (1) "Affiliate" means a business concern which directly controls or is
1535 controlled by another business concern, or a third party which controls
1536 both business concerns;

1537 (2) "Authority" means the **[**Connecticut Development Authority
1538 established under section 32-11a**]** Connecticut Economic Development
1539 Authority or its successor;

1540 **[**(3) "Department" means the Department of Economic and
1541 Community Development or its successor agency;**]**

1542 **[**(4)**]** (3) "Enterprise zone" has the same meaning as provided in
1543 section 32-70;

1544 **[**(5)**]** (4) "Impacted business" means any person impacted by (A) a
1545 disaster caused by natural forces including, but not limited to, floods
1546 or hurricanes or (B) an economic emergency including, but not limited
1547 to, an existing or threatened major plant shutdown, business
1548 disruption from a major road or bridge repair project or other existing

1549 or potential economic emergency, provided such disaster or
1550 emergency described in subparagraph (A) or (B) of this subdivision is
1551 proclaimed as such by declaration of the [Commissioner of Economic
1552 and Community Development] executive director of the Connecticut
1553 Economic Development Authority, with the consent of the Secretary of
1554 the Office of Policy and Management, upon a determination by the
1555 [Commissioner of Economic and Community Development] executive
1556 director of the Connecticut Economic Development Authority that
1557 such disaster or emergency is of a magnitude that could materially
1558 affect the health or well-being of the citizens of the impacted area and
1559 that the financial assistance provided for under this section is
1560 necessary to assure timely and effective relief and restoration;

1561 [(6)] (5) "Loans" means loans and extensions of lines of credit;

1562 [(7)] (6) "Minority business enterprise" means any person who meets
1563 the criteria contained in section 4a-60g and who is receiving a state
1564 contract award;

1565 [(8)] (7) "Person" means any person or entity, including affiliates,
1566 engaged in a for-profit activity or activities in this state and who,
1567 except for an impacted business, is not an eligible borrower for
1568 assistance under the provisions of the Connecticut Growth Fund
1569 established under section 32-23v;

1570 [(9)] (8) "Rate of interest" means the interest rate which the authority
1571 shall charge and collect on each loan made by the state under this
1572 section, which rate shall not exceed one per cent above the interest rate
1573 borne by the general obligation bonds of the state last issued prior to
1574 the date such loan is made, provided, such rate shall not exceed the
1575 maximum allowable under federal law;

1576 [(10)] (9) "Small contractor" means any person who is a contractor,
1577 subcontractor, manufacturer or service company who has been in
1578 business for at least one year prior to the date of its application for
1579 assistance under this section and whose gross revenues, including

1580 revenues of affiliates, did not exceed three million dollars in its most
1581 recently completed fiscal year prior to the date of its application for
1582 assistance under this section;

1583 [(11)] (10) "State or local development corporation" means any entity
1584 organized under the laws of this state which has the authority to
1585 promote and assist the growth and development of business concerns
1586 in the areas covered by their operations;

1587 [(12)] (11) "Targeted business" means a person located in an
1588 enterprise zone whose gross revenues did not exceed three million
1589 dollars in its most recently completed fiscal year prior to the date of its
1590 application for assistance under this section, or if such person has not
1591 been in business for at least one year prior to the date of such
1592 application, if the authority determines in its discretion that such
1593 person's gross revenues, including revenues of affiliates, are not likely
1594 to exceed three million dollars in its first fiscal year;

1595 [(13)] (12) "Water facilities" means (A) investor-owned water
1596 companies which supply water to at least twenty-five but less than ten
1597 thousand customers, (B) municipally-owned water companies, and (C)
1598 owners of privately and municipally-owned dams which the
1599 Commissioner of Environmental Protection has determined benefit the
1600 public.

1601 Sec. 45. Section 32-23hh of the general statutes is repealed and the
1602 following is substituted in lieu thereof (*Effective July 1, 2011*):

1603 As used in sections 32-23gg to 32-23*ll*, inclusive:

1604 (1) "Authority" means the [Connecticut Development Authority,
1605 created under section 32-11a] Connecticut Economic Development
1606 Authority;

1607 (2) "Executive director" means the executive director of the
1608 [Connecticut Development Authority] Connecticut Economic
1609 Development Authority;

1610 (3) "Financial assistance" means any and all forms of loans,
1611 extensions of credit, guarantees, equity investments or any other form
1612 of financing or refinancing to persons for the purchase, acquisition,
1613 construction, expansion, continued operation, reconstruction,
1614 financing, refinancing or placing in operation of an economic
1615 development project, including, but not limited to, fixed assets,
1616 working capital, equity participations and acquisitions, employee
1617 buyouts, refinancing, financial restructuring, and other purposes
1618 which the authority determines further the purposes of sections 32-
1619 23gg to 32-23*ll*, inclusive;

1620 (4) "Economic development project" means any project (A) which is
1621 to be used or occupied by any person for manufacturing, industrial,
1622 research or product warehousing or distribution purposes, or any
1623 combination thereof, and which the authority determines will tend to
1624 maintain or provide gainful employment, maintain or increase the tax
1625 base of the economy, or maintain, expand or diversify industry in the
1626 state, or for any other purpose which the authority determines will
1627 materially support the economic base of the state, by creating or
1628 retaining jobs, promoting the export of products or services beyond
1629 state boundaries, encouraging innovation in products or services, or
1630 otherwise contributing to, supporting or enhancing existing activities
1631 that are important to the economic base of the state, and (B) which is
1632 unable to obtain conventional financing in satisfactory amounts or on
1633 satisfactory terms in the sole judgment of the authority, or whose
1634 ability, in the judgment of the authority, to start, continue to operate,
1635 expand, or maintain operations or relocate to Connecticut, is
1636 dependent upon financial assistance;

1637 (5) "Person" means a person as defined in subsection (s) of section
1638 32-23d; and

1639 (6) "Return on investment" means any and all forms of principal or
1640 interest payments, insurance premiums or guarantee fees, equity
1641 participations, options, warrants, debentures and any or all other

1642 forms of remuneration to the authority in return for any financial
1643 assistance provided or offered.

1644 Sec. 46. Section 32-23qq of the general statutes is repealed and the
1645 following is substituted in lieu thereof (*Effective July 1, 2011*):

1646 (a) An Environmental Assistance Revolving Loan Fund is created.
1647 The state, acting through the **[**Connecticut Development Authority**]**
1648 Connecticut Economic Development Authority, or any subsidiary of
1649 the authority may provide grants, loans, lines of credit or loan
1650 guarantees to municipalities or businesses from the Environmental
1651 Assistance Revolving Loan Fund for the purposes of pollution
1652 prevention activities, as defined in section 32-23rr, for purchases and
1653 the costs associated with compliance with the Clean Air Act
1654 Amendments of 1990 (42 USC 7401, et seq.), as amended, or for
1655 remediation of contaminated real property. Within the Environmental
1656 Assistance Revolving Loan Fund, a loan subfund is created solely to
1657 provide loans and lines of credit as provided in this section, a
1658 guarantee subfund is created solely to provide loan guarantees as
1659 provided in this section and a grant subfund is created solely to
1660 provide grants as provided under this section. No financial assistance,
1661 nor any commitment to provide financial assistance, shall be provided
1662 by or entered into by the authority or any subsidiary of the authority
1663 pursuant to sections 32-23pp to 32-23ss, inclusive, which would cause
1664 the aggregate amount of all such financial assistance and commitments
1665 then outstanding to exceed the sum of the amounts in the applicable
1666 subfund of the Environmental Assistance Revolving Loan Fund plus
1667 the amount of any unpaid grants authorized to be made by the
1668 **[**Department of Economic and Community Development to the**]**
1669 authority or any subsidiary of the authority for deposit in the
1670 applicable subfund of the Environmental Assistance Revolving Loan
1671 Fund, provided the amount of financial assistance in the form of any
1672 guarantee shall be measured by the portion of unpaid loan principal
1673 which is guaranteed by the authority. Notwithstanding the above, the
1674 aggregate amount of financial assistance in the form of guarantees and

1675 commitments with respect thereto, calculated as above, may be up to
1676 four times the sum of the amounts available in the guarantee subfund
1677 of the Environmental Assistance Revolving Loan Fund plus the
1678 amount of any unpaid grants which remain available and are
1679 specifically designated by the department for purposes of such
1680 subfund pursuant to the bond authorization in section 32-23ss. For the
1681 purposes of this section, "business" means any business which (1) has
1682 gross revenues of less than twenty-five million dollars in its fiscal year
1683 ending prior to the application for any such loans, lines of credit or
1684 loan guarantees, or (2) has fewer than one hundred fifty employees.
1685 The [Connecticut Development Authority] Connecticut Economic
1686 Development Authority or any subsidiary of the authority shall charge
1687 and collect interest on each such loan or line of credit at a rate to be
1688 determined in accordance with procedures adopted pursuant to
1689 subsection (b) of this section. Payments made by businesses on all
1690 loans, lines of credit and loan guarantees shall be paid to the authority
1691 or any subsidiary of the authority for deposit in the Environmental
1692 Assistance Revolving Loan Fund.

1693 (b) The [Connecticut Development Authority] Connecticut
1694 Economic Development Authority and any subsidiary of the authority
1695 shall adopt written procedures, in accordance with the provisions of
1696 section 1-121, to carry out the provisions of this section. Such
1697 procedures shall establish requirements for grants, loans, guarantees,
1698 interest, repayment terms, security requirements, default and remedies
1699 and such other terms and conditions as the authority or any subsidiary
1700 of the authority shall deem appropriate.

1701 (c) Each such grant, loan, guarantee or extension of credit shall be
1702 authorized by the [Connecticut Development Authority] Connecticut
1703 Economic Development Authority or any subsidiary of the authority
1704 or, if the authority or any subsidiary of the authority so determines, by
1705 a committee of the authority or any subsidiary of the authority
1706 consisting of the chairman and either one other member of the
1707 authority or subsidiary or its executive director, as specified in the

1708 determination of the authority or subsidiary. Any administrative
1709 expenses incurred in carrying out the provisions of this section, to the
1710 extent not paid by the authority or any subsidiary of the authority or
1711 from moneys appropriated to the authority or any subsidiary of the
1712 authority, shall be paid from the Environmental Assistance Revolving
1713 Loan Fund. Payments from the Environmental Assistance Revolving
1714 Loan Fund to businesses or municipalities or to pay such
1715 administrative expenses shall be made by the authority or any
1716 subsidiary of the authority upon certification by the chairman of the
1717 authority or such subsidiary that the payment is authorized under the
1718 provisions of this section, under the applicable rules and regulations of
1719 the authority or subsidiary, and, if made to a business or municipality
1720 under the terms and conditions established by the authority or
1721 subsidiary or the duly appointed committee thereof in authorizing the
1722 making of the grant, loan or the extension of credit.

1723 Sec. 47. Section 32-23tt of the general statutes is repealed and the
1724 following is substituted in lieu thereof (*Effective July 1, 2011*):

1725 As used in section 32-23*ll*, this section, and sections 32-23uu,
1726 32-23vv and 32-235:

1727 (1) "Authority" means the **[**Connecticut Development Authority
1728 established under the provisions of this chapter**]** <u>Connecticut</u>
1729 <u>Economic Development Authority</u>;

1730 (2) "Educational upgrades" means (A) programs designed to
1731 increase the basic skills of workers and production workers including,
1732 but not limited to training, in written and oral communication,
1733 mathematics or science, or (B) training in innovative production
1734 methods and workplace oriented computer technical skills;

1735 (3) "Financial assistance" means grants, loans, loan guarantees or
1736 interest rate subsidies or any combination thereof;

1737 (4) "Manufacturing or economic base business" means a business

1738 defined under subsection (l) of section 32-222;

1739 (5) "Production worker" means an employee of a manufacturer
1740 whose principal duties are located within the state, and consist of the
1741 assembly or construction of the manufacturer's product or a portion
1742 thereof; and

1743 (6) "Worker" means an employee of a manufacturing or economic-
1744 based business whose principal duties are located within the state.

1745 Sec. 48. Section 32-23yy of the general statutes is repealed and the
1746 following is substituted in lieu thereof (*Effective July 1, 2011*):

1747 (a) As used in this section, the following terms shall have the
1748 following meanings unless the context indicates another meaning and
1749 intent:

1750 (1) "Authority" means the **[**Connecticut Development Authority,
1751 created under section 32-11a**]** Connecticut Economic Development
1752 Authority, and any of its subsidiaries or affiliates;

1753 (2) "Executive director" means the executive director of the
1754 **[**Connecticut Development Authority**]** Connecticut Economic
1755 Development Authority;

1756 (3) "Financial assistance" means any and all forms of grants, loans,
1757 extensions of credit, guarantees, equity investments or other forms of
1758 financing or refinancing to persons for the purchase, acquisition,
1759 leasing, construction, expansion, continued operation, reconstruction,
1760 financing, refinancing or placing in operation of an information
1761 technology project, including, but not limited to, fixed assets, working
1762 capital, equity participations and acquisitions, employee buyouts,
1763 refinancing, lease guarantees, financial restructuring and other
1764 purposes which the authority determines further the purposes of this
1765 section. For purposes of this section financial assistance shall not be
1766 considered financial assistance under the provisions of section 32-462;

1767 (4) "Information technology project" means an information
1768 technology project, as defined in section 32-23d, as amended by this
1769 act;

1770 (5) "Person" means a person, as defined in subsection (s) of section
1771 32-23d;

1772 (6) "Return on investment" means any and all forms of principal or
1773 interest payments, guarantee fees, equity participations, options,
1774 warrants, debentures and any or all other forms of remuneration to the
1775 authority in return for any financial assistance provided or offered.

1776 (b) There is created within the authority the High-Technology
1777 Infrastructure Fund. The state, acting through the authority, may
1778 provide financial assistance from said fund that enables the
1779 development of information technology projects. Such financial
1780 assistance may be provided directly or in participation with any other
1781 financial institutions, funds or other persons or other sources of
1782 financing, public or private, and the authority may enter into any
1783 agreements or contracts it deems necessary or convenient in
1784 connection therewith. Payments of principal, interest or other forms of
1785 return on investment received by the authority shall be deposited in or
1786 held on behalf of said fund.

1787 (c) The authority may provide financial assistance in such amounts,
1788 in such form and under such terms and conditions as the authority
1789 shall prescribe, in written procedures adopted in accordance with
1790 section 1-121. Such procedures shall provide, in the case of financial
1791 assistance in a form other than a grant, for returns on investment as the
1792 authority deems appropriate to reflect the nature of the risk, provided
1793 a single project shall not receive an amount in excess of fifteen million
1794 dollars and shall not be for a term longer than thirty years.

1795 (d) The authority may take all reasonable steps and exercise all
1796 reasonable remedies necessary or desirable to protect the obligations
1797 or interests of the authority, including, but not limited to, the purchase

1798 or redemption in foreclosure proceedings, bankruptcy proceedings or
1799 in other judicial proceedings, of any property on which it holds a
1800 mortgage or other lien or in which it has an interest, and for such
1801 purposes and any other purposes provided in this section payment
1802 may be made from the High-Technology Infrastructure Fund upon
1803 certification by the executive director that payment is authorized
1804 under the provisions of this section, or other sections of the general
1805 statutes, applicable procedures or other programs of the authority.

1806 (e) Applicants for financial assistance shall pay the costs the
1807 authority deems reasonable and necessary incurred in processing
1808 applications made under this section, including application and
1809 commitment fees, closing costs or other costs. In carrying out the
1810 provisions of this section, any administrative expenses incurred by the
1811 authority, to the extent not paid by the borrower or from moneys
1812 appropriated to the authority for such purposes, may be paid from the
1813 High-Technology Infrastructure Fund.

1814 Sec. 49. Section 32-34 of the general statutes is repealed and the
1815 following is substituted in lieu thereof (*Effective July 1, 2011*):

1816 As used in this chapter, the following terms shall have the following
1817 meanings unless the context clearly indicates another meaning and
1818 intent:

1819 (1) **[**"Corporation" means Connecticut Innovations, Incorporated as
1820 created under section 32-35**]** <u>"Authority" means the Connecticut</u>
1821 <u>Economic Development Authority</u>;

1822 (2) "Entrepreneur" means any person who seeks to organize, operate
1823 and assume the risk for a business enterprise, or who organizes,
1824 operates and assumes the risk for a business enterprise;

1825 **[**(3) "Finance committee" means a committee or subcommittee
1826 organized by the corporation and having the authority to approve or
1827 deny applications for financial aid and to enter into agreements on

1828 behalf of the corporation to provide financial aid;]

1829 [(4)] (3) "Financial aid" means the infusion of capital to persons, in
1830 any form whatsoever, including, but not limited to, grants, loans,
1831 equity, leases, guarantees, royalty arrangements, other risk capital and
1832 other types of financial assistance;

1833 [(5)] (4) "Incubator facilities" means a building, structure or complex
1834 designed, constructed, renovated or developed to house and provide
1835 research and other services to assist small technology-based
1836 companies;

1837 [(6)] (5) "Invention" means any new product without regard to
1838 whether a patent has been or could be granted;

1839 [(7)] (6) "Person" means any individual, general or limited
1840 partnership, corporation, limited liability company, institution of
1841 higher education, governmental entity or joint venture conducting
1842 research into ideas with commercial potential or carrying on business,
1843 or proposing to carry on business, within the state which (A) in the
1844 case of an individual, general or limited partnership, corporation,
1845 limited liability company or joint venture, demonstrates to the
1846 corporation the inability (i) to obtain conventional financing in
1847 satisfactory amounts or on satisfactory terms or (ii) to locate or
1848 continue operations in the state without assistance as provided in this
1849 chapter, and (B) demonstrates to the corporation that any project for
1850 research into or the development of specific technologies, products,
1851 devices, techniques or procedures or the marketing of services based
1852 on the use of such technologies, products, devices, techniques or
1853 procedures for which assistance under this chapter, is sought, (i) will
1854 create new or retain existing jobs in the state, (ii) will result in an
1855 increase in the amount of goods or services exported from the state,
1856 (iii) will help to strengthen the economy of the state, or (iv) will
1857 promote the development and utilization of technology in the state;

1858 [(8)] (7) "Product" means any technology, device, technique, service

1859 or process, which is or may be exploitable commercially; such term
1860 shall not refer to pure research but shall be construed to apply to such
1861 technologies, products, devices, techniques, services or processes
1862 which have advanced beyond the theoretic stage and are readily
1863 capable of being, or have been, reduced to practice;

1864 **[**(9)**]** (8) "Research" means the scientific and engineering analysis,
1865 investigation, collection of ideas and inquiry into concepts, processes
1866 and techniques, the purpose of which is intended to result in a
1867 commercially feasible product, process or technique;

1868 **[**(10)**]** (9) "Seed venture" means a business or other entity in the early
1869 stage of development;

1870 **[**(11)**]** (10) "Technical peer review committee" means a committee,
1871 subcommittee or other entity organized by the corporation to provide
1872 advice and counsel concerning the technological, marketing and
1873 management feasibility of projects in connection with each application
1874 for financial and technical assistance;

1875 **[**(12)**]** (11) "Technology" means the conversion of basic scientific
1876 research into processes, techniques and products which may have
1877 commercial potential;

1878 **[**(13)**]** (12) "Advanced technology center" means a cooperative
1879 research center in a specified field of science and technology
1880 established and funded, subject to the requirements in sections 32-40a,
1881 32-40b and 32-40c, through an academic, industrial and governmental
1882 partnership for purposes of technological research with a direct
1883 relationship to economic development in the state;

1884 **[**(14)**]** (13) "Venture" means, without limitation, any contractual
1885 arrangement with any person whereby the corporation obtains rights
1886 from or in an invention or product or proceeds therefrom, or rights to
1887 obtain from any person any and all forms of equity instruments
1888 including, but not limited to, common and preferred stock, warrants,

1889 options, convertible debentures and similar types of instruments
1890 exercisable or convertible into capital stock, in exchange for the
1891 granting of financial aid to such person;

1892 **[**(15)**]** (14) "Venture lease" means a lease by the corporation to a
1893 technology company of any real or personal property, on such terms,
1894 including lease payments, lease term and purchase options, as the
1895 corporation shall determine;

1896 **[**(16)**]** (15) "Affiliate" means any person that directly or indirectly
1897 through one or more intermediaries, controls or is controlled by or is
1898 under common control with, another person, including, but not
1899 limited to, any corporation, general or limited partnership or limited
1900 liability company controlled, directly or indirectly, by such other
1901 person or the corporation, provided, in addition to other means of
1902 being controlled, a general or limited partnership or limited liability
1903 company shall be deemed to be controlled by the corporation if the
1904 corporation or one of its affiliates acts as a general partner or a
1905 manager of such general or limited partnership or limited liability
1906 company;

1907 **[**(17)**]** (16) "Capital initiative" means providing financial aid through
1908 one or more affiliates and raising the capital for such affiliates, in
1909 whole or in part, from sources other than the state;

1910 **[**(18)**]** (17) "Preseed financing" means financial aid provided for
1911 research and formulation of a concept;

1912 **[**(19)**]** (18) "Seed financing" means financial aid to an inventor or
1913 entrepreneur to assess the viability of a concept and to qualify for start-
1914 up financing to fund, including, but not limited to, product
1915 development, market research, management team building and,
1916 pending successful progress on such initial steps, business plan
1917 development;

1918 **[**(20)**]** (19) "Start-up financing" means financial aid to companies in

1919 the process of organizing as a business or that have been in operation
1920 for less than one year and (A) have completed product development
1921 and initial marketing but have not sold such product commercially,
1922 and (B) have established viability by performing market studies,
1923 assembling key management, developing a business plan and may also
1924 qualify for start-up financing by demonstrating viability by other
1925 means deemed appropriate by the corporation;

1926 **[**(21)**]** (20) "Early or first-stage financing" means financial aid to
1927 companies that have expended initial capital, developed and market-
1928 tested prototypes, and demonstrate that such funds are necessary to
1929 initiate full-scale manufacturing and sales;

1930 **[**(22)**]** (21) "Expansion financing" means financial aid to companies
1931 for market expansion or to enhance the fiscal position of a company in
1932 preceding a liquidity event including, but not limited to, an initial
1933 public offering or acquisition.

1934 Sec. 50. Section 32-39c of the general statutes is repealed and the
1935 following is substituted in lieu thereof (*Effective July 1, 2011*):

1936 (a) With respect to any affiliate created pursuant to section **[**32-39**]**
1937 28 of this act, liability shall be limited solely to the assets and revenues
1938 or other resources of any such affiliate and without recourse liability to
1939 **[**Connecticut Innovations, Incorporated**]** Connecticut Economic
1940 Development Authority, its other funds or any other assets of the
1941 **[**corporation**]** authority, except to the extent of any express written
1942 guarantees by the **[**corporation**]** authority or any investments made or
1943 committed to by the **[**corporation**]** authority.

1944 (b) The provisions of sections 32-47 and 1-125 shall apply to any
1945 officer, director, designee or employee serving at the request of the
1946 **[**corporation**]** authority as a member, director or officer or advisor of
1947 any such affiliate. Any such person so appointed shall not be
1948 personally liable for the debts, obligations or liabilities of any such
1949 affiliate as provided in **[**said**]** section 1-125. Any affiliate shall and the

1950 [corporation] authority may provide the indemnification to protect,
1951 save harmless and indemnify such officer, director, designee or
1952 employee as provided in said section 1-125.

1953 Sec. 51. Section 32-40 of the general statutes is repealed and the
1954 following is substituted in lieu thereof (*Effective July 1, 2011*):

1955 (a) All applications for financial aid shall be forwarded, together
1956 with an application fee prescribed by the [corporation] Connecticut
1957 Economic Development Authority, to the executive director of the
1958 [corporation] authority. Each such application shall be processed in
1959 accordance with the written procedures adopted by the [corporation]
1960 authority under subdivision (5) of subsection (d) of section 32-35. The
1961 [finance committee] board of directors of the [corporation] authority
1962 shall approve or deny each application recommended by the executive
1963 director. If the [finance committee] board of directors approves an
1964 application, [such committee] it may authorize the [corporation]
1965 authority to enter into an agreement or agreements on behalf of the
1966 [corporation] authority to provide financial aid to the applicant. The
1967 applicant shall be promptly notified of such action by the [corporation]
1968 authority.

1969 (b) In making the decision as to approval or denial of an application,
1970 the [finance committee] board of directors of the [corporation]
1971 authority shall give priority to those applicants (1) whose businesses
1972 are defense-dependent, or are located in municipalities which the
1973 [Commissioner of Economic and Community Development] authority
1974 has declared have been severely impacted by prime defense contract
1975 cutbacks pursuant to section 32-56, and (2) whose proposed research
1976 and development activity, technology, product or invention is to be
1977 used to convert all or a portion of the applicant's business to non-
1978 defense-related industrial or commercial activity, or to create a new
1979 non-defense-related industrial or commercial business. For purposes of
1980 this section, a defense-dependent business is any business that derives
1981 [over] more than fifty per cent of its gross income, generated from

1982 operations within the state, from prime defense contracts or from
1983 subcontracts entered into in connection with prime defense contracts, a
1984 significant portion of whose facilities and equipment are designed
1985 specifically for defense production and cannot be converted to
1986 nondefense uses without substantial investment.

1987 (c) All financial and credit information and all trade secrets
1988 contained in any application for financial aid submitted to the
1989 **[**corporation**]** authority or obtained by the **[**corporation**]** authority
1990 concerning any applicant, project, activity, technology, product or
1991 invention shall be exempt from the provisions of subsection (a) of
1992 section 1-210.

1993 Sec. 52. Section 32-41a of the general statutes is repealed and the
1994 following is substituted in lieu thereof (*Effective July 1, 2011*):

1995 (a) There is hereby created a "Connecticut Innovations **[**,
1996 Incorporated**]** Fund". Proceeds from the sale of bonds authorized by
1997 the State Bond Commission in accordance with **[**section**]** sections 32-41
1998 and **[**section**]** 32-41b, as amended by this act, shall be paid directly to
1999 the Treasurer of the state as agent of the **[**corporation**]** Connecticut
2000 Economic Development Authority and the Treasurer shall deposit all
2001 such amounts in the Connecticut Innovations **[**, Incorporated**]** Fund.
2002 The moneys in said fund shall be paid by checks signed by the
2003 Treasurer of the state or by his deputy appointed pursuant to section 3-
2004 12 on requisition of the executive director of the **[**corporation**]**
2005 authority or his designee.

2006 (b) Any funds or revenues of **[**Connecticut Innovations,
2007 Incorporated**]** the authority derived from application fees, royalty
2008 payments, investment income and loan repayments received by the
2009 **[**corporation**]** authority in connection with its programs shall be held,
2010 administered and invested by the **[**corporation**]** authority or deposited
2011 with and invested by any institution as may be designated by the
2012 **[**corporation**]** authority at its sole discretion and paid as the
2013 **[**corporation**]** authority shall direct. All moneys in such accounts shall

2014 be used and applied to carry out the purposes of the **[**corporation**]**
2015 authority. The **[**corporation**]** authority may make payments from such
2016 accounts to the Treasurer of the state for deposit in the Connecticut
2017 Innovations **[**, Incorporated**]** Fund for use in accordance with
2018 subsection (c) of this section.

2019 (c) The moneys in the Connecticut Innovations **[**, Incorporated**]**
2020 Fund (1) shall be used to carry out the purposes of the **[**corporation**]**
2021 authority and for the repayment of state bonds in such amounts as
2022 may be required by the State Bond Commission pursuant to said
2023 section 32-41 and section 32-41b, as amended by this act, and (2) may
2024 be used as state matching funds for federal funds available to the state
2025 for defense conversion projects or other projects consistent with a
2026 defense conversion strategy.

2027 Sec. 53. Section 32-41b of the general statutes is repealed and the
2028 following is substituted in lieu thereof (*Effective July 1, 2011*):

2029 The State Bond Commission shall have power in accordance with
2030 the provisions of section 3-20 to authorize the issuance of bonds of the
2031 state in one or more series and in principal amounts not exceeding in
2032 the aggregate sixty-one million four hundred forty-five thousand six
2033 hundred dollars, to carry out the purposes of this section as follows: (1)
2034 Loans for the development and marketing of products in the high
2035 technology field within the state, not exceeding thirty-four million
2036 dollars; (2) royalty financing for start-up costs and product
2037 development costs of high technology products and procedures in the
2038 state, not exceeding seven million four hundred forty-five thousand six
2039 hundred dollars; and (3) financial aid for biotechnology and other high
2040 technology laboratories, facilities and equipment, not exceeding
2041 twenty million dollars. Any loans originated under subdivision (1) of
2042 this section shall bear interest at a rate to be determined in accordance
2043 with subsection (t) of said section 3-20. The principal and interest of
2044 said bonds shall be payable at such place or places as may be
2045 determined by the State Treasurer and shall bear such date or dates,

2046 mature at such time or times, bear interest at such rate or different or
2047 varying rates, be payable at such time or times, be in such
2048 denominations, be in such form with or without interest coupons
2049 attached, carry such registration and transfer privileges, be payable in
2050 such medium of payment and be subject to such terms of redemption
2051 with or without premium as, irrespective of the provisions of said
2052 section 3-20, may be provided by the authorization of the State Bond
2053 Commission or fixed in accordance therewith. The proceeds of the sale
2054 of said bonds, after deducting therefrom all expenses of issuance and
2055 sale, shall be paid to the Connecticut Innovations **[**, Incorporated**]** Fund
2056 created under section 32-41a, as amended by this act. When the State
2057 Bond Commission has acted to issue such bonds or a portion thereof,
2058 the Treasurer may, pending the issue of such bonds, issue, in the name
2059 of the state, temporary notes in anticipation of the money to be
2060 received from the sale of such bonds. In issuing the bonds authorized
2061 hereunder, the State Bond Commission may require repayment of such
2062 bonds by the corporation as shall seem desirable consistent with the
2063 purposes of this section and section 32-41a. Such terms for repayment
2064 may include a forgiveness of interest, a holiday in the repayment of
2065 interest or principal or both.

2066 Sec. 54. Section 32-41i of the general statutes is repealed and the
2067 following is substituted in lieu thereof (*Effective July 1, 2011*):

2068 As used in sections 32-41g to 32-41o, inclusive:

2069 (1) "Act" means the Technology Deployment Act of 1993;

2070 (2) "Advanced available technology" means a technology or process
2071 that can be applied to a manufacturing operation without substantial
2072 modification;

2073 (3) "Technology deployment" means (A) activities that assist
2074 businesses in applying advanced available technologies in their
2075 existing operations, or (B) activities that assist businesses in the
2076 development and manufacture of new products derived from

2077 advanced available technologies;

2078 (4) [("Corporation" means Connecticut Innovations, Incorporated]
2079 "Authority" means the Connecticut Economic Development Authority
2080 or a subsidiary designated by said authority;

2081 (5) "Eligible institution" means an institution within the Connecticut
2082 State University System which is operating a technology deployment
2083 program on July 1, 1993;

2084 (6) "Eligible deployment research consortium" means a multitown,
2085 nonprofit coalition which is representative of the business, academic
2086 and government communities in an economically distressed area of the
2087 state which on or before July 1, 1993, is dependent upon labor
2088 intensive, less technologically advanced manufacturing;

2089 (7) "Eligible business consortium" means a nonprofit business-led
2090 consortium organized for the purpose of technology deployment in the
2091 fields of biotechnology, ergonomics, environmental and energy
2092 technologies or educational and job training technologies;

2093 (8) "Eligible grant recipient" means one or more state institutions of
2094 higher education or a nonprofit business-led consortium organized for
2095 the purpose of technology deployment in advanced materials, marine
2096 sciences, photonics, pharmaceutical and environmental technologies;

2097 (9) "Small and medium-sized business" means a manufacturing
2098 business with fewer than five hundred employees.

2099 Sec. 55. Section 32-41j of the general statutes is repealed and the
2100 following is substituted in lieu thereof (*Effective July 1, 2011*):

2101 (a) There is established a university-based manufacturing
2102 application center program to be administered by the [corporation]
2103 authority for the purpose of promoting technology deployment by
2104 linking Connecticut's higher education system with small and
2105 medium-sized businesses. [During the three-month period beginning

2106 on July 1, 1993, the corporation] The authority shall accept applications
2107 from eligible institutions in a form and manner prescribed by the
2108 [corporation] authority for state funding for the operation of a
2109 manufacturing application center.

2110 (b) [On or before January 1, 1994, the corporation] The authority
2111 shall review all applications timely received pursuant to this section
2112 and shall approve one such application. In approving such application
2113 the [corporation] authority shall assess scientific and economic factors
2114 concerning the proposed manufacturing application center, including,
2115 but not limited to, the following:

2116 (1) The eligible institution's experience with manufacturing
2117 applications, including computer-integrated manufacturing,
2118 computer-aided drafting and design, just-in-time manufacturing and
2119 total quality management;

2120 (2) The center's plan to provide follow-up employee training to
2121 center users;

2122 (3) The center's plan to involve urban-based businesses, minority
2123 students or minority-owned businesses in its activities; and

2124 (4) The adequacy of the center's proposed mechanisms for
2125 evaluating its progress.

2126 (c) The center's responsibilities shall include, but not be limited to,
2127 providing training for manufacturing businesses in high performance
2128 work practices.

2129 Sec. 56. Section 32-41k of the general statutes is repealed and the
2130 following is substituted in lieu thereof (*Effective July 1, 2011*):

2131 (a) There is established a nonprofit deployment research program to
2132 be administered by the [corporation] authority for the purpose of
2133 identifying emerging advanced available technologies in economically
2134 distressed manufacturing or former manufacturing regions of the state.

2135 [During the six-month period beginning on July 1, 1993, the
2136 corporation] The authority shall accept applications from eligible
2137 deployment research consortia in a form and manner prescribed by the
2138 [corporation] authority for state funding for technology deployment
2139 research.

2140 (b) [On or before July 1, 1994, the corporation] The authority shall
2141 review all applications timely received pursuant to this section and
2142 shall approve one such application. In approving such application the
2143 [corporation] authority shall assess scientific and economic factors
2144 concerning the proposed technology deployment research, including
2145 but not limited to the following:

2146 (1) The extent to which the research will identify advanced available
2147 technologies for future deployment;

2148 (2) The extent to which the research enhances existing
2149 manufacturing in Connecticut industry;

2150 (3) The eligible research consortium's plan to involve minority
2151 students or minority owned businesses in its activities; and

2152 (4) The adequacy of the eligible research consortium's proposed
2153 mechanisms for evaluating its progress.

2154 (c) The center's responsibilities shall include, but not be limited to,
2155 providing training for businesses in high performance work practices.

2156 Sec. 57. Section 32-41*l* of the general statutes is repealed and the
2157 following is substituted in lieu thereof (*Effective July 1, 2011*):

2158 (a) There is established a Connecticut energy and environmental
2159 technologies deployment center program to be administered by the
2160 [corporation] authority for the purpose of promoting a nonprofit
2161 business consortium for technology deployment in two critical
2162 technologies where the state possesses unique scientific and human
2163 resources. [During the three-month period beginning on July 1, 1993,

2164 the corporation] The authority shall accept applications from eligible
2165 business consortia in a form and manner prescribed by the
2166 [corporation] authority for state funding for the operation of an energy
2167 and environmental technologies application center.

2168 (b) [On or before January 1, 1994, the corporation] The authority
2169 shall review all applications timely received pursuant to this section
2170 and shall approve one such application. In approving such application
2171 the [corporation] authority shall assess scientific and economic factors
2172 concerning the proposed Connecticut energy and environmental
2173 technologies deployment center, including but not limited to the
2174 following:

2175 (1) Participation in the center by multiple private enterprises
2176 including defense and non-defense-based firms with an expertise in
2177 environmental and energy technologies;

2178 (2) Participation in the center by more than one public or private
2179 institution of higher education;

2180 (3) The center's plan to involve minority students or minority-
2181 owned businesses in its activities; and

2182 (4) The adequacy of the center's proposed mechanisms for
2183 evaluating its progress.

2184 Sec. 58. Section 32-41m of the general statutes is repealed and the
2185 following is substituted in lieu thereof (*Effective July 1, 2011*):

2186 (a) There is established a Connecticut educational and job training
2187 technologies deployment center program to be administered by the
2188 [corporation] authority for the purpose of promoting a nonprofit
2189 business-led consortium for technology deployment in a critical
2190 technology in which the state possesses unique scientific and human
2191 resources. [During the three-month period beginning on July 1, 1993,
2192 the corporation] The authority shall accept applications from eligible
2193 business consortia in a form and manner prescribed by the

2194 [corporation] authority for state funding for the operation of an
2195 educational and job training technologies deployment center.

2196 (b) [On or before January 1, 1994, the corporation] The authority
2197 shall review all applications timely received pursuant to this section
2198 and shall approve one such application. In approving such application
2199 the [corporation] authority shall assess scientific and economic factors
2200 concerning the proposed Connecticut educational and job training
2201 technologies deployment center, including, but not limited to, the
2202 following:

2203 (1) The center's plan to provide educational and job training
2204 technologies to industry, the state's public schools, and state agencies;

2205 (2) The center's plan to deploy educational and job training
2206 software, hardware and state of the art telecommunications
2207 technologies;

2208 (3) The center's plan to involve minority students or minority-
2209 owned businesses in its activities; and

2210 (4) The adequacy of the center's proposed mechanisms for
2211 evaluating its progress.

2212 Sec. 59. Section 32-41n of the general statutes is repealed and the
2213 following is substituted in lieu thereof (*Effective July 1, 2011*):

2214 (a) There is established a critical technologies grant program to be
2215 administered by the [corporation] authority for the purpose of
2216 promoting technology deployment in advanced materials, marine
2217 sciences, photonics, pharmaceutical and environmental technologies.
2218 [During the twelve-month period beginning on July 1, 1993, the
2219 corporation] The authority shall accept applications from eligible grant
2220 recipients in a form and manner prescribed by the [corporation]
2221 authority for state grants for the purpose of promoting technology
2222 deployment in such technologies.

2223 (b) [On or before January 1, 1995, the corporation] The authority
2224 shall review all applications timely received pursuant to this section,
2225 may approve such applications and provide approved grant recipients
2226 such financial assistance as it may determine will promote technology
2227 deployment in advanced materials, marine sciences, photonics,
2228 pharmaceutical and environmental technologies. In approving such
2229 application the [corporation] authority shall assess scientific and
2230 economic factors concerning the uses of the proposed grant, including
2231 but not limited to the following:

2232 (1) The formal participation in the program proposed by businesses
2233 actively engaged in the commercial use of advanced materials, marine
2234 sciences, photonics, pharmaceutical and environmental technologies;

2235 (2) The likelihood that the program proposed will result in
2236 substantial and timely deployment of advanced available technologies
2237 in one or more of the following: Advanced materials, marine sciences,
2238 photonics, pharmaceutical and environmental technologies;

2239 (3) The proposal's plan to involve minority students or minority-
2240 owned businesses in its activities; and

2241 (4) The adequacy of the program's mechanisms for evaluating its
2242 progress.

2243 Sec. 60. Section 32-41p of the general statutes is repealed and the
2244 following is substituted in lieu thereof (*Effective July 1, 2011*):

2245 (a) There is established a workplace center of excellence program to
2246 be administered by [Connecticut Innovations, Incorporated] the
2247 Connecticut Economic Development Authority for the purpose of
2248 developing and deploying ergonomic technology solutions and
2249 knowledge. [During the three-month period beginning on July 1, 1994,
2250 the corporation] The authority shall accept applications from eligible
2251 institutions in a form and manner prescribed by the [corporation]
2252 authority for state funding for the establishment and operation of a

2253 workplace center of excellence.

2254 (b) [On or before January 1, 1995, the corporation] The authority
2255 shall review all applications timely received pursuant to this section,
2256 approve one such application and provide the approved institution
2257 with such financial assistance as the [corporation] authority may
2258 determine will promote the purposes of this section. In approving such
2259 application the [corporation] authority shall assess scientific and
2260 economic factors concerning the proposed center, including but not
2261 limited to, the following:

2262 (1) The formal participation in, and financial support of, the center
2263 by employers, insurers, and enterprises actively engaged in
2264 developing and deploying ergonomics solutions and related activities;

2265 (2) The likelihood that the center will result in substantial and
2266 timely deployment of advanced technology solutions to existing
2267 businesses in the state;

2268 (3) The center's plan to involve employers, labor, institutions of
2269 higher education and other interested parties in its decision-making;

2270 (4) The adequacy of the center's financial plan, including the
2271 matching of any state grant funds to implement specific projects with
2272 at least an equal amount of funding from private sources;

2273 (5) The center's plan to involve urban residents and urban-based
2274 businesses; and

2275 (6) The adequacy of the center's mechanisms for evaluating its
2276 progress.

2277 Sec. 61. Section 32-41t of the general statutes is repealed and the
2278 following is substituted in lieu thereof (*Effective July 1, 2011*):

2279 As used in this section and section 32-41u:

2280 (1) ["Corporation" means Connecticut Innovations, Incorporated as

2281 created under section 32-35] "Authority" means the Connecticut
2282 Economic Development Authority; and

2283 (2) "Eligible participant" means a member of the faculty or a
2284 researcher engaged in applied research and development at any
2285 Connecticut college or university that agrees to participate in a high
2286 technology research and development program established by the
2287 [corporation] authority.

2288 Sec. 62. Section 32-41u of the general statutes is repealed and the
2289 following is substituted in lieu thereof (*Effective July 1, 2011*):

2290 (a) There is established a high technology research and development
2291 program to be administered by the [corporation] authority for the
2292 purpose of promoting collaboration between businesses and colleges
2293 and universities in this state in advanced materials, aerospace,
2294 bioscience, energy and environmental systems, information
2295 technology, applied optics, microelectronics and other high technology
2296 fields. The [corporation] authority may accept applications to the
2297 program from eligible participants in a form and manner prescribed by
2298 the [corporation] authority.

2299 (b) In approving any application the [corporation] authority shall
2300 assess the collaborative nature of the proposal as well as scientific and
2301 economic factors, including, but not limited to, the following:

2302 (1) The formal participation in the proposal by businesses actively
2303 engaged in the commercial use of advanced materials, aerospace,
2304 bioscience, energy and environmental systems, information
2305 technology, applied optics, microelectronics and other high technology
2306 fields;

2307 (2) The likelihood that a proposal will result in the development or
2308 commercialization of high technology products or processes in this
2309 state; and

2310 (3) The likelihood that a proposal will result in long-term,

2311 sustainable economic growth for this state.

2312 (c) The [corporation] authority shall provide financial aid, as
2313 defined in subdivision [(4)] (3) of section 32-34, as amended by this act,
2314 to eligible participants whose proposals have been approved by the
2315 [corporation] authority as provided in subsections (a) and (b) of this
2316 section.

2317 (d) The [corporation] authority may establish other programs,
2318 including financial programs, in order to attract and retain residents
2319 with postsecondary education in science, engineering, mathematics
2320 and other disciplines that are essential or advisable to the development
2321 and application of technology.

2322 Sec. 63. Section 32-47a of the general statutes is repealed and the
2323 following is substituted in lieu thereof (*Effective July 1, 2011*):

2324 Not later than January first in each year, [Connecticut Innovations,
2325 Incorporated] the Connecticut Economic Development Authority shall
2326 submit a business plan containing a summary of its projected
2327 operations for the year to the joint standing committees of the General
2328 Assembly having cognizance of matters relating to [the Department of
2329 Economic and Community Development] economic development,
2330 appropriations and capital bonding. Not later than November first,
2331 annually, the [corporation] authority shall submit a report to [the
2332 Commissioner of Economic and Community Development,] the
2333 Auditors of Public Accounts and said joint standing committees, which
2334 shall include the following information with respect to new and
2335 outstanding financial assistance provided by the [corporation]
2336 authority during the twelve-month period ending on June thirtieth
2337 next preceding the date of the report for each financial assistance
2338 program administered by the [corporation] authority: (1) A list of the
2339 names, addresses and locations of all recipients of such assistance, (2)
2340 for each such recipient: (A) The business activities, (B) the Standard
2341 Industrial Classification Manual codes, (C) the gross revenues during
2342 the recipient's most recent fiscal year, if the recipient is an organization

2343 that makes such information public in the normal course of business,
2344 or, if the recipient does not make such information public in the
2345 normal course of business, the gross revenue information shall be
2346 provided for a recipient separately, using a system in which no
2347 recipient is listed by name but each is given a separate identity in a
2348 manner consistent with the provisions of subsection (c) of section 32-
2349 40, (D) the number of employees at the time of application, (E) whether
2350 the recipient is a minority or woman-owned business, (F) a summary
2351 of the terms and conditions for the assistance, including the type and
2352 amount of state financial assistance, job creation or retention
2353 requirements, and anticipated wage rates, and (G) the amount of
2354 investments from private and other nonstate sources that have been
2355 leveraged by the assistance, (3) the economic benefit criteria used in
2356 determining which applications have been approved or disapproved,
2357 and (4) for each recipient of assistance on or after July 1, 1991, a
2358 comparison between the number of jobs to be created, the number of
2359 jobs to be retained and the average wage rates for each such category
2360 of jobs, as projected in the recipient's application, versus the actual
2361 number of jobs created, the actual number of jobs retained and the
2362 average wage rates for each such category. The Governor and the
2363 chairpersons and ranking members of the joint standing committees of
2364 the General Assembly having cognizance of matters relating to finance,
2365 revenue and bonding and commerce may, after a request to
2366 **[**Connecticut Innovations, Incorporated**]** the Connecticut Economic
2367 Development Authority by any of said persons, examine, in
2368 confidence, the detailed data, including the specific revenue data for
2369 each identifiable business, submitted pursuant to subparagraph (C) of
2370 subdivision (2) of this section. The chairpersons and ranking members
2371 of said committees may disclose such data to the members of said
2372 committees, who shall also keep such data confidential. The report
2373 shall also indicate the actual number of full-time jobs and the actual
2374 number of part-time jobs in each such category and the benefit levels
2375 for each such subcategory. The November first report shall include a
2376 summary of the activities of the **[**corporation**]** authority, including all

2377 activities to assist small businesses and minority business enterprises,
2378 as defined in section 4a-60g, a complete operating and financial
2379 statement and recommendations for legislation to promote the
2380 purposes of the **[**corporation**]** authority. The **[**corporation**]** authority
2381 shall furnish such additional information upon the written request of
2382 any such committee at such times as the committee may request.

2383 Sec. 64. Section 10a-25b of the general statutes is repealed and the
2384 following is substituted in lieu thereof (*Effective July 1, 2011*):

2385 (a) The State Bond Commission may authorize the issuance of
2386 bonds of the state in one or more series in accordance with the
2387 provisions of sections 10a-25a to 10a-25g, inclusive, as amended by this
2388 act, but not in excess of the aggregate amount of twenty-two million
2389 five hundred thousand dollars.

2390 (b) The proceeds of the sale of said bonds, to the extent hereinafter
2391 stated, shall be used to encourage, promote, develop and assist high
2392 technology products and programs within Connecticut by infusion of
2393 financial assistance in situations when such financial aid would not
2394 otherwise reasonably be available from other sources as hereinafter
2395 stated: (1) For the State Board of Education: High technology
2396 equipment for programs in the vocational-technical schools, not
2397 exceeding two million dollars; (2) for **[**Connecticut Innovations,
2398 Incorporated**]** the Connecticut Economic Development Authority: (A)
2399 Matching funds for cooperative high technology research and
2400 development projects and programs, not exceeding nine million
2401 dollars; (B) financial aid, as defined in subdivision **[**(4)**]** (3) of section
2402 32-34, as amended by this act, to public institutions of higher education
2403 for high technology projects and programs, not exceeding eleven
2404 million five hundred thousand dollars.

2405 Sec. 65. Section 10a-25g of the general statutes is repealed and the
2406 following is substituted in lieu thereof (*Effective July 1, 2011*):

2407 Through **[**Connecticut Innovations, Incorporated**]** the Connecticut

2408 Economic Development Authority the state may provide financial aid,
2409 as defined in subdivision [(4)] (3) of section 32-34, as amended by this
2410 act, for the development of high technology projects and programs in
2411 accordance with the provisions of subdivision (2) of subsection (b) of
2412 section 10a-25b. Such funding shall be made in accordance with
2413 written procedures adopted by [Connecticut Innovations,
2414 Incorporated] the Connecticut Economic Development Authority in
2415 accordance with the provisions of section 1-121. [Until June 30, 1996,
2416 Connecticut Innovations, Incorporated may use not more than three
2417 per cent of the total amount of any annual bond allocation for high
2418 technology projects and programs described in section 10a-25b or this
2419 section, for the administration and evaluation of such projects and
2420 programs.]

2421 Sec. 66. Section 32-41 of the general statutes is repealed and the
2422 following is substituted in lieu thereof (*Effective July 1, 2011*):

2423 The State Bond Commission shall have power in accordance with
2424 the provisions of section 3-20 to authorize the issuance of bonds of the
2425 state in one or more series and in principal amounts not exceeding in
2426 the aggregate forty-seven million eight hundred fifty-four thousand
2427 nine hundred dollars to carry out the purposes of sections 32-32 to 32-
2428 41, inclusive. The principal and interest of said bonds shall be payable
2429 at such place or places as may be determined by the State Treasurer
2430 and shall bear such date or dates, mature at such time or times, bear
2431 interest at such rate or different or varying rates, be payable at such
2432 time or times, be in such denominations, be in such form with or
2433 without interest coupons attached, carry such registration and transfer
2434 privileges, be payable in such medium of payment and be subject to
2435 such terms of redemption with or without premium as, irrespective of
2436 the provisions of said section 3-20, may be provided by the
2437 authorization of the State Bond Commission or fixed in accordance
2438 therewith. The proceeds of the sale of such bonds, after deducting
2439 therefrom all expenses of issuance and sale, shall be paid to the
2440 Connecticut Innovations [, Incorporated] Fund created under section

2441 32-41a, as amended by this act. When the State Bond Commission has
2442 acted to issue such bonds or a portion thereof, the Treasurer may,
2443 pending the issue of such bonds, issue, in the name of the state,
2444 temporary notes in anticipation of the money to be received from the
2445 sale of such bonds. In issuing the bonds authorized hereunder, the
2446 State Bond Commission may require repayment of such bonds by the
2447 corporation as shall seem desirable consistent with the purposes of
2448 sections 32-32 to 32-41, inclusive. Such terms for repayment may
2449 include a forgiveness of interest, a holiday in the repayment of interest
2450 or principal or both.

2451 Sec. 67. Subsection (f) of section 4-66a of the general statutes is
2452 repealed and the following is substituted in lieu thereof (*Effective July*
2453 *1, 2011*):

2454 (f) The Secretary of the Office of Policy and Management is
2455 authorized to do all things necessary to apply for and accept federal
2456 funds allotted or available to the state under any federal act or
2457 program which could support activities which the secretary is
2458 authorized to undertake. He shall administer such funds in accordance
2459 with state and federal law. The secretary, in consultation with the
2460 executive director of **[**Connecticut Innovations, Incorporated, or the
2461 Commissioner of Economic and Community Development, when
2462 applicable**]** the Connecticut Economic Development Authority, may
2463 apply for all federal funds available to the state for defense conversion
2464 projects and other projects consistent with a defense conversion
2465 strategy.

2466 Sec. 68. Subdivision (42) of section 8-250 of the general statutes is
2467 repealed and the following is substituted in lieu thereof (*Effective July*
2468 *1, 2011*):

2469 (42) To accept from the **[**department**]** Connecticut Economic
2470 Development Authority: (A) Financial assistance, (B) revenues or the
2471 right to receive revenues with respect to any program under the
2472 supervision of the **[**department**]** Connecticut Economic Development

2473 Authority, and (C) loan assets or equity interests in connection with
2474 any program under the supervision of the [department] Connecticut
2475 Economic Development Authority; to make advances to and reimburse
2476 the [department] Connecticut Economic Development Authority for
2477 any expenses incurred or to be incurred by it in the delivery of such
2478 assistance, revenues, rights, assets, interests or amounts; to enter into
2479 agreements with the [department] Connecticut Economic
2480 Development Authority for the delivery of services by the authority in
2481 consultation with the [department, the Connecticut Development
2482 Authority and Connecticut Innovations, Incorporated,] Connecticut
2483 Economic Development Authority to third parties which agreements
2484 may include provisions for payment by the [department to the
2485 authority for the delivery of such services] Connecticut Economic
2486 Development Authority; and to enter into agreements with the
2487 [department or with the Connecticut Development Authority or
2488 Connecticut Innovations, Incorporated,] Connecticut Economic
2489 Development Authority for the sharing of assistants, agents and other
2490 consultants, professionals and employees, and facilities and other real
2491 and personal property used in the conduct of the authority's affairs;

2492 Sec. 69. Section 16-245aa of the general statutes is repealed and the
2493 following is substituted in lieu thereof (*Effective July 1, 2011*):

2494 (a) There is established an account to be known as the "municipal
2495 renewable energy and efficient energy grant account", which shall be a
2496 separate, nonlapsing account within the Renewable Energy Investment
2497 Fund, established pursuant to section 16-245n. The account shall
2498 contain any moneys required or permitted by law to be deposited in
2499 the account and any funds received from any public or private
2500 contributions, gifts, grants, donations, bequests or devises to the fund.
2501 [Connecticut Innovations, Incorporated,] The Connecticut Economic
2502 Development Authority may make grants-in-aid from the fund in
2503 accordance with the provisions of subsection (b) of this section.

2504 (b) [Connecticut Innovations, Incorporated] The Connecticut

2505 Economic Development Authority, in consultation with the
2506 Department of Public Utility Control, the Department of Education
2507 and the Department of Emergency Management and Homeland
2508 Security, shall establish a municipal renewable energy and efficient
2509 energy generation grant program. [Connecticut Innovations,
2510 Incorporated,] The Connecticut Economic Development Authority
2511 shall make grants under said program to municipalities for the
2512 purchase of (1) renewable energy sources, including solar energy,
2513 geothermal energy and fuel cells or other energy-efficient hydrogen-
2514 fueled energy, or (2) energy-efficient generation sources, including
2515 units providing combined heat-and-power operations with greater
2516 than sixty-five per cent efficiency or such higher efficiency level as
2517 [Connecticut Innovations, Incorporated,] the Connecticut Economic
2518 Development Authority may prescribe, for municipal buildings.
2519 [Connecticut Innovations, Incorporated,] The Connecticut Economic
2520 Development Authority shall give priority to applications for grants
2521 for disaster relief centers and high schools. Each grant shall be in an
2522 amount that makes the cost of purchasing and operating the renewable
2523 energy or energy-efficient generation source competitive with the
2524 municipality's current electricity expenses.

2525 (c) [On or before October 1, 2007, Connecticut Innovations,
2526 Incorporated,] The Connecticut Economic Development Authority
2527 shall develop an application for grants-in-aid under this section for the
2528 purpose of purchasing and operating renewable energy or energy-
2529 efficient generation sources and may receive applications from
2530 municipalities for such grants-in-aid on and after said date.
2531 Applications shall include, but not be limited to, a complete
2532 description of the proposed renewable energy or energy-efficient
2533 generation source.

2534 (d) Commencing with the fiscal year ending June 30, 2008, and for
2535 each of the five consecutive fiscal years thereafter, until the fiscal year
2536 ending June 30, 2012, not less than ten million dollars shall be available
2537 from the municipal renewable energy and efficient energy generation

2538 grant account for grants-in-aid to municipalities for the purpose of
2539 purchasing and operating renewable energy or energy-efficient
2540 generation sources. Any balance of such amount not used for such
2541 grants-in-aid during a fiscal year shall be carried forward for the fiscal
2542 year next succeeding for such grants-in-aid.

2543 (e) On or before January 1, **[**2009**]** 2011, and annually thereafter,
2544 **[**Connecticut Innovations, Incorporated,**]** the Connecticut Economic
2545 Development Authority shall report on the effectiveness of said
2546 program to the joint standing committee of the General Assembly
2547 having cognizance of matters relating to energy.

2548 Sec. 70. Subsection (a) of section 31-11aa of the general statutes is
2549 repealed and the following is substituted in lieu thereof (*Effective July*
2550 *1, 2011*):

2551 (a) The Connecticut Employment and Training Commission within
2552 the Office of Workforce Competitiveness shall produce, within
2553 available appropriations, a report on information technology
2554 workforce development, including a long-range strategic plan, that
2555 addresses Connecticut's workforce and research needs as they relate to
2556 information technology and electronic commerce. The commission
2557 shall work with the Commissioners of **[**Economic and Community
2558 Development,**]** Education and Higher Education and any business-
2559 related association or organization that the commission deems
2560 appropriate in creating a planning structure, no later than July 5, 2000,
2561 to develop the plan. The planning structure shall include
2562 representation from the Connecticut Employment and Training
2563 Commission, the General Assembly, the Departments of Education **[**,**]**
2564 and Higher Education, **[**and Economic and Community Development,
2565 Connecticut Innovations, Incorporated**]** the Connecticut Economic
2566 Development Authority, information technology and software
2567 companies, the Connecticut Business and Industry Association, the
2568 Connecticut Economic Resource Center, the Connecticut Technology
2569 Council, The University of Connecticut, the Connecticut State

2570 University System, the community-technical colleges, Charter Oak
2571 State College, the Connecticut Distance Learning Consortium, the
2572 Connecticut Conference of Independent Colleges and any other
2573 representatives including regional and state-wide business and
2574 technology associations the Connecticut Employment and Training
2575 Commission and commissioners deem necessary.

2576 Sec. 71. Section 32-1e of the general statutes is repealed and the
2577 following is substituted in lieu thereof (*Effective July 1, 2011*):

2578 (a) The **[**Commissioner of Economic and Community Development**]**
2579 executive director of the Connecticut Economic Development
2580 Authority, in consultation with the Connecticut Resources Recovery
2581 Authority and the Commissioner of Environmental Protection, shall
2582 prepare a plan for the support and promotion of industries that use,
2583 process or transport recycled materials. The plan shall outline ways
2584 existing programs of the **[**Department of Economic and Community
2585 Development**]** Connecticut Economic Development Authority, the
2586 Connecticut Resources Recovery Authority and agencies such as the
2587 Department of Environmental Protection **[**, the Connecticut
2588 Development Authority and Connecticut Innovations, Incorporated**]**
2589 will be used to promote such industries.

2590 (b) Such plan shall be completed on or before July 1, 2007.

2591 Sec. 72. Section 32-1k of the general statutes is repealed and the
2592 following is substituted in lieu thereof (*Effective July 1, 2011*):

2593 As used in sections 8-244b to 8-244d, inclusive, this section and
2594 section 32-1*l*, the following terms shall have the following meanings
2595 unless the context clearly indicates another meaning and intent:

2596 (1) **[**"Department" means the Department of Economic and
2597 Community Development**]** "Authority" means the Connecticut
2598 Economic Development Authority;

2599 (2) **[**"Commissioner" means the Commissioner of Economic and

2600 Community Development;] "Executive director" means the executive
2601 director of the Connecticut Economic Development Authority; and

2602 [(3) "CDA" means the Connecticut Development Authority, as
2603 created under chapter 579;

2604 (4) "CHFA" means the Connecticut Housing Finance Authority, as
2605 created under chapter 134;

2606 (5) "CII" means Connecticut Innovations, Incorporated, as created
2607 under chapter 581; and]

2608 [(6)] (3) "SHA" means the State Housing Authority as created under
2609 section 8-244b.

2610 Sec. 73. Section 32-4h of the general statutes is repealed and the
2611 following is substituted in lieu thereof (*Effective July 1, 2011*):

2612 Not later than August 1, 1997, and annually thereafter, the
2613 [chairperson of the board of directors of the Connecticut Development
2614 Authority and the chairperson of the board of directors of Connecticut
2615 Innovations, Incorporated] executive director of the Connecticut
2616 Economic Development Authority shall submit a report to the joint
2617 standing committee of the General Assembly having cognizance of
2618 matters relating to [the Department of Economic and Community
2619 Development] economic development, in accordance with the
2620 provisions of section 11-4a, which details the amount of bond funds
2621 expended during the previous fiscal year on each economic cluster in
2622 the state by said authority. [by the quasi-public agency administered
2623 by such chairperson.]

2624 Sec. 74. Section 32-6k of the general statutes is repealed and the
2625 following is substituted in lieu thereof (*Effective July 1, 2011*):

2626 (a) Prior to entering into a grant, loan or assistance agreement for
2627 any project which is a major traffic generator within the meaning of
2628 section 14-311, the [Commissioner of Economic and Community

2629 Development and the executive directors of the Connecticut
2630 Development Authority and Connecticut Innovations, Incorporated, as
2631 the case may be,] executive director of the Connecticut Economic
2632 Development Authority shall submit an impact statement for each
2633 such project to the Connecticut Transportation Strategy Board,
2634 established pursuant to section 13b-57e. Each impact statement shall
2635 (1) describe the project and its expected impact on the transportation
2636 system, (2) summarize whether or not such project conforms to the
2637 strategy adopted in accordance with section 13b-57g, and (3) include
2638 any other information the board may require to discharge its
2639 responsibilities under this subsection including, but not limited to, (A)
2640 the size of any facility proposed in connection with the project, (B) the
2641 hours of operation of such facility, (C) a projection of whether or not
2642 an increase in daily vehicle trips including truck traffic is likely to
2643 occur as a result of such project, and (D) the availability of public
2644 transportation to and from such facility. The board shall evaluate each
2645 such impact statement to determine whether such project conforms to
2646 such strategy and shall submit to said [commissioner and] executive
2647 [directors] director any findings and recommendations with respect to
2648 such project. Nothing in this subsection shall be construed as requiring
2649 any delay in the implementation of any such project.

2650 (b) The board shall, subject to the requirements of chapter 14,
2651 protect confidential information and trade secrets provided in
2652 connection with the review of any project pursuant to subsection (a) of
2653 this section.

2654 Sec. 75. Section 32-41v of the general statutes is repealed and the
2655 following is substituted in lieu thereof (*Effective July 1, 2011*):

2656 (a) As used in this section:

2657 (1) ["Corporation" means Connecticut Innovations, Incorporated]
2658 "Authority" means the Connecticut Economic Development Authority;
2659 and

2660 (2) "Fund" means the Connecticut New Opportunities Fund.

2661 (b) [Connecticut Innovations, Incorporated] The Connecticut
2662 Economic Development Authority shall establish a fund to be known
2663 as the Connecticut New Opportunities Fund, for the purpose of
2664 investing in seed stage and emerging growth companies in the state.
2665 The [corporation] authority, or a subsidiary created by the
2666 [corporation] authority for the purposes of this section, shall serve as
2667 general partner or managing member of the fund and shall determine
2668 whether the fund should be organized as a limited partnership or a
2669 limited liability company. The general partner or managing member of
2670 the fund shall be reimbursed from the fund for its management costs,
2671 which shall not exceed two per cent, annually, of the committed capital
2672 of the fund.

2673 (c) Investors in the fund may include pension funds, foundations
2674 and private entities. Such investors shall participate as limited partners
2675 or nonmanaging members of the fund. The committed capital of the
2676 fund shall not exceed fifty million dollars.

2677 (d) The moneys in the fund shall be invested as follows: (1) Not
2678 more than twenty-five per cent in seed stage companies, and (2) not
2679 more than seventy-five per cent in not more than twenty emerging
2680 growth companies. Not more than three million dollars shall be
2681 invested in any single seed stage or emerging growth company. Fund
2682 investments shall be in the form of equity or similar instruments. An
2683 emerging growth company may be eligible for an investment if the
2684 company projects high growth, has a strong management team, has
2685 current and prospective customers, has had difficulty raising early
2686 stage venture capital and is a strong market driver but is facing entry
2687 barriers.

2688 (e) The fund shall have a term of ten years, provided it may be
2689 extended for three one-year periods if necessary to complete
2690 liquidation of the fund's investments. Upon such liquidation, each
2691 investor shall be entitled to a return of the investment made, plus

2692 eighty per cent of all net realized gains of the fund. The state shall
2693 provide a first loss guarantee at the end of the tenth year, if needed, of
2694 not more than twenty-five million dollars. The state shall be entitled to
2695 ten per cent of all net realized gains of the fund and the general partner
2696 or managing member of the fund shall also be entitled to ten per cent
2697 of all such net realized gains.

2698 Sec. 76. Section 32-344 of the general statutes is repealed and the
2699 following is substituted in lieu thereof (*Effective July 1, 2011*):

2700 As used in this section and sections 32-345, as amended by this act,
2701 and 32-346:

2702 (1) "Business-led consortium" means a coalition or other group of
2703 entities, related by contractual or other arrangements, that (A) includes
2704 at least one Connecticut business and may include other businesses
2705 and nonprofit or public institutions, and (B) is led by a business for the
2706 purpose of technology development or commercialization;

2707 (2) **[**"Corporation" means Connecticut Innovations, Incorporated, as
2708 created under section 32-35**]** "Authority" means the Connecticut
2709 Economic Development Authority;

2710 (3) "Small business" means a corporation, limited liability company,
2711 partnership, sole proprietorship or individual, operating a business for
2712 profit, which employs five hundred or fewer employees, including
2713 employees employed in any subsidiary or affiliated corporation;

2714 (4) "Small business innovation research program" means the federal
2715 program established pursuant to the Small Business Innovation
2716 Development Act of 1982 (P.L. 97-219), as amended, which provides
2717 funds to small businesses to conduct innovative research which has
2718 potential commercial applications;

2719 (5) "Small business technology transfer program" means the federal
2720 program established pursuant to the Small Business Research and
2721 Development Enhancement Act of 1992 (P.L. 102-564), as amended,

2722 which provides funds to small businesses that collaborate with
2723 nonprofit research institutions to conduct innovative research which
2724 has potential commercial applications;

2725 (6) "Federal technology support program" means any program now
2726 or hereafter established by the government of the United States of
2727 America or any agency or instrumentality thereof, other than the small
2728 business innovation research program and small business technology
2729 transfer program that (A) is authorized to provide funding support for
2730 projects undertaken by businesses and business-led consortia for the
2731 development or commercialization of advanced technologies,
2732 including without limitation technologies applied or applicable to
2733 national defense, and (B) requires recipients to furnish a portion of the
2734 funds necessary to carry out such activities;

2735 (7) "Micro business" means a business entity, including its affiliates,
2736 that (A) is independently owned and operated, and (B) employs fewer
2737 than fifty full-time employees or has gross annual sales of less than
2738 five million dollars.

2739 Sec. 77. Subsection (e) of section 32-356 of the general statutes is
2740 repealed and the following is substituted in lieu thereof (*Effective July*
2741 *1, 2011*):

2742 (e) (1) There is established a Small Business Incubator Advisory
2743 Board. Said board shall consist of: (A) **[**The Commissioner of Economic
2744 and Community Development; (B) the president of the Connecticut
2745 Development Authority and**]** the executive director of **[**Connecticut
2746 Innovations, Incorporated**]** the Connecticut Economic Development
2747 Authority, or the executive director's designee, as an ex-officio
2748 nonvoting **[**members, or their designees**]** member; **[**(C)**]** (B) one
2749 member to be appointed by the Governor; **[**(D)**]** (C) two members with
2750 experience in the field of technology transfer and commercialization, to
2751 be appointed by the speaker of the House of Representatives; **[**(E)**]** (D)
2752 two members with experience in new product and market
2753 development, to be appointed by the president pro tempore of the

2754 Senate; [(F)] (E) one member to be appointed by the majority leader of
2755 the Senate; [(G)] (F) one member to be appointed by the majority
2756 leader of the House of Representatives; [(H)] (G) one member with
2757 experience in seed and early stage capital investment, to be appointed
2758 by the minority leader of the House of Representatives; and [(I)] (H)
2759 one member with experience in seed and early stage capital
2760 investment, to be appointed by the minority leader of the Senate. All
2761 initial appointments to said board shall be made not later than
2762 September 1, 2007.

2763 (2) The [Commissioner of Economic and Community Development]
2764 executive director of the Connecticut Economic Development
2765 Authority shall schedule the first meeting of said board not later than
2766 October 15, 2007. Thereafter, the board shall meet at least once
2767 annually to evaluate and recommend changes to the guidelines
2768 adopted pursuant to this section.

2769 Sec. 78. Section 32-450 of the general statutes is repealed and the
2770 following is substituted in lieu thereof (*Effective July 1, 2011*):

2771 As used in sections 32-450 to 32-457, inclusive:

2772 (1) "Awarding authority" means the [Commissioner of Economic
2773 and Community Development, the] board of directors of the
2774 [Connecticut Development Authority and the board of directors of
2775 Connecticut Innovations, Incorporated] Connecticut Economic
2776 Development Authority.

2777 (2) "Economic development financial assistance" means any grant,
2778 loan or loan guarantee, or combination thereof, or any tax credits
2779 approved pursuant to section 32-9t, provided to a business for the
2780 purpose of economic development.

2781 (3) "Employee representatives" means representatives of any
2782 certified or recognized bargaining agents for employees of a business.

2783 (4) "Threshold project" means (A) a project for which a business

2784 operating in the state and having twenty-five or more full-time
2785 employees in the state submits a request to an awarding authority for
2786 economic development financial assistance in the form of (i) a grant in
2787 the amount of two hundred fifty thousand dollars or more or (ii) a
2788 combination of a grant and a loan or loan guarantee, totaling two
2789 hundred fifty thousand dollars or more, or (B) a project for which a
2790 business operating in the state and having one hundred or more full-
2791 time employees in the state submits a request to an awarding authority
2792 for economic development financial assistance in the form of (i) a loan
2793 or a loan guarantee, in the amount of one million dollars or more, or
2794 (ii) a combination of a loan and a loan guarantee, totaling one million
2795 dollars or more.

2796 Sec. 79. Section 32-462 of the general statutes is repealed and the
2797 following is substituted in lieu thereof (*Effective July 1, 2011*):

2798 (a) As used in this section:

2799 (1) "Agency" means the **[**Department of Economic and Community
2800 Development, the Connecticut Development Authority or Connecticut
2801 Innovations, Incorporated**]** Connecticut Economic Development
2802 Authority.

2803 (2) "Financial assistance" means grants, loans, loan guarantees,
2804 contracts of insurance, investments, or combinations thereof, which are
2805 provided from the proceeds of bonds, notes or other obligations of the
2806 state or an agency which constitute a debt or liability of the state or
2807 which are secured by a special capital reserve fund payable from
2808 amounts appropriated or deemed appropriated from the General
2809 Fund.

2810 (3) "Applicant" means any eligible applicant seeking financial
2811 assistance from an agency for a business project. The term "applicant"
2812 shall not include any political subdivision of the state.

2813 (4) "Business project" means a business proposal undertaken by one

2814 or more applicants, but does not include housing unless undertaken in
2815 combination with another unrelated type of business.

2816 (5) "Biotechnology business project" means any commercial project
2817 to be used or occupied by any person to conduct laboratory activity
2818 relating to, or the research, development or manufacture of,
2819 biologically active molecules or devices that apply to, affect or analyze
2820 biological processes.

2821 (b) (1) No agency or agencies may award more than a total of ten
2822 million dollars of financial assistance during any two-year period to an
2823 applicant or for a business project unless such financial assistance is
2824 specifically authorized by an act of the General Assembly which has
2825 been enacted before, on or after July 1, 1994. (2) The provisions of
2826 subdivision (1) of this subsection shall not apply to any awards funded
2827 or to be funded by bonds authorized to be issued by the State Bond
2828 Commission before July 1, 1994.

2829 (c) Notwithstanding the provisions of subsection (b) of this section,
2830 no agency or agencies may award more than twenty million dollars of
2831 financial assistance for a biotechnology business project during any
2832 two-year period unless such financial assistance is specifically
2833 authorized by an act of the General Assembly which has been enacted
2834 before, on or after July 1, 2001.

2835 Sec. 80. Section 32-479 of the general statutes is repealed and the
2836 following is substituted in lieu thereof (*Effective July 1, 2011*):

2837 **[**Not later than July 1, 1996, the Commissioner of Economic and
2838 Community Development, the Labor Commissioner, the Connecticut
2839 Development Authority and Connecticut Innovations, Incorporated**]**
2840 <u>The Labor Commissioner and the executive director of the Connecticut</u>
2841 <u>Economic Development Authority</u> shall jointly develop goals and
2842 objectives and quantifiable outcome measures related to the
2843 percentage of financial assistance which is being provided to high
2844 performance work organizations. The Labor Commissioner **[**, the

2845 Connecticut Development Authority and Connecticut Innovations,
2846 Incorporated] and the Connecticut Economic Development Authority
2847 shall submit an annual report concerning such goals, objectives and
2848 measures to the joint standing committee of the General Assembly
2849 having cognizance of matters relating to labor and public employees
2850 and the joint standing committee having cognizance of matters relating
2851 to commerce.

2852 Sec. 81. Section 32-480 of the general statutes is repealed and the
2853 following is substituted in lieu thereof (*Effective July 1, 2011*):

2854 The [Department of Economic and Community Development, the]
2855 Labor Department [, the Connecticut Development Authority] and
2856 [Connecticut Innovations, Incorporated] the Connecticut Economic
2857 Development Authority shall, when appropriate, encourage persons,
2858 firms and corporations which contact said departments or authorities
2859 for financial assistance to utilize high performance work practices in
2860 their business operations.

2861 Sec. 82. Section 32-700 of the general statutes is repealed and the
2862 following is substituted in lieu thereof (*Effective July 1, 2011*):

2863 As used in sections 32-701 to 32-703, inclusive, and this section:

2864 (1) "Awarding authority" means the [Commissioner of Economic
2865 and Community Development, the] board of directors of the
2866 [Connecticut Development Authority, the board of directors of
2867 Connecticut Innovations, Incorporated,] Connecticut Economic
2868 Development Authority and the head of any other quasi-public
2869 agency, as defined in section 1-120, and any state agency authorized to
2870 award state assistance, as defined in subdivision (2) of this section.

2871 (2) "State assistance" means any grant, loan, loan guarantee or
2872 issuance of tax benefit not of general applicability for the purpose of
2873 economic development that is (A) made to a business entity operated
2874 for profit, and (B) in an amount greater than one million dollars or

2875 that, if added to any other such state assistance made to the same
2876 business entity during the preceding two years, would total greater
2877 than one million dollars.

2878 Sec. 83. Subsection (a) of section 32-701 of the general statutes is
2879 repealed and the following is substituted in lieu thereof (*Effective July*
2880 *1, 2011*):

2881 (a) The terms and conditions of any agreement for state assistance
2882 under any program of the general statutes to a business entity
2883 operated for profit administered by the **[**Department of Economic and
2884 Community Development, Connecticut Development Authority and
2885 Connecticut Innovations, Incorporated,**]** Connecticut Economic
2886 Development Authority shall include provisions for (1) specific goals
2887 for the creation and retention of full-time and part-time jobs and for
2888 periodic reports by the recipient on progress in achieving such goals if
2889 the primary purpose of the state assistance is job creation or retention,
2890 and (2) a requirement that an applicant for any type of state assistance,
2891 except grants and loans of a term of less than one year, provide the
2892 agency with appropriate security for such financial assistance,
2893 including, but not limited to, a letter of credit, a lien on real property or
2894 a security interest in goods, equipment, inventory or other property of
2895 any kind and that the recipient of such state assistance will remain in
2896 substantial material compliance with state and federal law.

2897 Sec. 84. Section 32-717 of the general statutes is repealed and the
2898 following is substituted in lieu thereof (*Effective July 1, 2011*):

2899 (a) The **[**Commissioner of Economic and Community Development,
2900 the chairperson of Connecticut Innovations, Incorporated, the**]**
2901 president of The University of Connecticut and the **[**chairperson**]**
2902 executive director of the Connecticut Economic Development
2903 Authority, or their respective designees, shall prepare, within available
2904 appropriations, and in consultation with the Connecticut
2905 Competitiveness Council, the Commissioner of Education, the
2906 Commissioner of Higher Education, the chancellor of the community-

2907 technical college system, the director of the Office of Workforce
2908 Competitiveness and any other agencies and leading technology-
2909 focused organizations deemed appropriate by the [Commissioner of
2910 Economic and Community Development] executive director of the
2911 Connecticut Economic Development Authority, recommendations for
2912 an implementation plan and budget to establish an Innovation
2913 Network that will include the following: (1) The creation of endowed
2914 chairs and the hiring of leading academic professionals in targeted
2915 fields based on core competencies to work at universities, state colleges
2916 and community colleges, in collaboration with other technology
2917 initiatives; (2) the focused and aggressive solicitation of and leveraged
2918 partnership with federal research funds; (3) increased corporate-
2919 sponsored research; (4) the establishment of at least one innovation
2920 accelerator, linked to universities and involving corporations and start-
2921 up enterprises focused on advanced technology and leveraging the
2922 efforts underway by the Connecticut Center for Advanced Technology
2923 in the Hartford area; (5) the strengthening of technology transfer and
2924 entrepreneurship activities at universities in the state; (6) incentives
2925 and financial support for collaborative research between universities
2926 and industry or federally sponsored technology centers; (7) the
2927 creation of linkages to angel networks; and (8) the creation of linkages
2928 to incubators in Connecticut. Said plan shall also include provisions for
2929 the utilization of existing resources, including, but not limited to,
2930 [Connecticut Innovations, Incorporated,] the Connecticut Economic
2931 Development Authority, The University of Connecticut and the Office
2932 of Workforce Competitiveness.

2933 (b) [Not later than January 1, 2006, the Commissioner of Economic
2934 and Community Development] The executive director of the
2935 Connecticut Economic Development Authority, in consultation with
2936 [the chairperson of Connecticut Innovations, Incorporated,] the
2937 president of The University of Connecticut, [and the chairperson of the
2938 Connecticut Development Authority,] shall develop an
2939 implementation plan for the Innovation Network, within available
2940 resources, and submit said plan and budget to the Governor and the

2941 joint standing committees of the General Assembly having cognizance
2942 of matters relating to economic development, education and labor, in
2943 accordance with the provisions of section 11-4a.

2944 Sec. 85. Section 32-718 of the general statutes is repealed and the
2945 following is substituted in lieu thereof (*Effective July 1, 2011*):

2946 The **[**Department of Economic and Community Development,
2947 Connecticut Innovations, Incorporated, The**]** University of
2948 Connecticut, the **[**Connecticut Development Authority**]** Connecticut
2949 Economic Development Authority and the Office of Workforce
2950 Competitiveness may use up to ten million dollars of their existing
2951 resources for plan implementation and to provide a catalyst for an
2952 additional forty million dollars of private investment. The plan for
2953 how these funds will be applied and how they will leverage the
2954 private money shall be presented to and approved by the State Bond
2955 Commission.

2956 Sec. 86. Subsection (d) of section 8-192 of the general statutes is
2957 repealed and the following is substituted in lieu thereof (*Effective July*
2958 *1, 2011*):

2959 (d) For the purposes of carrying out or administering a specified
2960 development plan authorized under this chapter, the **[**Connecticut
2961 Development Authority**]** Connecticut Economic Development
2962 Authority may, upon a resolution with respect to such project adopted
2963 by the legislative body of the municipality, issue and administer bonds
2964 which are payable solely or in part from and secured by the pledge
2965 and security provided for in subsection (a) of this section subject to the
2966 general terms and provisions of law applicable to the issuance of
2967 bonds by the **[**Connecticut Development Authority**]** Connecticut
2968 Economic Development Authority, except that the provisions of
2969 subsection (b) of section 32-23j shall not apply. For purposes of this
2970 section and section 8-192a, references to the **[**Connecticut Development
2971 Authority**]** Connecticut Economic Development Authority shall
2972 include any subsidiary of the **[**Connecticut Development Authority

2973 established pursuant to subsection (l) of section 32-11a] Connecticut
2974 Economic Development Authority.

2975 Sec. 87. Subsection (c) of section 25-33a of the general statutes is
2976 repealed and the following is substituted in lieu thereof (*Effective July*
2977 *1, 2011*):

2978 (c) Each grant made pursuant to subsection (a) of this section shall
2979 be authorized by the [Connecticut Development Authority]
2980 Connecticut Economic Development Authority or, if the authority so
2981 determines, by a committee of the authority consisting of the chairman
2982 and either one other member of the authority or its executive director.
2983 The [Connecticut Development Authority] Connecticut Economic
2984 Development Authority shall charge reasonable application and other
2985 fees to be applied to the administrative expenses incurred in carrying
2986 out the provisions of this section, to the extent such expenses are not
2987 paid by the authority. [or from moneys appropriated to the
2988 department.] Each such payment shall be made by the Treasurer upon
2989 certification by the [Commissioner of Economic and Community
2990 Development] executive director of the Connecticut Economic
2991 Development Authority that the payment is authorized under the
2992 provisions of this section under the applicable [rules and regulations of
2993 the department, and under the] terms and conditions established by
2994 the authority or the duly appointed committee thereof in authorizing
2995 the making of the grant.

2996 Sec. 88. Subsection (a) of section 32-1o of the general statutes is
2997 repealed and the following is substituted in lieu thereof (*Effective July*
2998 *1, 2011*):

2999 (a) On or before July 1, 2009, and every five years thereafter, the
3000 [Commissioner of Economic and Community Development, within
3001 available appropriations,] executive director of the Connecticut
3002 Economic Development Authority shall prepare an economic strategic
3003 plan for the state in consultation with the Secretary of the Office of
3004 Policy and Management, the Commissioners of Environmental

3005 Protection and Transportation, the Labor Commissioner, the executive
3006 directors of the Connecticut Housing Finance Authority, **[**the
3007 Connecticut Development Authority, Connecticut Innovations,
3008 Incorporated,**]** the Commission on Culture and Tourism and the
3009 Connecticut Health and Educational Facilities Authority, and the
3010 president of the Office of Workforce Competitiveness, or their
3011 respective designees, and any other agencies the **[**Commissioner of
3012 Economic and Community Development**]** executive director deems
3013 appropriate.

3014 (b) In developing the plan, the **[**Commissioner of Economic and
3015 Community Development**]** executive director of the Connecticut
3016 Economic Development Authority shall:

3017 (1) Ensure that the plan is consistent with (A) the text and locational
3018 guide map of the state plan of conservation and development adopted
3019 pursuant to chapter 297, (B) the long-range state housing plan adopted
3020 pursuant to section 8-37t, and (C) the transportation strategy adopted
3021 pursuant to section 13b-57g;

3022 (2) Consult regional councils of governments, regional planning
3023 organizations, regional economic development agencies, interested
3024 state and local officials, entities involved in economic and community
3025 development, stakeholders and business, economic, labor, community
3026 and housing organizations;

3027 (3) Consider (A) regional economic, community and housing
3028 development plans, and (B) applicable state and local workforce
3029 investment strategies;

3030 (4) Assess and evaluate the economic development challenges and
3031 opportunities of the state and against the economic development
3032 competitiveness of other states and regions; and

3033 (5) Host regional forums to provide for public involvement in the
3034 planning process.

3035 (c) The strategic plan required under this section shall include, but
3036 not be limited to, the following:

3037 (1) A review and evaluation of the economy of the state. Such
3038 review and evaluation shall include, but not be limited to, a sectoral
3039 analysis, housing market and housing affordability analysis, labor
3040 market and labor quality analysis, demographic analysis and historic
3041 trend analysis and projections;

3042 (2) A review and analysis of factors, issues and forces that impact or
3043 impede economic development and responsible growth in Connecticut
3044 and its constituent regions. Such factors, issues or forces shall include,
3045 but not be limited to, transportation, including, but not limited to,
3046 commuter transit, rail and barge freight, technology transfer,
3047 brownfield remediation and development, health care delivery and
3048 costs, early education, primary education, secondary and
3049 postsecondary education systems and student performance, business
3050 regulation, labor force quality and sustainability, social services costs
3051 and delivery systems, affordable and workforce housing cost and
3052 availability, land use policy, emergency preparedness, taxation,
3053 availability of capital and energy costs and supply;

3054 (3) Identification and analysis of economic clusters that are growing
3055 or declining within the state;

3056 (4) An analysis of targeted industry sectors in the state that (A)
3057 identifies those industry sectors that are of current or future
3058 importance to the growth of the state's economy and to its global
3059 competitive position, (B) identifies what those industry sectors need
3060 for continued growth, and (C) identifies those industry sectors' current
3061 and potential impediments to growth;

3062 (5) A review and evaluation of the economic development structure
3063 in the state, including, but not limited to, (A) a review and analysis of
3064 the past and current economic, community and housing development
3065 structures, budgets and policies, efforts and responsibilities of its

3066 constituent parts in Connecticut; and (B) an analysis of the
3067 performance of the current economic, community and housing
3068 development structure, and its individual constituent parts, in meeting
3069 its statutory obligations, responsibilities and mandates and their
3070 impact on economic development and responsible growth in
3071 Connecticut;

3072 (6) Establishment and articulation of a vision for Connecticut that
3073 identifies where the state should be in five, ten, fifteen and twenty
3074 years;

3075 (7) Establishment of clear and measurable goals and objectives for
3076 the state and regions, to meet the short and long-term goals established
3077 under this section and provide clear steps and strategies to achieve
3078 said goals and objectives, including, but not limited to, the following:
3079 (A) The promotion of economic development and opportunity, (B) the
3080 fostering of effective transportation access and choice including the use
3081 of airports and ports for economic development, (C) enhancement and
3082 protection of the environment, (D) maximization of the effective
3083 development and use of the workforce consistent with applicable state
3084 or local workforce investment strategy, (E) promotion of the use of
3085 technology in economic development, including access to high-speed
3086 telecommunications, and (F) the balance of resources through sound
3087 management of physical development;

3088 (8) Prioritization of goals and objectives established under this
3089 section;

3090 (9) Establishment of relevant measures that clearly identify and
3091 quantify (A) whether a goal and objective is being met at the state,
3092 regional, local and private sector level, and (B) cause and effect
3093 relationships, and provide a clear and replicable measurement
3094 methodology;

3095 (10) Recommendations on how the state can best achieve goals
3096 under the strategic plan and provide cost estimates for implementation

3097 of the plan and the projected return on investment for those areas;

3098 (11) A review and evaluation of the operation and efficacy of the
3099 urban jobs program established pursuant to sections 32-9i to 32-9*l*,
3100 inclusive, enterprise zones established pursuant to section 32-70,
3101 railroad depot zones established pursuant to section 32-75a, qualified
3102 manufacturing plants designated pursuant to section 32-75c,
3103 entertainment districts established pursuant to section 32-76 and
3104 enterprise corridor zones established pursuant to section 32-80. The
3105 review and evaluation of enterprise zones shall include an analysis of
3106 enterprise zones that have been expanded to include an area in a
3107 contiguous municipality or in which there are base or plant closures;
3108 and

3109 (12) Any other responsible growth information that the
3110 commissioner deems appropriate.

3111 (d) On or before July 1, 2009, and every five years thereafter, the
3112 **[**Commissioner of Economic and Community Development**]** executive
3113 director of the Connecticut Economic Development Authority shall
3114 submit an economic development strategic plan for the state to the
3115 Governor for approval. The Governor shall review and approve or
3116 disapprove such plan not more than sixty days after submission. The
3117 plan shall be effective upon approval by the Governor or sixty days
3118 after the date of submission.

3119 (e) Upon approval, the **[**commissioner**]** executive director shall
3120 submit the economic development strategic plan to the joint standing
3121 committees of the General Assembly having cognizance of matters
3122 relating to commerce, planning and development, appropriations and
3123 the budgets of state agencies and finance, revenue and bonding. Not
3124 later than thirty days after such submission, the **[**commissioner**]**
3125 executive director shall post the plan on the web site of the
3126 **[**Department of Economic and Community Development**]** Connecticut
3127 Economic Development Authority.

3128 (f) The [commissioner] executive director from time to time, may
3129 revise and update the strategic plan upon approval of the Governor.
3130 The [commissioner] executive director shall post any such revisions on
3131 the web site of the [Department of Economic and Community
3132 Development] Connecticut Economic Development Authority.

3133 Sec. 89. Section 32-5a of the general statutes is repealed and the
3134 following is substituted in lieu thereof (*Effective July 1, 2011*):

3135 The [Commissioner of Economic and Community Development and
3136 the] board of directors of the [Connecticut Development Authority]
3137 Connecticut Economic Development Authority shall require, as a
3138 condition of any financial assistance provided on and after June 23,
3139 1993, under any program administered by [the Department of
3140 Economic and Community Development or] such authority to any
3141 business organization, that such business organization: (1) Shall not
3142 relocate outside of the state for ten years after receiving such assistance
3143 or during the term of a loan or loan guarantee, whichever is longer,
3144 unless the full amount of the assistance is repaid to the state and a
3145 penalty equal to five per cent of the total assistance received is paid to
3146 the state and (2) shall, if the business organization relocates within the
3147 state during such period, offer employment at the new location to its
3148 employees from the original location if such employment is available.
3149 For the purposes of subdivision (1) of this section, the value of a
3150 guarantee shall be equal to the amount of the state's liability under the
3151 guarantee. As used in this section, "relocate" means the physical
3152 transfer of the operations of a business in its entirety or of any division
3153 of a business which independently receives any financial assistance
3154 from the state from the location such business or division occupied at
3155 the time it accepted the financial assistance to another location.
3156 Notwithstanding the provisions of this section, the [Commissioner of
3157 Economic and Community Development] executive director of the
3158 Connecticut Economic Development Authority shall adopt
3159 [regulations in accordance with chapter 54] written procedures in
3160 accordance with section 1-121 to establish the terms and conditions of

3161 repayment, including specifying the conditions under which
3162 repayment may be deferred, following a determination by the
3163 [commissioner] executive director of a legitimate hardship.

3164 Sec. 90. Section 32-6j of the general statutes is repealed and the
3165 following is substituted in lieu thereof (*Effective July 1, 2011*):

3166 In the assessment and provision of job training for employers, [the
3167 Commissioner of Economic and Community Development and] the
3168 executive director of the [Connecticut Development Authority]
3169 Connecticut Economic Development Authority shall request the
3170 assistance of the Labor Commissioner. Upon receipt of a request for job
3171 training pursuant to this section, the Labor Commissioner shall notify
3172 the chancellor of the regional community-technical colleges, or his
3173 designee, of such request. The chancellor, or his designee, shall
3174 determine if a training program exists or can be designed at a regional
3175 community-technical college to meet such training need and shall
3176 notify the Labor Commissioner of such determination. The Labor
3177 Commissioner shall to the extent possible make arrangements for the
3178 participation of the regional community-technical colleges, the
3179 Connecticut State University System, other institutions of higher
3180 education, other postsecondary institutions, adult education programs
3181 and state regional vocational-technical schools in implementing the
3182 program. Nothing in this section shall preclude the Labor
3183 Commissioner from considering or choosing other providers to meet
3184 such training need.

3185 Sec. 91. Section 32-9n of the general statutes is repealed and the
3186 following is substituted in lieu thereof (*Effective July 1, 2011*):

3187 (a) There is established [within the Department of Economic and
3188 Community Development] an Office of Small Business Affairs. Such
3189 office shall aid and encourage small business enterprises, particularly
3190 those owned and operated by minorities and other socially or
3191 economically disadvantaged individuals in Connecticut. As used in
3192 this section, minority means: (1) Black Americans, including all

3193 persons having origins in any of the Black African racial groups not of
3194 Hispanic origin; (2) Hispanic Americans, including all persons of
3195 Mexican, Puerto Rican, Cuban, Central or South American, or other
3196 Spanish culture or origin, regardless of race; (3) all persons having
3197 origins in the Iberian Peninsula, including Portugal, regardless of race;
3198 (4) women; (5) Asian Pacific Americans and Pacific islanders; or (6)
3199 American Indians and persons having origins in any of the original
3200 peoples of North America and maintaining identifiable tribal
3201 affiliations through membership and participation or community
3202 identification.

3203 (b) Said Office of Small Business Affairs shall: (1) Administer at least
3204 one regional office of the small business development center program
3205 within the **[**Department of Economic and Community Development**]**
3206 Connecticut Economic Development Authority; (2) coordinate, with
3207 the director of the small business development center program, the
3208 flow of information within the technical and management assistance
3209 program within the **[**Department of Economic and Community
3210 Development**]** Connecticut Economic Development Authority; (3)
3211 encourage the Connecticut Economic Development Authority to grant
3212 loans to small businesses, particularly those owned and operated by
3213 minorities and other socially or economically disadvantaged
3214 individuals; (4) coordinate and serve as a liaison between all federal,
3215 state, regional and municipal agencies and programs affecting small
3216 business affairs; (5) administer any business management training
3217 program established under section 32-352 or section 32-355 as the
3218 **[**Commissioner of Economic and Community Development**]** executive
3219 director of the Connecticut Economic Development Authority may
3220 determine; (6) provide a single point of contact for small businesses
3221 seeking financial and technical assistance from the state and quasi-
3222 public agencies; (7) coordinate all state funded revolving loan funds
3223 used to assist small businesses; and (8) establish, **[**in cooperation with
3224 the Commissioner of Economic and Community Development, and**]**
3225 within available appropriations, an informational web page with a list
3226 and links to all small business resources available and post them in a

3227 conspicuous place on the [department's] authority's web site. The
3228 office shall update this information on its web site on at least a
3229 quarterly basis.

3230 (c) On or after February 1, 2011, the Office of Small Business Affairs
3231 shall compile a summary of all small business activities and programs
3232 available and incorporate such summary into the report required
3233 pursuant to section 32-1m.

3234 Sec. 92. Subsection (d) of section 32-9cc of the general statutes is
3235 repealed and the following is substituted in lieu thereof (*Effective July*
3236 *1, 2011*):

3237 (d) The Department of Environmental Protection [, the Connecticut
3238 Development Authority] and the Department of Public Health shall
3239 each designate one or more staff members to act as a liaison between
3240 their offices and the Office of Brownfield Remediation and
3241 Development. The Commissioners of [Economic and Community
3242 Development,] Environmental Protection and Public Health and the
3243 executive director of the [Connecticut Development Authority]
3244 Connecticut Economic Development Authority shall enter into a
3245 memorandum of understanding concerning each entity's
3246 responsibilities with respect to the Office of Brownfield Remediation
3247 and Development. The Office of Brownfield Remediation and
3248 Development may develop and recruit two volunteers from the private
3249 sector, including a person from the Connecticut chapter of the National
3250 Brownfield Association, with experience in different aspects of
3251 brownfield remediation and development. Said volunteers may assist
3252 the Office of Brownfield Remediation and Development in achieving
3253 the goals of this section.

3254 Sec. 93. Section 32-9kk of the general statutes is repealed and the
3255 following is substituted in lieu thereof (*Effective July 1, 2011*):

3256 (a) As used in subsections (b) to (k), inclusive, of this section:

3257 (1) "Brownfield" means any abandoned or underutilized site where
3258 redevelopment and reuse has not occurred due to the presence or
3259 potential presence of pollution in the buildings, soil or groundwater
3260 that requires remediation before or in conjunction with the restoration,
3261 redevelopment and reuse of the property;

3262 (2) ["Commissioner" means the Commissioner of Economic and
3263 Community Development] "Executive director" means the executive
3264 director of the Connecticut Economic Development Authority;

3265 (3) ["Department" means the Department of Economic and
3266 Community Development] "Authority" means the Connecticut
3267 Economic Development Authority;

3268 (4) "Eligible applicant" means any municipality, a for-profit or
3269 nonprofit organization or entity, a local or regional economic
3270 development entity acting on behalf of a municipality or any
3271 combination thereof;

3272 (5) "Financial assistance" means grants, extensions of credit, loans or
3273 loan guarantees, participation interests in loans made to eligible
3274 applicants by the [Connecticut Development Authority] Connecticut
3275 Economic Development Authority or combinations thereof;

3276 (6) "Municipality" means a town, city, consolidated town and city or
3277 consolidated town and borough;

3278 (7) "Eligible brownfield project" means the foreclosure,
3279 investigation, assessment, remediation and development of a
3280 brownfield undertaken pursuant to this subsection and subsections (b)
3281 to (k), inclusive, of this section;

3282 (8) "Project area" means the area within which a brownfield
3283 development project is located;

3284 (9) "Real property" means land, buildings and other structures and
3285 improvements thereto, subterranean or subsurface rights, any and all

3286 easements, air rights and franchises of any kind or nature;

3287 (10) "State" means the state of Connecticut; and

3288 (11) "Eligible grant recipients" means municipalities, economic
3289 development authorities, regional economic development authorities,
3290 or qualified nonprofit community and economic development
3291 corporations.

3292 (b) Subject to the availability of funds, the **[**Commissioner of
3293 Economic and Community Development**]** executive director may, in
3294 consultation with the Commissioner of Environmental Protection,
3295 provide financial assistance pursuant to subsections (e) and (f) of this
3296 section in support of eligible brownfield projects, as defined in
3297 subdivision (7) of subsection (a) of this section.

3298 (c) An eligible applicant, as defined in subdivision (4) of subsection
3299 (a) of this section, shall submit an application for financial assistance to
3300 the **[**Commissioner of Economic and Community Development**]**
3301 executive director on forms provided by said **[**commissioner**]** executive
3302 director and with such information said **[**commissioner**]** executive
3303 director deems necessary, including, but not limited to: (1) A
3304 description of the proposed project; (2) an explanation of the expected
3305 benefits of the project in relation to the purposes of subsections (a) to
3306 (i), inclusive, of this section; (3) information concerning the financial
3307 and technical capacity of the eligible applicant to undertake the
3308 proposed project; (4) a project budget; (5) a description of the condition
3309 of the property involved including the results of any environmental
3310 assessment of the property; and (6) the names of any persons known to
3311 be liable for the remediation of the property.

3312 (d) The **[**commissioner**]** executive director may approve, reject or
3313 modify any application properly submitted. In reviewing an
3314 application and determining the type and amount of financial
3315 assistance, if any, to be provided, the **[**commissioner**]** executive
3316 director shall consider the following criteria: (1) The availability of

3317 funds; (2) the estimated costs of assessing and remediating the site, if
3318 known; (3) the relative economic condition of the municipality; (4) the
3319 relative need of the eligible project for financial assistance; (5) the
3320 degree to which financial assistance is necessary as an inducement to
3321 the eligible applicant to undertake the project; (6) the public health and
3322 environmental benefits of the project; (7) relative economic benefits of
3323 the project to the municipality, the region and the state, including, but
3324 not limited to, the extent to which the project will likely result in a
3325 contribution to the municipality's tax base and the retention and
3326 creation of jobs; (8) the time frame in which the contamination
3327 occurred; (9) the relationship of the applicant to the person or entity
3328 that caused the contamination; (10) the length of time the property has
3329 been abandoned; (11) the taxes owed and the projected revenues that
3330 may be restored to the community; (12) the type of financial assistance
3331 requested pursuant to this section; and (13) such other criteria as the
3332 **[**commissioner**]** executive director may establish consistent with the
3333 purposes of subsection (a) to (k), inclusive, of this section.

3334 (e) (1) There is established a remedial action and redevelopment
3335 municipal grant program to be administered by the **[**Department of
3336 Economic and Community Development**]** authority for the purpose of
3337 providing financial assistance in the form of grants to eligible grant
3338 recipients. Eligible grant recipients may use grant funds for any
3339 development project, including manufacturing, retail, residential,
3340 municipal, educational, parks, community centers and mixed-use
3341 development, and the project's associated costs, including (A) soil,
3342 groundwater and infrastructure investigation, (B) assessment, (C)
3343 remediation, (D) abatement, (E) hazardous materials or waste disposal,
3344 (F) long-term groundwater or natural attenuation monitoring, (G)
3345 environmental land use restrictions, (H) attorneys' fees, (I) planning,
3346 engineering and environmental consulting, and (J) building and
3347 structural issues, including demolition, asbestos abatement,
3348 polychlorinated biphenyls removal, contaminated wood or paint
3349 removal, and other infrastructure remedial activities.

3350 (2) The [Commissioner of Economic and Community Development]
3351 executive director shall award grants on a competitive basis, based at a
3352 minimum on an annual request for applications, [the first of which
3353 shall be issued on October 1, 2008, and the following] to be issued on
3354 June first each year, with awards being made by the following January
3355 first. The [commissioner] executive director, at the [commissioner's]
3356 executive director's discretion, may increase the frequency of requests
3357 for applications and awards depending upon the number of applicants
3358 and the availability of funding.

3359 (3) A grant awarded pursuant to this section shall not exceed four
3360 million dollars. If the eligible costs exceed four million dollars, the
3361 [commissioner] executive director may request and seek funding
3362 through other state programs.

3363 (4) If the eligible grant recipient develops and sells the property,
3364 such applicant shall return any money received pursuant to this
3365 subsection, to the brownfield remediation and development account
3366 established pursuant to subsection (l) of this section, minus twenty per
3367 cent, which such eligible grant recipient shall retain to cover costs of
3368 oversight, administration, development and, if applicable, lost tax
3369 revenue.

3370 (5) Any eligible grant recipient shall be immune from liability to the
3371 extent provided in subsection (a) of section 32-9ee.

3372 (6) The eligible grant recipient may make low-interest loans to a
3373 redeveloper, if the future reuse is known and an agreement with the
3374 redeveloper is in place and the private party is a coapplicant. Loan
3375 principal and interest payments shall be returned to the brownfield
3376 remediation and development account established pursuant to
3377 subsection (l) of this section, minus twenty per cent of the principal,
3378 which the eligible grant recipient shall retain. If the eligible grant
3379 recipient provides a loan, such loan may be secured by a state or
3380 municipal lien on the property.

3381 (7) Any eligible grant recipients that provide a loan pursuant to
3382 subdivision (6) of this subsection shall require the loan recipient to
3383 enter a voluntary program pursuant to section 22a-133x or 22a-133y
3384 with the Commissioner of Environmental Protection for brownfield
3385 remediation. The **[**commissioner**]** executive director may use not more
3386 than five per cent of eligible grant or loan proceeds for reasonable
3387 administrative expenses.

3388 (8) Notwithstanding section 22a-134a, the eligible grant recipient
3389 may acquire and convey its interest in the property without such
3390 recipient or the subsequent purchaser incurring liability, including any
3391 such liability incurred pursuant to section 22a-134a, provided the
3392 property was remediated pursuant to section 22a-133x or 22a-133y or
3393 pursuant to an order issued by the Commissioner of Environmental
3394 Protection and such remediation was performed in accordance with
3395 the standards adopted pursuant to section 22a-133k as determined by
3396 said commissioner or, if authorized by said commissioner, verified by
3397 a licensed environmental professional unless such verification has
3398 been rejected by said commissioner subsequent to an audit conducted
3399 by said commissioner and provided the subsequent purchaser has no
3400 direct or related liability for the site conditions.

3401 (f) (1) The **[**Department of Economic and Community Development**]**
3402 authority shall develop a targeted brownfield development loan
3403 program to provide financial assistance in the form of low-interest
3404 loans to eligible applicants who are potential brownfield purchasers
3405 who have no direct or related liability for the site conditions and
3406 eligible applicants who are existing property owners who (A) are
3407 currently in good standing and otherwise compliant with the
3408 Department of Environmental Protection's regulatory programs, (B)
3409 demonstrate an inability to fund the investigation and cleanup
3410 themselves, and (C) cannot retain or expand jobs due to the costs
3411 associated with the investigating and remediating of the
3412 contamination.

3413 (2) The [commissioner] executive director shall provide low-interest
3414 loans to eligible applicants who are purchasers or existing property
3415 owners pursuant to this section who seek to develop property for
3416 purposes of retaining or expanding jobs in the state or for developing
3417 housing to serve the needs of first-time home buyers. Loans shall be
3418 available to manufacturing, retail, residential or mixed-use
3419 developments, expansions or reuses. The [commissioner] executive
3420 director shall provide loans based upon project merit and viability, the
3421 economic and community development opportunity, municipal
3422 support, contribution to the community's tax base, number of jobs,
3423 past experience of the applicant, compliance history and ability to pay.

3424 (3) Any loan recipient who is a brownfields purchaser and who (A)
3425 receives a loan in excess of thirty thousand dollars, or (B) uses loan
3426 proceeds to perform a Phase II environmental investigation, shall be
3427 subject to section 22a-134a or shall enter a voluntary program for
3428 remediation of the property with the Department of Environmental
3429 Protection. Any loan recipient who is an existing property owner shall
3430 enter a voluntary program with the Department of Environmental
3431 Protection.

3432 (4) Loans made pursuant to this subsection shall have such terms
3433 and conditions and shall be subject to such eligibility, loan approval
3434 and criteria, as determined by the [commissioner] executive director.
3435 Such conditions shall include, but not be limited to, performance
3436 requirements and commitments to maintain or retain jobs. Loan
3437 repayment shall coincide with the restoration of the site to a
3438 productive use or the completion of the expansion. Such loans shall be
3439 for a period not to exceed twenty years.

3440 (5) If the property is sold before loan repayment, the loan is payable
3441 upon closing, with interest, unless the [commissioner] executive
3442 director agrees otherwise. The [commissioner] executive director may
3443 carry the loan forward as an encumbrance to the purchaser with the
3444 same terms and conditions as the original loan.

3445 (6) Loans made pursuant to this subsection may be used for any
3446 purpose, including the present or past costs of investigation,
3447 assessment, remediation, abatement, hazardous materials or waste
3448 disposal, long-term groundwater or natural attenuation monitoring,
3449 costs associated with an environmental land use restriction, attorneys'
3450 fees, planning, engineering and environmental consulting costs, and
3451 building and structural issues, including demolition, asbestos
3452 abatement, polychlorinated biphenyls removal, contaminated wood or
3453 paint removal, and other infrastructure remedial activities.

3454 (7) For any loan made pursuant to this subsection that is greater
3455 than fifty thousand dollars, the applicant shall submit a redevelopment
3456 plan that describes how the property will be used or reused for
3457 commercial, industrial or mixed-use development and how it will
3458 result in jobs and private investment in the community. For any
3459 residential development loan pursuant to this subsection, the
3460 developer shall agree that the development will provide the housing
3461 needs reasonable and appropriate for first-time home buyers or recent
3462 college graduates looking to remain in this state.

3463 (8) The loan program established pursuant to this subsection shall
3464 be available to all qualified new and existing property owners.
3465 Recipients who use loans for commercial, industrial or mixed-use
3466 development shall agree to retain or add jobs, during the term of the
3467 loan, unless otherwise agreed to by the **[**Department of Economic and
3468 Community Development, the Connecticut Development Authority**]**
3469 Connecticut Economic Development Authority and the Connecticut
3470 Brownfield Redevelopment Authority. The residential developer shall
3471 agree to retire the loan upon sale of the units unless the development
3472 will be apartments.

3473 (9) Each loan recipient pursuant to this subsection may be eligible
3474 for up to two million dollars per year for up to two years, subject to
3475 agency underwriting and reasonable and customary requirements to
3476 assure performance. If additional funds are needed, the

3477 [Commissioner of Economic and Community Development] executive
3478 director may recommend that the project be funded through the State
3479 Bond Commission.

3480 (g) The [Commissioner of Economic and Community Development]
3481 executive director shall approve applications submitted in accordance
3482 with subsection (c) of this section before awarding any financial
3483 assistance to an eligible applicant or purchasing any participation
3484 interest in a loan made by the [Connecticut Development Authority]
3485 Connecticut Economic Development Authority for the benefit of an
3486 eligible applicant. Notwithstanding any other provision of this section,
3487 if the applicant's request for financial assistance involves the
3488 [department] authority purchasing a participation interest in a loan
3489 made by the [Connecticut Development Authority] authority, such
3490 authority may submit such application and other information as is
3491 required of eligible applicants under subsection (c) of this section on
3492 behalf of such eligible applicant and no further application shall be
3493 required of such eligible applicant. No financial assistance shall exceed
3494 fifty per cent of the total project cost, provided in the case of (1)
3495 planning or site evaluation projects, and (2) financial assistance to any
3496 project in a targeted investment community, such assistance shall not
3497 exceed ninety per cent of the project cost. Upon approval of the
3498 [commissioner] executive director, a nonstate share of the total project
3499 cost, if any, may be satisfied entirely or partially from noncash
3500 contributions, including contributions of real property, from private
3501 sources or, to the extent permitted by federal law, from moneys
3502 received by the municipality under any federal grant program.

3503 (h) Financial assistance may be made available for (1) site
3504 investigation and assessment, (2) planning and engineering, including,
3505 but not limited to, the reasonable cost of environmental consultants,
3506 laboratory analysis, investigatory and remedial contractors, architects,
3507 attorneys' fees, feasibility studies, appraisals, market studies and
3508 related activities, (3) the acquisition of real property, provided
3509 financial assistance for such acquisition shall not exceed fair market

3510 value as appraised as if clean, (4) the construction of site and
3511 infrastructure improvements related to the site remediation, (5)
3512 demolition, asbestos abatement, hazardous waste removal, PCB
3513 removal and related infrastructure remedial activities, (6) remediation,
3514 groundwater monitoring, including, but not limited to, natural
3515 attenuation groundwater monitoring and costs associated with filing
3516 an environmental land use restriction, (7) environmental insurance,
3517 and (8) other reasonable expenses the [commissioner] executive
3518 director determines are necessary or appropriate for the initiation,
3519 implementation and completion of the project. The [department]
3520 authority may purchase participation interests in loans made by the
3521 [Connecticut Development Authority] Connecticut Economic
3522 Development Authority for the foregoing purposes.

3523 (i) The [commissioner] executive director may establish the terms
3524 and conditions of any financial assistance provided pursuant to
3525 subsections (a) to (k), inclusive, of this section. The [commissioner]
3526 executive director may make any stipulation in connection with an
3527 offer of financial assistance the [commissioner] executive director
3528 deems necessary to implement the policies and purposes of such
3529 sections, including, but not limited to the following: (1) Providing
3530 assurances that the eligible applicant will discharge its obligations in
3531 connection with the project; and (2) requiring that the eligible
3532 applicant provide the [department] authority with appropriate
3533 security for such financial assistance, including, but not limited to, a
3534 letter of credit, a lien on real property or a security interest in goods,
3535 equipment, inventory or other property of any kind.

3536 (j) The [commissioner] executive director may use any available
3537 funds for financial assistance under the provisions of subsections (a) to
3538 (k), inclusive, of this section.

3539 (k) Whenever funds are used pursuant to subsections (a) to (k),
3540 inclusive, of this section for purposes of environmental assessments or
3541 remediation of a brownfield, the Commissioner of Environmental

3542 Protection may seek reimbursement of the costs and expenses incurred
3543 by requesting the Attorney General to bring a civil action to recover
3544 such costs and expenses from any party responsible for such pollution
3545 provided no such action shall be brought separately from any action to
3546 recover costs and expenses incurred by the Commissioner of
3547 Environmental Protection in pursuing action to contain, remove or
3548 mitigate any pollution on such site. The costs and expenses recovered
3549 may include, but shall not be limited to, (1) the actual cost of
3550 identifying, evaluating, planning for and undertaking the remediation
3551 of the site; (2) any administrative costs not exceeding ten per cent of
3552 the actual costs; (3) the costs of recovering the reimbursement; and (4)
3553 interest on the actual costs at a rate of ten per cent a year from the date
3554 such expenses were paid. The defendant in any civil action brought
3555 pursuant to this subsection shall have no cause of action or claim for
3556 contribution against any person with whom the Commissioner of
3557 Environmental Protection has entered into a covenant not to sue
3558 pursuant to sections 22a-133aa and 22a-133bb with respect to pollution
3559 on or emanating from the property that is the subject of said civil
3560 action. Funds recovered pursuant to this section shall be deposited in
3561 the brownfield remediation and development account established
3562 pursuant to subsections (l) to (o), inclusive, of this section. The
3563 provisions of this subsection shall be in addition to any other remedies
3564 provided by law.

3565 (l) There is established a separate nonlapsing account within the
3566 General Fund to be known as the "brownfield remediation and
3567 development account". There shall be deposited in the account: (1) The
3568 proceeds of bonds issued by the state for deposit into said account and
3569 used in accordance with this section; (2) repayments of assistance
3570 provided pursuant to subsection (c) of section 22a-133u; (3) interest or
3571 other income earned on the investment of moneys in the account; (4)
3572 funds recovered pursuant to subsection (i) of this section; and (5) all
3573 funds required by law to be deposited in the account. Repayment of
3574 principal and interest on loans made pursuant to subsections (a) to (k),
3575 inclusive, of this section shall be credited to such account and shall

3576 become part of the assets of the account. Any balance remaining in
3577 such account at the end of any fiscal year shall be carried forward in
3578 the account for the fiscal year next succeeding.

3579 (m) All moneys received in consideration of financial assistance,
3580 including payments of principal and interest on any loans, shall be
3581 credited to the account. At the discretion of the **[**Commissioner of
3582 Economic and Community Development**]** executive director and
3583 subject to the approval of the Secretary of the Office of Policy and
3584 Management, any federal, private or other moneys received by the
3585 state in connection with projects undertaken pursuant to subsections
3586 (a) to (k), inclusive, of this section shall be credited to the assets of the
3587 account.

3588 (n) Notwithstanding any provision of **[**law**]** the general statutes,
3589 proceeds from the sale of bonds available pursuant to subdivision (1)
3590 of subsection (b) of section 4-66c may, with the approval of the
3591 Governor and the State Bond Commission, be used to capitalize the
3592 brownfield remediation and development account created by
3593 subsections (l) to (o), inclusive, of this section.

3594 (o) The **[**commissioner**]** executive director may, with the approval of
3595 the Secretary of the Office of Policy and Management, provide
3596 financial assistance pursuant to subsections (a) to (k), inclusive, of this
3597 section from the account established under subsection (l) to (o),
3598 inclusive, of this section.

3599 Sec. 94. Subsection (b) of section 32-23o of the general statutes is
3600 repealed and the following is substituted in lieu thereof (*Effective July*
3601 *1, 2011*):

3602 (b) Each such loan or extension of credit shall be authorized by the
3603 **[**Connecticut Development Authority**]** Connecticut Economic
3604 Development Authority or, if the authority so determines, by a
3605 committee of the authority consisting of the chairman and either one
3606 other member of the authority or its executive director, as specified in

3607 the determination of the authority. Any administrative expenses
3608 incurred in carrying out the provisions of this section, to the extent not
3609 paid by the authority or from moneys appropriated to the department,
3610 shall be paid from the Small Contractors' Revolving Loan Fund.
3611 Payments from the Small Contractors' Revolving Loan Fund to small
3612 contractors or to pay such administrative expenses shall be made by
3613 the Treasurer upon certification by the **[**Commissioner of Economic
3614 and Community Development**]** authority that the payment is
3615 authorized under the provisions of this section, under the applicable
3616 rules and **[**regulations**]** procedures of the **[**department**]** authority, and,
3617 if made to a small contractor, under the terms and conditions
3618 established by the authority or the duly appointed committee thereof
3619 in authorizing the making of the loan or the extension of credit.

3620 Sec. 95. Section 32-61 of the general statutes is repealed and the
3621 following is substituted in lieu thereof (*Effective July 1, 2011*):

3622 As used in this chapter, "authority" means the **[**Connecticut
3623 Development Authority created under subsection (a) of section 32-11a**]**
3624 Connecticut Economic Development Authority; "executive director"
3625 means the executive director of the **[**Connecticut Development
3626 Authority appointed pursuant to subsection (d) of section 32-11a**]**
3627 Connecticut Economic Development Authority; "project" means a
3628 project as defined in subsection (d) of section 32-23d; "insurance fund"
3629 means the Revenue Bond Mortgage Insurance Fund created under
3630 section 32-62; "eligible financial institution" means an eligible financial
3631 institution as defined in section 32-65; "state" means the state of
3632 Connecticut; and "loan" means loans, notes, bonds or other forms of
3633 indebtedness related to the financing or refinancing of a project by the
3634 authority or an eligible financial institution, or any participation or
3635 other interest therein, however evidenced, or any pool or portion of the
3636 foregoing.

3637 Sec. 96. Subsection (a) of section 32-141 of the general statutes is
3638 repealed and the following is substituted in lieu thereof (*Effective July*

3639 *1, 2011*):

3640 (a) (1) The total amount of private activity bonds which may be
3641 issued by state issuers in the calendar year commencing January 1,
3642 2001, under the state ceiling in effect for such year, shall be allocated as
3643 follows: (A) **[**Sixty**]** Seventy-five per cent to the **[**Connecticut Housing
3644 Finance Authority; (B) fifteen per cent to the Connecticut Development
3645 Authority**]** Connecticut Economic Development Authority; and **[**(C)**]**
3646 (B) twenty-five per cent to municipalities and political subdivisions,
3647 departments, agencies, authorities and other bodies of municipalities,
3648 the Connecticut Higher Education Supplemental Loan Authority and
3649 for contingencies.

3650 (2) The total amount of private activity bonds which may be issued
3651 by state issuers in the calendar year commencing January 1, 2007, and
3652 each calendar year thereafter, under the state ceiling in effect for each
3653 such year, shall be allocated as follows: (A) **[**Sixty**]** Seventy-two and
3654 one-half per cent to the **[**Connecticut Housing Finance Authority; (B)
3655 twelve and one-half per cent to the Connecticut Development
3656 Authority**]** Connecticut Economic Development Authority; and **[**(C)**]**
3657 (B) twenty-seven and one-half per cent to municipalities and political
3658 subdivisions, departments, agencies, authorities and other bodies of
3659 municipalities and the Connecticut Higher Education Supplemental
3660 Loan Authority, then to the Connecticut Student Loan Foundation and
3661 then for contingencies. At least ten per cent of bonds allocated under
3662 subparagraph (A) of this subdivision shall be used for multifamily
3663 residential housing in the calendar year commencing January 1, 2008.
3664 In each calendar year commencing January 1, 2009, fifteen per cent of
3665 such bonds shall be used for multifamily residential housing.

3666 (3) The board of directors of the Connecticut **[**Housing Finance**]**
3667 Economic Development Authority shall undertake a review and
3668 analysis of the multifamily housing goals and programs of the
3669 authority to determine the extent to which the authority can increase
3670 the production of multifamily housing and promote its preservation,

3671 including production of multifamily housing that serves households
3672 with incomes less than fifty per cent of the area median income and
3673 households with incomes less than twenty-five per cent of the area
3674 median income. Such review and analysis shall include, but not be
3675 limited to, the use of private activity bonds in conjunction with four
3676 per cent federal tax credits. The board of directors of the authority
3677 shall report its findings and recommendations to the joint standing
3678 committee of the General Assembly having cognizance of matters
3679 relating to planning and development and to the select committee on
3680 housing not later than January 1, 2008.

3681 Sec. 97. Section 32-222 of the general statutes is repealed and the
3682 following is substituted in lieu thereof (*Effective July 1, 2011*):

3683 As used in sections 32-220 to 32-234, inclusive:

3684 (a) "Business development project" means a project undertaken by
3685 an eligible applicant involving one or more of the following:

3686 (1) The construction, substantial renovation, improvement or
3687 expansion of a facility;

3688 (2) The acquisition of new machinery and equipment;

3689 (3) The acquisition, improvement, demolition, cultivation or
3690 disposition of real property, or combinations thereof, or the
3691 remediation of contaminated real property;

3692 (4) The creation at a facility, within twenty-four months of the
3693 initiation of a hiring program, not less than ten new jobs or an increase
3694 in the number of persons employed at the facility of twenty per cent,
3695 whichever is greater;

3696 (5) Economic diversification of the economy of an area of the state or
3697 manufacturing or other economic base business where such area or
3698 business is substantially reliant upon defense and related industry;

3699 (6) Participation in the avoidance of an imminent plant closing or
3700 relocation by a manufacturing or other economic base business or
3701 assist or improve the economy of an area of the state which has been or
3702 is likely to be significantly and adversely impacted by one or more
3703 major plant closings or relocations;

3704 (7) Support research and development or commercialization of
3705 technologies, products, processes or techniques of a manufacturing or
3706 other economic base business;

3707 (8) Creation or support of organizations and activities specifically
3708 leveraging federal resources that provide technical and engineering
3709 assistance to small manufacturers or other economic base businesses to
3710 assist them with the design, testing, manufacture and marketing of
3711 new products, the exporting of state products and services, and the
3712 instruction and implementation of new techniques and technologies;

3713 (9) Support of substantial workforce development efforts;

3714 (10) Promotion of community conservation or development or
3715 improvement of the quality of life for urban residents of the state;

3716 (11) Promotion of the revitalization of underutilized, state-owned
3717 former railroad depots and areas adjacent to such depots; or

3718 (12) Promotion of export activities, including sponsorship of
3719 programs that support exportation, assistance to companies in
3720 accessing federal Department of Commerce services, and provision of
3721 marketing materials and web site improvements for exporters;

3722 (b) "Business support services" means activities related to a
3723 municipal development project or business development project which
3724 support the economic competitiveness of manufacturing or exporting
3725 or economic base businesses or which further the interests of the state,
3726 including, but not limited to, facilities and services related to day care,
3727 job training, education, transportation, employee housing, energy
3728 conservation, pollution control and recycling, provided activities

3729 related to employee housing shall be limited to feasibility and
3730 implementation studies;

3731 (c) [“Commissioner" means the Commissioner of Economic and
3732 Community Development] "Executive Director" means the executive
3733 director of the Connecticut Economic Development Authority;

3734 (d) "Economic base business" means a business that the
3735 commissioner determines will materially contribute to the economy of
3736 the state by creating or retaining jobs, exporting products or services
3737 beyond the state's boundaries, encouraging innovation in products or
3738 services, adding value to products or services or otherwise supporting
3739 or enhancing existing activities important to the economy of the state;

3740 (e) "Economic cluster" means an economic cluster, as defined in
3741 section 32-4e, recognized by the [commissioner] executive director;

3742 (f) [“Department" means the Department of Economic and
3743 Community Development] "Authority" means the Connecticut
3744 Economic Development Authority;

3745 (g) "Development plan" means a plan for a municipal development
3746 project prepared in accordance with the provisions of subsection (b) of
3747 section 32-223;

3748 (h) "Eligible applicant" means any for-profit or nonprofit
3749 organization, or any combination thereof, any municipality, regional
3750 planning agency or any combination thereof and further provided, in
3751 the case of a loan made by the Connecticut Economic Development
3752 Authority in which the department purchases a participation interest,
3753 "eligible applicant" means the for-profit or nonprofit organization, or
3754 any combination thereof, that will receive the proceeds of such loan;

3755 (i) "Financial assistance" means grants, funds for the purchase of
3756 insurance policies and payment of deductibles for insurance policies to
3757 cover remediation costs, extensions of credit, loans or loan guarantees,
3758 participation interests in loans made to eligible applicants by the

3759 Connecticut Economic Development Authority or combinations
3760 thereof;

3761 (j) "For-profit organization" means a for-profit partnership or sole
3762 proprietorship or corporation or limited liability company which is an
3763 economic base business or has a North American Industrial
3764 Classification code of 311111 through 339999 or 493110, 493120, 493130,
3765 493190, 511210, 512110, 512120, 512191, 522210, 522293, 522294, 522298,
3766 522310, 522320, 522390, 523110, 523120, 523130, 523140, 523210, 523910,
3767 524113, 524114, 524126, 524127, 524128, 524130, 524292, 541711, 541712,
3768 551111, 551112, 551114, 561422, 611310, 611410, 611420, 611430, 611513,
3769 611519, 611710 and 624410 or any business that is part of an economic
3770 cluster, or any establishment or auxiliary or operating unit thereof, as
3771 defined in the North American Industrial Classification System
3772 Manual, which has demonstrated to the satisfaction of the
3773 **[**commissioner**]** executive director that it has the qualifications,
3774 including financial qualifications, necessary to carry out a business
3775 development project;

3776 (k) "Implementing agency" means one of the following agencies
3777 designated by a municipality under section 32-223: (1) An economic
3778 development commission, redevelopment agency; sewer authority or
3779 sewer commission; public works commission; water authority or water
3780 commission; port authority or port commission or harbor authority or
3781 harbor commission; parking authority or parking commission; (2) a
3782 nonprofit development corporation; or (3) any other agency
3783 designated and authorized by a municipality to undertake a project
3784 and approved by the **[**commissioner**]** executive director;

3785 (l) "Municipal development project" means a business development
3786 project through which real property is acquired by a municipality or
3787 implementing agency as part of such project;

3788 (m) "Municipality" means a town, city, consolidated town and city
3789 or consolidated town and borough;

3790 (n) "Nonprofit organization" means a municipality or nonprofit
3791 corporation as defined in section 33-1002 and organized under the
3792 laws of this state and for purposes of this chapter includes any
3793 constituent unit of the state system of higher education;

3794 (o) "Planning commission" means a planning and zoning
3795 commission designated pursuant to section 8-4a or a planning
3796 commission created pursuant to section 8-19;

3797 (p) "Project" means a municipal development project or business
3798 development project;

3799 (q) "Project area" means the area within which a municipal
3800 development project or business development project is located;

3801 (r) "Real property" means land, buildings and other structures and
3802 improvements thereto, subterranean or subsurface right, any and all
3803 easements, air rights and franchises of any kind or nature;

3804 (s) "Site and infrastructure improvements" means improvements to:
3805 (1) Sanitary sewer facilities; (2) natural gas pipes, electric, telephone
3806 and telecommunications conduits and other facilities and waterlines
3807 and water supply facilities, except for any such pipes, wires, conduits,
3808 waterlines or facilities which a public service company, as defined in
3809 section 16-1, water company, as defined in section 25-32a, or municipal
3810 utility is required to install pursuant to any provision of the general
3811 statutes or any special act, regulation or order of the Department of
3812 Public Utility Control or a certificate of public convenience and
3813 necessity; (3) storm drainage facilities, including facilities to control
3814 flooding; (4) site grading, landscaping, environmental improvements,
3815 including remediation of contaminated sites, parking facilities,
3816 roadways and related appurtenances; (5) railroad spurs; (6) public port
3817 or docking facilities; and (7) such other related improvements
3818 necessary or appropriate to carry out the project;

3819 (t) "State" means the state of Connecticut;

3820 (u) "Targeted investment community" means a municipality which
3821 contains an enterprise zone designated pursuant to section 32-70;

3822 (v) "Total project cost" means costs of any kind or nature relating to
3823 the planning, implementation and completion of a municipal or
3824 business development project;

3825 (w) "Legislative body" means (1) the board of selectmen in a town
3826 that does not have a charter, special act or home rule ordinance
3827 relating to its government, or (2) the council, board of aldermen,
3828 representative town meeting, board of selectmen or other elected
3829 legislative body described in a charter, special act or home rule
3830 ordinance relating to its government in a city, consolidated town and
3831 city, consolidated town and borough or a town having a charter,
3832 special act, consolidation ordinance or home rule ordinance relating to
3833 its government.

3834 Sec. 98. Section 32-227 of the general statutes is repealed and the
3835 following is substituted in lieu thereof (*Effective July 1, 2011*):

3836 (a) For the purpose of carrying out or administering a municipal or
3837 business development project, (1) a municipality, acting by and
3838 through its implementing agency, may, subject to the limitations and
3839 procedures set forth in this section, issue from time to time bonds of
3840 the municipality, and (2) the **[**Connecticut Development Authority**]**
3841 Connecticut Economic Development Authority may, upon a resolution
3842 adopted by the legislative body of the municipality, issue from time to
3843 time bonds which, in either case, are payable solely or in part from and
3844 secured by: (A) A pledge of and lien upon any or all of the income,
3845 proceeds, revenues and property of development projects, including
3846 the proceeds of grants, loans, advances or contributions from the
3847 federal government, the state or other source, including financial
3848 assistance furnished by the municipality or any other public body
3849 pursuant to sections 32-220 to 32-234, inclusive; (B) taxes or payments
3850 in lieu of taxes, or both, in whole or in part, allocated to and paid into a
3851 special fund of the municipality or the **[**Connecticut Development

3852 Authority] Connecticut Economic Development Authority pursuant to
3853 the provisions of subsection (c) of this section; or (C) any combination
3854 of the methods in subparagraphs (A) and (B) of this subdivision. Any
3855 bonds payable and secured as provided in this subsection shall be
3856 authorized by, and the appropriation of the proceeds thereof approved
3857 by and subject to, a resolution adopted by the legislative body of the
3858 municipality, notwithstanding the provisions of any other statute, local
3859 law or charter governing the authorization and issuance of bonds and
3860 the appropriation of the proceeds thereof generally by the
3861 municipality. No such resolution shall be adopted until after a public
3862 hearing has been held upon such authorization. Notice of such hearing
3863 shall be published not less than five days prior to such hearing in a
3864 newspaper having a general circulation in the municipality. Any such
3865 bonds of a municipality or the [Connecticut Development Authority]
3866 Connecticut Economic Development Authority shall be issued and
3867 sold in such manner; bear interest at such rate or rates, including
3868 variable rates; provide for the payment of interest on such dates,
3869 whether before or at maturity; be issued at, above or below par;
3870 mature at such time or times not exceeding thirty years from their
3871 date; have such rank or priority; be payable in such medium of
3872 payment; be issued in such form, including, without limitation,
3873 registered or book-entry form; carry such registration and transfer
3874 privileges and be made subject to purchase or redemption before
3875 maturity at such price or prices and under such terms and conditions,
3876 including the condition that such bonds be subject to purchase or
3877 redemption on the demand of the owner thereof; and contain such
3878 other terms and particulars as the legislative body of the municipality
3879 or the officers delegated such authority by the legislative body of the
3880 municipality shall determine. Any such bonds of the [Connecticut
3881 Development Authority] Connecticut Economic Development
3882 Authority shall be issued and sold in the manner and subject to the
3883 general terms and provisions of law applicable to issuance of bonds by
3884 the [Connecticut Development Authority] Connecticut Economic
3885 Development Authority, except that the provisions of subsection (b) of

3886 section 32-23j shall not apply. The proceedings under which bonds are
3887 authorized to be issued may, subject to the provisions of indenture or
3888 to any other depository agreement, provide for the method of
3889 disbursement thereof, with such safeguards and restrictions as it may
3890 determine. Any pledge made by the municipality or the [Connecticut
3891 Development Authority] Connecticut Economic Development
3892 Authority for bonds issued as provided in this subsection shall be
3893 valid and binding from the time when the pledge is made, and any
3894 revenues or other receipts, funds or moneys so pledged and thereafter
3895 received by the municipality or the [Connecticut Development
3896 Authority] Connecticut Economic Development Authority shall be
3897 subject to the lien of such pledge without any physical delivery thereof
3898 or further act. The lien of any such pledge shall be valid and binding as
3899 against all parties having claims of any kind in tort, contract or
3900 otherwise against the municipality or [Connecticut Development
3901 Authority] the Connecticut Economic Development Authority,
3902 irrespective of whether such parties have notice of such lien. Neither
3903 the resolution nor any other instrument by which a pledge is created
3904 need be recorded. All expenses incurred in carrying out such financing
3905 may be treated as project costs. Such bonds shall not be included in
3906 computing the aggregate indebtedness of the municipality, provided,
3907 if such bonds are made payable, in whole or in part, from funds
3908 contracted to be advanced by the municipality, the aggregate amount
3909 of such funds not yet appropriated to such purpose shall be included
3910 in computing the aggregate indebtedness of the municipality. As used
3911 in this section, "bonds" means any bonds, including refunding bonds,
3912 notes, temporary notes, interim certificates, debentures or other
3913 obligations. Temporary notes issued in accordance with this subsection
3914 in anticipation of the receipt of the proceeds of bond issues may be
3915 issued for a period of not more than five years, and notes issued for a
3916 shorter period of time may be renewed by the issue of other notes,
3917 provided the period from the date of the original notes to the maturity
3918 of the last notes issued in renewal thereof shall not exceed five years.
3919 For purposes of this section, references to the Connecticut

3920 Development Authority shall include any subsidiary of the
3921 **[**Connecticut Development Authority established pursuant to
3922 subsection (l) of section 32-11a**]** Connecticut Economic Development
3923 Authority.

3924 (b) For the purpose of carrying out or administering a municipal or
3925 business development project, a municipality or its implementing
3926 agency may accept grants, advances, loans or other financial assistance
3927 from the federal government, the state or other source and may do any
3928 and all things necessary or desirable to secure such financial aid. To
3929 assist any project located in the area in which it is authorized to act,
3930 any public body, including the state, or any city, town, borough,
3931 authority, district, subdivision or agency of the state, may, upon such
3932 terms as it determines, furnish service or facilities, provide property,
3933 lend or contribute funds, and take any other action of a character
3934 which it is authorized to perform for other purposes. To obtain funds
3935 for the temporary and definitive financing of any project, a
3936 municipality or implementing agency may, in addition to other action
3937 authorized under this act or other law, issue its general obligation
3938 bonds, notes, temporary notes or other obligations secured by a pledge
3939 of the municipality's full faith and credit. Such bonds, notes,
3940 temporary notes and other obligations shall be authorized in
3941 accordance with the requirements for the authorization of such
3942 obligations generally by the municipality and the authorization,
3943 issuance and sale thereof shall be subject to the limitations contained in
3944 the general statutes, including provisions on the limitation of the
3945 aggregate indebtedness of the municipality. Notwithstanding the
3946 provisions of sections 7-264, 7-378 and 7-378a, and any other public or
3947 special act or charter or bond ordinance or bond resolution which
3948 limits the issuance or renewal of temporary notes issued in
3949 anticipation of the receipt of the proceeds of bond issues to a period of
3950 time of less than five years from the date of the original notes or
3951 requires a reduction in the principal amount of such notes or renewal
3952 notes prior to the fifth anniversary of the date of the original notes,
3953 such temporary notes may be issued for a period of not more than five

3954 years, and notes issued for a shorter period of time may be renewed by
3955 the issue of other notes, provided the period from the date of the
3956 original notes to the maturity of the last notes issued in renewal
3957 thereof shall not exceed five years.

3958 (c) Any development plan authorized under sections 32-220 to 32-
3959 234, inclusive, or any proceedings authorizing the issuance of bonds
3960 under said sections may contain a provision that taxes, if any,
3961 identified in such plan or such authorizing proceedings and levied
3962 upon taxable real or personal property, or both, in a project each year
3963 or payments in lieu of such taxes authorized pursuant to chapter 114,
3964 or both, by or for the benefit of any one or more municipalities,
3965 districts or other public taxing agencies, as the case may be, shall be
3966 divided as follows: (1) In each fiscal year that portion of the taxes or
3967 payments in lieu of taxes, or both, which would be produced by
3968 applying the then current tax rate of each of the taxing agencies to the
3969 total sum of the assessed value of the taxable property in the project on
3970 the effective date of such adoption or the date of such authorizing
3971 proceedings, as the case may be, or on any date between such two
3972 dates which is identified in such proceedings, shall be allocated to and
3973 when collected shall be paid into the funds of the respective taxing
3974 agencies in the same manner as taxes by or for said taxing agencies on
3975 all other property are paid; and (2) that portion of the assessed taxes or
3976 the payments in lieu of taxes, or both, each fiscal year in excess of the
3977 amount referred to in subdivision (1) of this subsection shall be
3978 allocated to and when collected shall be paid into a special fund of the
3979 municipality or the **[**Connecticut Development Authority**]** Connecticut
3980 Economic Development Authority to be used in each fiscal year, first
3981 to pay the principal of and interest due in such fiscal year on loans,
3982 moneys advanced to, or indebtedness, whether funded, refunded,
3983 assumed, or otherwise, incurred by such municipality or the
3984 **[**Connecticut Development Authority**]** Connecticut Economic
3985 Development Authority to finance or refinance in whole or in part,
3986 such project, and then, at the option of the municipality or the
3987 **[**Connecticut Development Authority**]** Connecticut Economic

3988 Development Authority, to purchase bonds issued for the project
3989 which has generated the tax increments or payments in lieu of taxes
3990 and then, at the option of the municipality or the [Connecticut
3991 Development Authority] Connecticut Economic Development
3992 Authority, to reimburse the provider of or reimbursement party with
3993 respect to any guarantee, letter of credit, policy of bond insurance,
3994 funds deposited in a debt service reserve fund, funds deposited as
3995 capitalized interest or other credit enhancement device used to secure
3996 payment of debt service on any bonds, notes or other indebtedness
3997 issued pursuant to this section to finance or refinance such project, to
3998 the extent of any payments of debt service made therefrom. Unless and
3999 until the total assessed valuation of the taxable property in a project
4000 exceeds the total assessed value of the taxable property in such project
4001 as shown by the last assessment list referred to in subdivision (1) of
4002 this subsection, all of the taxes levied and collected and all of the
4003 payments in lieu of taxes due and collected upon the taxable property
4004 in such project shall be paid into the funds of the respective taxing
4005 agencies. When such loans, advances, and indebtedness, if any, and
4006 interest thereof, and such debt service reimbursement to the provider
4007 of or reimbursement party with respect to such credit enhancement,
4008 have been paid in full, all moneys thereafter received from taxes or
4009 payments in lieu of taxes, or both, upon the taxable property in such
4010 development project shall be paid into the funds of the respective
4011 taxing agencies in the same manner as taxes on all other property are
4012 paid.

4013 (d) Notwithstanding the provisions of subsection (a) or (b) of this
4014 section and any other public or special act or charter or bond ordinance
4015 or bond resolution which limits the renewal of temporary notes issued
4016 pursuant to said subsections in anticipation of the receipt of the
4017 proceeds of bond issues to five years from the date of the original
4018 notes, any municipality may renew temporary notes in accordance
4019 with the provisions of this section for an additional period of not more
4020 than four years from the end of such five-year period. The officers or
4021 board authorized to issue the bonds or determine the particulars of the

4022 bonds may adopt a resolution authorizing the renewal of temporary
4023 notes for such additional period under the following conditions: (1) All
4024 project grant payments and bond sale proceeds received shall be
4025 promptly applied toward project costs or toward payment of such
4026 temporary notes as the same shall become due and payable or shall be
4027 deposited in trust for such purposes; (2) no later than the end of each
4028 period of twelve months after the end of such five-year period a
4029 portion of such temporary notes equal to at least one-twentieth of the
4030 municipality's estimated cost of the project shall be retired from funds
4031 other than project grants or land sale proceeds or note proceeds; (3) the
4032 interest on all temporary notes renewed after such five-year period
4033 shall be paid from funds other than project grants or land sale
4034 proceeds or note proceeds; (4) the principal amount of each bond issue
4035 when sold shall be reduced by the amounts spent under subdivision
4036 (2) of this section, and the principal of such bonds shall be paid in
4037 annual installments commencing no later than one year from the date
4038 of issue; and (5) the maximum authorized term of the bonds when sold
4039 shall be reduced by not less than the number of months from the end
4040 of such five-year period to the date of issue. Any anticipated federal or
4041 state project grants or land sale proceeds may be used in computing
4042 the municipality's cost of the project. Any municipality in which such
4043 resolution is passed shall include in its annual budget or shall
4044 otherwise appropriate sufficient funds to make the payments required
4045 by subdivisions (2) and (3) of this subsection.

4046 Sec. 99. Section 32-244 of the general statutes is repealed and the
4047 following is substituted in lieu thereof (*Effective July 1, 2011*):

4048 (a) All data and other information received by the **[**Department of
4049 Economic and Community Development, the Connecticut
4050 Development Authority**]** <u>Connecticut Economic Development</u>
4051 <u>Authority</u> or any implementing agency, as defined in section 32-222, or
4052 any advisory board or committee of the department, authority or
4053 agency, from any person in connection with an application for, or the
4054 provision of, financial assistance, which consists of the following, shall

4055 be deemed, for purposes of a public records request pursuant to the
4056 Freedom of Information Act, as defined in section 1-200, made to the
4057 **[**Department of Economic and Community Development, the
4058 Connecticut Development Authority**]** Connecticut Economic
4059 Development Authority or any such implementing agency, advisory
4060 board or committee, to be information described in subdivision (5) of
4061 subsection (b) of section 1-210: (1) Actual trade secrets or information
4062 that a person intends to become a trade secret, (2) material that a
4063 person intends to patent, (3) patented material, (4) marketing or
4064 business plans, (5) plans for new products or services, (6) reports of
4065 customer orders or sales or other documents that would disclose
4066 names and addresses of customers or potential customers, (7)
4067 information concerning the financial condition or personal affairs of
4068 any individual, (8) financial statements or projections, (9) sales or
4069 earnings forecasts, (10) capital or strategic plans, (11) information
4070 regarding research and development, (12) tax returns, or (13) other
4071 commercial, credit or financial information with respect to the financial
4072 condition or business operations of an applicant for or recipient of
4073 financial assistance which is of a type not customarily made available
4074 to the public.

4075 (b) The enumeration in this section of particular types of data and
4076 information shall not be construed to limit the possible applicability of
4077 subdivision (5) of subsection (b) of section 1-210 to other data or
4078 information not so enumerated.

4079 Sec. 100. Section 32-244a of the general statutes is repealed and the
4080 following is substituted in lieu thereof (*Effective July 1, 2011*):

4081 All information contained in any application for financial assistance
4082 submitted to the **[**Department of Economic and Community
4083 Development or the Connecticut Development Authority**]** Connecticut
4084 Economic Development Authority prior to October 1, 2000, and all
4085 information with respect to any person or project, including all
4086 financial, credit and proprietary information, obtained by the

4087 [Department of Economic and Community Development or the
4088 Connecticut Development Authority] Connecticut Economic
4089 Development Authority prior to October 1, 2000, or on or after October
4090 1, 2000, pursuant to the requirements of an agreement entered into
4091 prior to October 1, 2000, shall be exempt from the provisions of
4092 subsection (a) of section 1-210.

4093 Sec. 101. Subsection (k) of section 32-261 of the general statutes is
4094 repealed and the following is substituted in lieu thereof (*Effective July*
4095 *1, 2011*):

4096 (k) As used in this section, the following terms shall have the
4097 following meanings unless the context indicates another meaning and
4098 intent:

4099 (1) "Authority" means the [Connecticut Development Authority
4100 created under subsection (a) of section 32-23d] Connecticut Economic
4101 Development Authority;

4102 (2) "Eligible financial institution" shall have the same meaning as
4103 "eligible financial institution", as defined in subsection (e) of section 32-
4104 23d;

4105 (3) "Loans" means loans, notes, bonds and all other forms of debt
4106 financing or extensions of credit, secured or unsecured, including
4107 loans for working capital purposes;

4108 (4) "Other investments" means (A) any and all forms of equity
4109 financing made by the authority or an eligible financial institution, (B)
4110 any participation or other interest in such equity financing, however
4111 evidenced, or (C) any pool or portfolio of, or position in, loans, such
4112 equity financing or any combination thereof;

4113 (5) "Person" means a person, as defined in subsection (s) of section
4114 32-23d; and

4115 (6) "State" means the state of Connecticut.

4116 Sec. 102. Subsection (b) of section 32-262 of the general statutes is
4117 repealed and the following is substituted in lieu thereof (*Effective July*
4118 *1, 2011*):

4119 (b) The proceeds of the sale of said bonds, to the extent of the
4120 amount stated in subsection (a) of this section, shall be used by the
4121 **[**Department of Economic and Community Development to make
4122 grants to the Connecticut Development Authority**]** Connecticut
4123 Economic Development Authority for deposit in the Investment and
4124 Loan Guaranty Fund to be used for the purpose of section 32-261. **[**The
4125 terms and conditions of said grants shall be governed in accordance
4126 with a grant contract between the department and the authority.**]**

4127 Sec. 103. Section 8-37t of the general statutes is repealed and the
4128 following is substituted in lieu thereof (*Effective July 1, 2011*):

4129 (a) Not later than January 1, 2000, and every five years thereafter,
4130 the **[**Commissioner of Economic and Community Development
4131 together with**]** executive director of the Connecticut **[**Housing Finance**]**
4132 Economic Development Authority, shall prepare a long-range state
4133 housing plan, which shall conform and be subject to the plan of
4134 conservation and development for the state adopted by the General
4135 Assembly. The plan shall: (1) Contain an assessment of the housing
4136 needs of households with incomes less than one hundred per cent of
4137 the average area median income, adjusted for family size, analyzed
4138 separately for households with incomes (A) less than twenty-five per
4139 cent of the area median income, (B) more than twenty-five per cent but
4140 not more than fifty per cent of the area median income, (C) more than
4141 fifty per cent but not more than eighty per cent of the area median
4142 income, and (D) more than eighty per cent but not more than one
4143 hundred per cent of the area median income; (2) analyze the
4144 households served by the housing construction, substantial
4145 rehabilitation, purchase and rental assistance programs, including the
4146 number of households served by each program, the total amount of
4147 financial assistance provided to such households and the race of

4148 households served under such programs; (3) provide information on
4149 affirmative fair housing marketing activities and programs and an
4150 analysis of occupancy results of affirmative fair housing marketing
4151 plans and shall include data on the racial composition of the occupants
4152 and persons on the waiting list of each housing project which is
4153 assisted under any housing program established by the general
4154 statutes or special act or which is supervised by the **[**commissioner or**]**
4155 executive director of the Connecticut **[**Housing Finance**]** Economic
4156 Development Authority; (4) set specific measurable goals for meeting
4157 identified housing needs; (5) outline strategies for meeting those goals;
4158 and (6) identify state, federal and private sector resources for
4159 affordable housing programs. The provisions of this section shall not
4160 be construed to require an occupant or applicant to disclose the race of
4161 such occupant or applicant on an application or survey form. The long-
4162 range plan shall be updated annually by an action plan that assesses
4163 the state's progress toward meeting housing needs contained in the
4164 long-range plan and recommends revised strategies, if deemed
4165 necessary. In preparing the long-range plan and subsequent action
4166 plans, the commissioner shall consult with representatives of those
4167 who use or benefit from state housing programs.

4168 (b) The **[**Department of Economic and Community Development**]**
4169 executive director shall submit the long-range housing plan to the
4170 General Assembly not later than January 1, 2000, and each action plan
4171 not later than January first of each subsequent year, after receiving
4172 public review and comment on the long-range plan and each action
4173 plan through written remarks and public hearings. The
4174 commencement date of each plan shall be the July first following the
4175 submission of the plan.

4176 Sec. 104. Section 8-37u of the general statutes is repealed and the
4177 following is substituted in lieu thereof (*Effective July 1, 2011*):

4178 (a) The **[**Commissioner of Economic and Community Development**]**
4179 executive director of the Connecticut Economic Development

4180 Authority shall work with regional planning agencies, regional
4181 councils of elected officials, regional councils of governments,
4182 municipalities and municipal agencies, housing authorities and other
4183 appropriate agencies for the purpose of coordinating housing policy
4184 and housing activities, provided such coordination shall not be
4185 construed to restrict or diminish any power, right or authority granted
4186 to any municipality, agency, instrumentality, commission or any
4187 administrative or executive head thereof in accordance with the other
4188 provisions of the general statutes to proceed with any programs,
4189 projects or activities.

4190 (b) The **[**Commissioner of Economic and Community Development**]**
4191 executive director shall coordinate on an ongoing basis the activities
4192 and programs of state agencies or quasi-state authorities which have a
4193 major impact on the cost, production or availability of housing,
4194 provided, such coordination shall not be construed to restrict or
4195 diminish any power, right or authority granted to any such agency or
4196 authority, or of any administrative or executive head thereof in
4197 accordance with the other provisions of the general statutes, to proceed
4198 with any programs, projects or activities, except as specifically
4199 provided in this section.

4200 **[**(c) In order to facilitate such coordination, the Connecticut Housing
4201 Finance Authority shall submit annually to the Commissioner of
4202 Economic and Community Development a projected twelve-month
4203 operating plan. Said plan shall be prepared in a manner so as to be
4204 consistent with the five-year plan referred to in section 8-37t as such
4205 plan is then in effect. Said plan shall include such matters as the
4206 authority determines are necessary and shall include, but not be
4207 limited to, production targets under each multifamily program of the
4208 authority, including targets for rental housing production for both
4209 elderly and nonelderly families in a proportion consistent with
4210 housing needs estimated pursuant to section 8-37t; proposed new and
4211 expanded programs; proposed outreach activities to help serve areas
4212 of the state or segments of the population whose housing needs have

4213 been particularly underserved, and estimated level of subsidy needed
4214 to support the proposed level of production. The first such plan shall
4215 be submitted to the Commissioner of Economic and Community
4216 Development prior to January 1, 1981, and subsequent plans on each
4217 twelve-month anniversary thereof.

4218 (d) In the event the commissioner determines that the Connecticut
4219 Housing Finance Authority has not complied with the requirements of
4220 subsection (c) of this section, he shall file a report with the Secretary of
4221 the Office of Policy and Management setting forth the items of the plan
4222 which are inconsistent with the five-year plan and setting forth those
4223 recommendations which in his opinion would result in such plan
4224 being consistent with the five-year plan. In the event that the Secretary
4225 of the Office of Policy and Management concurs with the
4226 Commissioner of Economic and Community Development, he shall
4227 convene a panel of the Commissioner of Economic and Community
4228 Development, the chairman of the Connecticut Housing Finance
4229 Authority and the Secretary of the Office of Policy and Management,
4230 which panel shall resolve the inconsistencies. Nothing contained in
4231 this section shall limit the right or obligation of the Connecticut
4232 Housing Finance Authority to comply with the provisions of or
4233 covenants contained in any contract with or for the benefit of the
4234 holders of any bonds, notes or other obligations evidencing
4235 indebtedness of such authority.

4236 (e) The Connecticut Housing Finance Authority shall, to the
4237 maximum extent practical, conduct its business according to the plan
4238 approved by the commissioner.**]**

4239 **[**(f)**]** <u>(c)</u> The **[**Commissioner of Economic and Community
4240 Development**]** <u>executive director</u> shall consult with the Commissioner
4241 of Agriculture with regard to the policies, activities, plans and
4242 programs specified in this section and the impact on and degree of
4243 protection provided to agricultural land by such policies, activities,
4244 plans and programs.

4245 Sec. 105. Section 8-37x of the general statutes is repealed and the
4246 following is substituted in lieu thereof (*Effective July 1, 2011*):

4247 (a) As used in this section, "authority" or "housing authority" means
4248 any of the public corporations created by section 8-40 and the
4249 Connecticut Housing Authority when exercising the rights, powers,
4250 duties or privileges of, or subject to the immunities or limitations of,
4251 housing authorities pursuant to section 8-121, and "housing project"
4252 means a project developed or administered pursuant to chapter 128.

4253 (b) The **[**Commissioner of Economic and Community Development**]**
4254 executive director of the Connecticut Economic Development
4255 Authority may: (1) Collect and correlate information regarding
4256 housing projects of authorities in the state and upon request to furnish
4257 the authorities, in matters of common interest, information, advice and
4258 the services of expert personnel; (2) study state-wide needs for the
4259 elimination of substandard housing to stimulate state and city
4260 planning involving housing, and otherwise to study housing needs,
4261 both rural and urban, and to formulate proposals for meeting these
4262 needs; (3) study methods of encouraging investment of private capital
4263 in low rent housing; (4) study the necessity, feasibility and advantage
4264 of the use of state credit by way of loan or subsidy to assist the
4265 financing of housing projects for persons of low income; and (5) accept
4266 grants-in-aid of any of said **[**commissioner's**]** executive director's
4267 powers made pursuant to the provisions of any state or federal law
4268 and, for the purpose of complying with the requirements or
4269 recommendations of any such law, to prepare such plans and
4270 specifications and to make such studies, surveys, reports or
4271 recommendations concerning existing or contemplated housing
4272 conditions or projects in the state as may be necessary or appropriate.

4273 (c) Notwithstanding any other provision of the general statutes, the
4274 **[**Commissioner of Economic and Community Development**]** executive
4275 director of the Connecticut Economic Development Authority may,
4276 after conducting a public bidding process as provided in section 8-44,

4277 enter into a master contract or contracts with local, regional or state-
4278 wide suppliers of labor, supplies, materials, services or personal
4279 property on behalf of one or more housing authorities operating state-
4280 financed housing programs or projects. The [commissioner] executive
4281 director may, [in said commissioner's discretion,] with respect to
4282 partially completed state-financed programs or projects or in the event
4283 of emergencies affecting human health, safety, welfare and life or
4284 endangering property, waive the bidding requirement and threshold
4285 of said section 8-44.

4286 (d) The [Commissioner of Economic and Community Development]
4287 executive director of the Connecticut Economic Development
4288 Authority may designate as said [commissioner's] director's agent any
4289 [deputy commissioner] officer or any employee to exercise such
4290 authority of the [commissioner] executive director as said
4291 [commissioner] director delegates for the administration of any
4292 applicable statute or regulation.

4293 (e) As used in this subsection, "troubled loan" means a loan in which
4294 payments of interest or principal, or both interest and principal, (1) are
4295 delinquent under the terms of a loan agreement, or (2) may become
4296 delinquent under conditions which exist which would reasonably lead
4297 the [Commissioner of Economic and Community Development]
4298 executive director of the Connecticut Economic Development
4299 Authority to believe that a borrower would be unable to repay the
4300 loan. Said [commissioner] director may authorize the deferred
4301 payments of interest or principal, or both interest and principal, or a
4302 portion thereof, in the case of a troubled loan made by the
4303 [commissioner] director under any provision of the general statutes or
4304 special acts if said [commissioner] director determines the deferral to
4305 be in the best interests of the state. Such determination shall be in
4306 writing and shall include a statement of the reasons why the deferral is
4307 in the best interests of the state. Any deferral made under the
4308 provisions of this section shall be subject to the approval of the State
4309 Bond Commission.

4310 (f) Upon an action by the [Commissioner of Economic and
4311 Community Development] executive director of the Connecticut
4312 Economic Development Authority to preserve the state's interest in
4313 any contract for financial assistance that results in the state acquiring
4314 title to any housing property, the [commissioner] executive director
4315 shall be deemed to be an eligible developer, as defined in section 8-39,
4316 for the purposes of operating the property and receiving state or
4317 federal financial assistance on behalf of the property or the operation
4318 of the property.

4319 (g) The [Commissioner of Economic and Community Development,
4320 in consultation with the executive director of the Connecticut Housing
4321 Finance Authority] executive director of the Connecticut Economic
4322 Development Authority, upon the lawful dissolution of any eligible
4323 developer of property financed with a loan, grant or any combination
4324 thereof from the state, may (1) accept ownership of property owned by
4325 such a developer in the name of the state and dispose of such property
4326 to an eligible developer for a price and upon terms that the
4327 commissioner deems proper, provided such action shall preserve the
4328 property as housing for very low, low or moderate income persons; or
4329 (2) after approval by the Secretary of the Office of Policy and
4330 Management allow such property to participate in any programs that
4331 the commissioner operates, in order to preserve the property as
4332 housing for very low, low or moderate income persons. For purposes
4333 of this subsection, "housing" includes facilities and amenities incidental
4334 and pertinent to the provision of affordable housing and intended
4335 primarily to serve the residents of the affordable housing
4336 development, including, but not limited to, a community room, a
4337 laundry room, day care space, a computer center, a management
4338 center or playground.

4339 (h) Notwithstanding the provisions of subsection (g) of this section,
4340 the [Commissioner of Economic and Community Development]
4341 executive director of the Connecticut Economic Development
4342 Authority shall allow the continued use of: (1) The Saint Joseph's

4343 Residence for Mothers and Children, located in Bridgeport, which is
4344 utilized as a day care center; (2) the House of Bread, located in
4345 Hartford, which is utilized as a community day care center and
4346 corporate offices; and (3) the Rainbow Court Cooperative, located in
4347 Middletown, which is utilized as rental units for lower income
4348 persons.

4349 (i) The **[**Commissioner of Economic and Community Development**]**
4350 executive director of the Connecticut Economic Development
4351 Authority may adopt **[**regulations, in accordance with the provisions
4352 of chapter 54,**]** procedures to carry out the purposes of the
4353 **[**Department of Economic and Community Development**]** Connecticut
4354 Economic Development Authority as established by statute.

4355 Sec. 106. Section 8-37aa of the general statutes is repealed and the
4356 following is substituted in lieu thereof (*Effective July 1, 2011*):

4357 As used in sections 8-37bb to 8-37dd, inclusive, "housing agency"
4358 means **[**the Department of Economic and Community Development,**]**
4359 the Connecticut **[**Housing Finance**]** Economic Development Authority
4360 and the Connecticut Housing Authority, and "income group" means
4361 one of the following household groups, adjusted for family size and
4362 based on the appropriate area median income established by the
4363 United States Department of Housing and Urban Development: (1)
4364 Households with incomes twenty-five per cent or less than the area
4365 median income; (2) households with incomes more than twenty-five
4366 per cent but not more than fifty per cent of the area median income; (3)
4367 households with incomes more than fifty per cent but not more than
4368 eighty per cent of the area median income; (4) households with
4369 incomes more than eighty per cent but not more than one hundred per
4370 cent of the area median income; and (5) households with incomes more
4371 than one hundred per cent of the area median income.

4372 Sec. 107. Subsection (a) of section 8-37bb of the general statutes is
4373 repealed and the following is substituted in lieu thereof (*Effective*
4374 *July 1, 2011*):

4375 (a) On or before December 31, 1991, and annually thereafter, each
4376 housing agency **[**, except the Department of Economic and Community
4377 Development,**]** shall submit to the General Assembly a report, for the
4378 year ending the preceding September thirtieth, which analyzes by
4379 income group, households served by its housing construction,
4380 substantial rehabilitation, purchase and rental assistance programs.
4381 Each report submitted after December 31, 1991, shall analyze the
4382 households served under each program by race. The analysis shall
4383 provide information by housing development, if applicable, and by
4384 program. Each analysis shall include data for all households (1)
4385 entering an agency program during the year ending the preceding
4386 September thirtieth, and (2) in occupancy or receiving the benefits of
4387 an agency rental program the preceding September thirtieth. The
4388 report of the Connecticut **[**Housing Finance**]** Economic Development
4389 Authority shall also identify, by census tract, the number of
4390 households served in each program and the total amount of financial
4391 assistance provided to such households. The provisions of this section
4392 shall not be construed to preclude a housing agency from reporting
4393 additional information on programs it administers. Each report
4394 submitted under this section shall also analyze the efforts, and the
4395 results of such efforts, of each agency in promoting fair housing choice
4396 and racial and economic integration. The provisions of this section
4397 shall not be construed to require an occupant or applicant to disclose
4398 his race on an application or survey form.

4399 Sec. 108. Section 8-37jj of the general statutes is repealed and the
4400 following is substituted in lieu thereof (*Effective July 1, 2011*):

4401 (a) The **[**Department of Economic and Community Development**]**
4402 Connecticut Economic Development Authority may not approve
4403 electric resistance as the primary heat source in new, subsidized
4404 housing except where justified by a life-cycle cost analysis whose
4405 methodology has been approved by the division of the Office of Policy
4406 and Management responsible for energy matters.

4407 (b) If [the Department of Economic and Community Development
4408 or] the Connecticut [Housing Finance] Economic Development
4409 Authority uses electric resistance space heating as the primary heating
4410 source in any new construction, it shall construct the unit in such a
4411 way as to be eligible for any available energy conservation incentives
4412 provided by the electric company, as defined in section 16-1, or the
4413 municipal utility furnishing electric service to such unit.

4414 Sec. 109. Section 8-37kk of the general statutes is repealed and the
4415 following is substituted in lieu thereof (*Effective July 1, 2011*):

4416 The [Department of Economic and Community Development and
4417 the Connecticut Housing Finance] Connecticut Economic
4418 Development Authority shall give preference to loans for energy
4419 efficient projects in all grant and loan programs.

4420 Sec. 110. Section 8-68j of the general statutes is repealed and the
4421 following is substituted in lieu thereof (*Effective July 1, 2011*):

4422 (a) As used in this section:

4423 (1) ["Commissioner" means the Commissioner of Economic and
4424 Community Development] "Executive director" means the executive
4425 director of the Connecticut Economic Development Authority;

4426 (2) "Connecticut [Housing Finance] Economic Development
4427 Authority" means the authority [created] established and operating
4428 pursuant to the provisions of [chapter 134] section 25 of this act;

4429 (3) "Financially distressed development" means a housing
4430 development owned by a housing authority and subject to an asset
4431 that was transferred [from the Department of Economic and
4432 Community Development] to the Connecticut [Housing Finance]
4433 Economic Development Authority pursuant to section 8-37u or
4434 subdivision (3) of section 32-11; and

4435 (4) "Housing authority" means a local housing authority owning a

4436 financially distressed development.

4437 (b) Notwithstanding any provision of the general statutes, a housing
4438 authority may, with the approval of the **[**Commissioner of Economic
4439 and Community Development**]** executive director, quit claim or
4440 otherwise transfer its interest in a financially distressed development
4441 to the Connecticut **[**Housing Finance**]** Economic Development
4442 Authority. The **[**commissioner**]** executive director may grant such
4443 approval upon an express finding that: (1) The housing authority is
4444 financially unable to maintain the development; (2) there is no
4445 reasonable prospect that the housing authority will be able to maintain
4446 the property in the future; (3) the housing authority has requested to
4447 transfer the development; and (4) the Connecticut **[**Housing Finance**]**
4448 Economic Development Authority is prepared to accept the transfer.

4449 Sec. 111. Section 8-78 of the general statutes is repealed and the
4450 following is substituted in lieu thereof (*Effective July 1, 2011*):

4451 The aggregate amount of all bonds and notes issued by the state
4452 pursuant to subsection (a) of section 8-80 to meet its obligations under
4453 assistance agreements for moderate rental housing projects entered
4454 into by it shall not exceed the sum of (1) one hundred sixty-nine
4455 million one hundred thirty-two thousand four hundred thirty-five
4456 dollars, exclusive of any notes or bonds, the avails of which shall be
4457 used for the purpose of refunding outstanding notes or bonds issued
4458 for said purposes, and (2) twenty-eight million dollars, provided the
4459 proceeds of such bonds and notes issued pursuant to the authorization
4460 in subdivision (2) of this section shall be made available for use only
4461 with respect to moderate rental housing projects. In considering
4462 housing projects for use of the bond proceeds, the **[**Department of
4463 Economic and Community Development**]** Connecticut Economic
4464 Development Authority shall attempt to capture all federal Section 8
4465 subsidies, for family, elderly, and congregate housing units available
4466 to the **[**Department of Economic and Community Development,
4467 Connecticut Housing Finance Authority**]** authority or from other

4468 sources; encourage the construction or rehabilitation of multifamily
4469 rental projects which meet the Mortgage and Revenue Bond Tax Act of
4470 1980 criteria for moderate income; and utilize any other federal
4471 subsidy programs for low and moderate income housing which may
4472 become available now or in the future, provided the state bonds can be
4473 adequately secured and the intent of this section can be assured. The
4474 **[**Department of Economic and Community Development**]** authority
4475 may also enter into joint loan participations with other financing
4476 sources in order to maximize the number of housing units produced
4477 for the amount allocated.

4478 Sec. 112. Section 8-119*ll* of the general statutes is repealed and the
4479 following is substituted in lieu thereof (*Effective July 1, 2011*):

4480 Annually, the **[**Department of Economic and Community
4481 Development in consultation with the Connecticut Housing Finance**]**
4482 Connecticut Economic Development Authority shall conduct a
4483 comprehensive assessment of current and future needs for rental
4484 assistance under section 8-119kk for housing projects for the state's
4485 elderly and disabled. Not later than April 1, 2006, the results of the first
4486 such analysis shall be presented to the select committee of the General
4487 Assembly having cognizance of matters relating to housing, in
4488 accordance with section 11-4a. Any analyses submitted after April 1,
4489 2006, shall be incorporated into the report required pursuant to section
4490 32-1m.

4491 Sec. 113. Section 8-206 of the general statutes is repealed and the
4492 following is substituted in lieu thereof (*Effective July 1, 2011*):

4493 (a) The **[**Commissioner of Economic and Community Development**]**
4494 executive director of the Connecticut Economic Development
4495 Authority shall (1) administer and direct the operations of the
4496 **[**Department of Economic and Community Development**]** authority;
4497 (2) advise and inform municipal officials, local housing authorities, the
4498 Connecticut Housing Authority, public development agencies and
4499 other agencies and groups about housing, redevelopment, urban

4500 renewal and community development and shall collect and
4501 disseminate information pertaining thereto, including information
4502 about federal, state and private assistance programs and services
4503 pertaining thereto; (3) inquire into the utilization of state government
4504 resources, coordinate federal and state activities for assistance in and
4505 solution of problems of housing, redevelopment, urban renewal and
4506 community development and shall inform and advise the Governor
4507 about and propose legislation concerning such problems; (4) conduct,
4508 encourage and maintain research and studies relating to housing,
4509 redevelopment, urban renewal and community development
4510 problems; (5) prepare and review model ordinances and charters
4511 relating to these areas; (6) maintain an inventory of data and
4512 information and act as a clearing house and referral agency for
4513 information on state and federal programs and services relative to
4514 housing and community development; (7) conduct, encourage and
4515 maintain research and studies and advise municipal officials
4516 concerning forms of intergovernmental cooperation and cooperation
4517 between public and private agencies designed to advance programs of
4518 housing, redevelopment, urban renewal and community development;
4519 (8) promote and assist the formation of local housing authorities and
4520 other agencies or organizations appropriate to the purposes of this
4521 chapter; and (9) inform the public regarding the rights and obligations
4522 of landlords and tenants as provided in chapters 830, 831 and 832 and
4523 respond to any inquiries from the public on such matters.

4524 (b) The commissioner may determine the qualifications of personnel
4525 or consultants to be engaged in connection with the provision of any
4526 state assistance or administration provided by the **[**Department of
4527 Economic and Community Development**]** Connecticut Economic
4528 Development Authority.

4529 (c) The **[**Commissioner of Economic and Community Development**]**
4530 executive director of the Connecticut Economic Development
4531 Authority may make available technical and financial assistance and
4532 advisory services to any municipality, municipal agency, local housing

4533 authority, human resource development agency, regional planning
4534 agency, regional council of elected officials, regional council of
4535 governments, housing sponsor, prospective housing sponsor or other
4536 appropriate agency, or the Connecticut Housing Authority, for any
4537 activity pertinent to the development, preservation, repair or
4538 rehabilitation of housing or for urban renewal, redevelopment or
4539 community development activities as defined in chapter 130, provided
4540 any financial assistance to a regional planning agency, regional council
4541 of governments or a regional council of elected officials shall have the
4542 prior approval of the Secretary of the Office of Policy and
4543 Management, or his designee. Financial, technical or advisory
4544 assistance shall be rendered upon such contractual arrangements as
4545 may be agreed upon by the commissioner and any such municipality,
4546 agency, authority, council or sponsor in accordance with their
4547 respective needs.

4548 (d) The **[**Commissioner of Economic and Community Development**]**
4549 executive director of the Connecticut Economic Development
4550 Authority is authorized to do all things necessary to apply for, qualify
4551 for and accept any federal funds made available or allotted under any
4552 federal act for any activities which may be pertinent to the purposes of
4553 this chapter and chapters 128, 129, 130, 135 and 136 and said
4554 **[**commissioner**]** director shall administer any such funds allotted to the
4555 department in accordance with federal law. The **[**commissioner**]**
4556 executive director may enter into contracts with the federal
4557 government concerning the use and repayment of such funds under
4558 any such federal act, the prosecution of the work under any such
4559 contract and the establishment of and disbursement from a separate
4560 account in which federal and state funds estimated to be required for
4561 plan preparation or other eligible activities under such federal act shall
4562 be kept. Said account shall not be a part of the General Fund of the
4563 state or any subdivision of the state. Unless otherwise required by
4564 federal law or regulation, any federal housing assistance funding made
4565 available at the state level shall be allocated in accordance with the
4566 housing plan prepared pursuant to the provisions of section 8-37t.

4567 Such allocation shall, to the maximum extent possible, reflect the types
4568 and distribution of housing needs in all parts of the state and the
4569 resources required by the [department, the Connecticut Housing
4570 Finance Authority] authority or other appropriate agencies to meet
4571 those needs.

4572 (e) The powers and duties enumerated in this section shall be in
4573 addition to and shall not limit any other powers or duties of the
4574 [Commissioner of Economic and Community Development] executive
4575 director of the Connecticut Economic Development Authority
4576 contained in any other [law] provision of the general statutes.

4577 Sec. 114. Subsection (b) of section 8-216c of the general statutes is
4578 repealed and the following is substituted in lieu thereof (*Effective*
4579 *July 1, 2011*):

4580 (b) The [Commissioner of Economic and Community Development]
4581 executive director of the Connecticut Economic Development
4582 Authority shall establish a pilot program of financial assistance in the
4583 form of loans, deferred loans and grants-in-aid to nonprofit
4584 corporations for not more than five developments of rental, mutual or
4585 limited equity cooperative housing for low and moderate income
4586 persons and families. Financial assistance provided under this section
4587 shall be on such terms and conditions as prescribed by the
4588 [commissioner] executive director and shall be in an amount equal to
4589 one hundred per cent of the cost incurred for the acquisition of land
4590 and buildings, construction and any other costs determined by the
4591 [commissioner] executive director to be reasonable and necessary.
4592 Financial assistance shall be for permanent financing only and shall
4593 not be used for construction financing. Any development receiving
4594 financial assistance under this section shall not be eligible for
4595 construction financing under any program operated by the
4596 [Department of Economic and Community Development or the]
4597 Connecticut [Housing Finance] Economic Development Authority.
4598 Financial assistance shall be released upon (1) completion of a

4599 development in accordance with plans and specifications approved by
4600 the [commissioner] executive director and final inspection by the
4601 [commissioner] executive director, (2) issuance of a certificate of
4602 occupancy by the building official of the municipality in which the
4603 housing is located, and (3) the signing of leases for eighty per cent of
4604 the units in the development. The [commissioner] executive director
4605 may enter into an agreement with a nonprofit corporation for financial
4606 assistance under this section upon approval of the development by the
4607 State Bond Commission. Applicants receiving financial assistance
4608 under this section may retain not more than ten per cent of such
4609 assistance as a developer's administrative fee. The [commissioner]
4610 executive director, upon request of the developer of an approved
4611 development, may advance financial assistance to reimburse such
4612 developer for costs incurred prior to a construction loan closing,
4613 provided such costs were included in the development budget
4614 approved by the [commissioner] executive director. Any loan or
4615 deferred loans made under this program shall bear interest at a rate
4616 not exceeding three per cent per annum and shall be for a term of not
4617 less than twenty-five but not more than forty years.

4618 Sec. 115. Section 8-240m of the general statutes is repealed and the
4619 following is substituted in lieu thereof (*Effective July 1, 2011*):

4620 [(a)] The state, acting by and through the [Commissioner of
4621 Economic and Community Development] Connecticut Economic
4622 Development Authority, may provide financial assistance, including,
4623 without limitation financial assistance in the form of grants, loans and
4624 the purchase of capital stock, for the program established pursuant to
4625 subsection (a) of section 8-240k, upon the execution of a financial
4626 assistance agreement containing such terms and conditions as the
4627 [Commissioner of Economic and Community Development] executive
4628 director of the Connecticut Economic Development Authority shall
4629 deem necessary and appropriate to fulfill the purposes of sections 8-
4630 240k to 8-240n, inclusive. Notwithstanding the provisions of section 4-
4631 66c, the [Commissioner of Economic and Community Development]

4632 executive director of the Connecticut Economic Development
4633 Authority may provide such financial assistance from the proceeds of
4634 bonds authorized for the [Department of Economic and Community
4635 Development] Connecticut Economic Development Authority
4636 pursuant to said section 4-66c.

4637 [(b) The Connecticut Development Authority may provide financial
4638 assistance, including, without limitation, financial assistance in the
4639 form of grants, loans and the purchase of capital stock, for the program
4640 established pursuant to subsection (a) of section 8-240k, upon the
4641 execution of a financial assistance agreement containing such terms
4642 and conditions as the Connecticut Development Authority shall deem
4643 necessary and appropriate to fulfill the purposes of sections 8-240k to
4644 8-240n, inclusive.

4645 (c) The Connecticut Housing Finance Authority may provide
4646 financial assistance, including, without limitation, financial assistance
4647 in the form of grants, loans and the purchase of capital stock, for the
4648 program established pursuant to subsection (a) of section 8-240k, upon
4649 the execution of a financial assistance agreement containing such terms
4650 and conditions as the Connecticut Housing Finance Authority shall
4651 deem necessary and appropriate to fulfill the purposes of sections 8-
4652 240k to 8-240n, inclusive.]

4653 Sec. 116. Section 8-243 of the general statutes is repealed and the
4654 following is substituted in lieu thereof (*Effective July 1, 2011*):

4655 The following terms shall have the following meanings unless the
4656 context clearly indicates another meaning and intent:

4657 (a) "Act" means this chapter as amended from time to time;

4658 (b) "Authority" means the Connecticut [Housing Finance] Economic
4659 Development Authority as [created] established under section [8-244]
4660 25 of this act;

4661 (c) "Housing", "housing project" or "project" means a work or

4662 undertaking having as its primary purpose the provision of safe and
4663 adequate housing and related facilities for low and moderate income
4664 families and persons, and includes existing dwelling units for low and
4665 moderate income families and persons, notwithstanding that said
4666 housing provides other dwelling accommodations in addition to the
4667 primary purpose of providing dwelling accommodations for low and
4668 moderate income families and persons;

4669 (d) "Related facilities" means commercial, office, health, welfare,
4670 administrative, recreational, community and service facilities
4671 incidental and pertinent to housing as determined by the authority;

4672 (e) "Rents", "rentals" or "carrying charges" means the charges,
4673 excluding security deposits and down payments, paid for occupancy
4674 of housing financed or assisted under this chapter, whether such
4675 housing is owned or operated on a landlord-tenant or home ownership
4676 basis or as a condominium or a cooperative;

4677 (f) "Project cost" means the sum total of all costs incurred in the
4678 development of a housing project, which are approved by the
4679 authority as reasonable and necessary, including, but not limited to (1)
4680 costs of land acquisition and any buildings thereon; (2) costs of site
4681 preparation, demolition and development; (3) architectural,
4682 engineering, legal, authority and other fees and charges paid or
4683 payable in connection with the planning, execution and financing of
4684 the project; (4) cost of necessary studies, surveys, plans and permits; (5)
4685 insurance, interest, financing, tax and assessment costs and other
4686 operating and carrying costs during construction; (6) cost of
4687 construction or reconstruction, and fixtures and equipment related to
4688 such construction or reconstruction; (7) cost of land improvements; (8)
4689 necessary expenses in connection with the initial occupancy of the
4690 project; (9) a reasonable profit or fee to the builder and developer; (10)
4691 an allowance established by the authority for working capital,
4692 replacement and contingency reserves, and reserves for any
4693 anticipated operating deficits during the first two years of occupancy;

4694 (11) the cost of such other items, including tenant relocation, as the
4695 authority shall deem to be reasonable and necessary for the
4696 development of the project, less any and all net rents and other net
4697 revenues received from the operation of the real and personal property
4698 on the project site during construction;

4699 (g) "Development costs" means the costs approved by the authority
4700 as appropriate expenditures which may be incurred prior to initial
4701 disbursement of mortgage loan proceeds, including, but not limited to:
4702 (1) Payments for options to purchase properties for the proposed
4703 project, deposits on contracts of purchase or, with the prior approval of
4704 the authority, payments for the purchase of such properties; (2) legal,
4705 organizational and marketing expenses, including payment of
4706 attorneys' and consultants' fees, project management and clerical staff
4707 salaries, office rent and other incidental expenses; (3) payment of fees
4708 for preliminary feasibility studies and advances for planning,
4709 architectural and engineering work and land surveys and soil tests; (4)
4710 expenses of surveys as to need and market analyses; (5) necessary
4711 application and other fees to federal, state and local government
4712 agencies; and (6) such other expenses as the authority may deem
4713 appropriate to effectuate the purposes of this chapter;

4714 (h) "Low and moderate income families and persons" means
4715 families and persons who lack the amount of income necessary as
4716 determined by the authority, to rent or purchase safe and adequate
4717 housing without special financial assistance not reasonably available.
4718 The income limits for the admission of such families and persons to
4719 housing built or financed or assisted under this chapter shall be
4720 established by this authority;

4721 (i) "Assisted mortgage financing" means a below market interest
4722 rate mortgage insured or purchased, or a loan made, by the Secretary
4723 of the United States Department of Housing and Urban Development;
4724 a market interest rate mortgage insured or purchased, or a loan made,
4725 in combination with, or as augmented by, a program of rent

4726 supplements, interest subsidies or interest reduction payments,
4727 leasing, contributions or grants, or other programs now or hereafter
4728 authorized by federal law to serve low and moderate income families
4729 and persons; a mortgage loan made or insured pursuant to this
4730 chapter; or any combination of such loans, mortgage insurance or
4731 other assistance;

4732 (j) "Mortgage" means a mortgage deed, deed of trust, or other
4733 instrument which shall constitute a lien, whether first or second, on
4734 real estate or on a leasehold under a lease having a remaining term, at
4735 the time such mortgage is acquired, which does not expire for at least
4736 that number of years beyond the maturity date of the obligation
4737 secured by such mortgage as is equal to the number of years remaining
4738 until the maturity date of such obligation. As used in this subsection, a
4739 lease of a lot in a mobile manufactured home park which is indefinitely
4740 renewable pursuant to subsection (b) of section 21-70 shall satisfy the
4741 leasehold requirement, provided such lease is acceptable to a third
4742 party mortgage insurer and the authority receives an acceptable
4743 mortgage insurance policy;

4744 (k) "First mortgage" means such classes of first liens as are
4745 commonly given to secure loans on, or the unpaid purchase price of,
4746 real estate under the laws of the state, together with appropriate credit
4747 instruments;

4748 (l) "Mortgagee" means the original lender under the mortgage or
4749 participants therein, and their successors and assigns;

4750 (m) "Mortgagor" or "eligible mortgagor" means (1) a nonprofit
4751 corporation incorporated pursuant to chapter 602 or any predecessor
4752 statutes thereto, having as one of its purposes the construction,
4753 rehabilitation, ownership or operation of housing, and having articles
4754 of incorporation approved by the authority in accordance with the
4755 provisions of this chapter; (2) any business corporation incorporated
4756 pursuant to chapter 601 or any predecessor statutes thereto, having as
4757 one of its purposes the construction, rehabilitation, ownership or

4758 operation of housing, and having articles of incorporation approved by
4759 the authority in accordance with the provisions of this chapter; (3) any
4760 partnership, limited partnership, joint venture, trust or association
4761 having as one of its purposes the construction, rehabilitation,
4762 ownership or operation of housing, and having basic documents of
4763 organization approved by the authority in accordance with the
4764 provisions of this chapter; (4) a housing authority established pursuant
4765 to chapter 128; (5) a family or person approved by the authority as
4766 qualified to own, construct, rehabilitate, manage and maintain housing
4767 under a mortgage loan made or insured by the authority under the
4768 provisions of this chapter; or (6) a municipal developer; and includes
4769 the successors and assigns of the mortgagor;

4770 (n) "Mortgage payments" means periodic payments called for by a
4771 mortgage, and may include, but is not limited to, interest, installments
4772 of principal, taxes and assessments, mortgage insurance premiums and
4773 hazard insurance premiums;

4774 (o) "Aggregate family income" means the total family income of all
4775 members of a family, from whatever source derived, including but not
4776 limited to pension, annuity, retirement and social security benefits,
4777 provided there may be excluded from income, as the authority by
4778 regulation may determine, (1) reasonable allowances for dependents,
4779 (2) reasonable allowances for medical expenses, (3) all or any
4780 proportionate part of the earnings of gainfully employed minors or
4781 family members other than the chief wage earner, (4) income not
4782 received regularly and (5) other expenses;

4783 (p) "Earned surplus" shall have the same meaning as in generally
4784 accepted accounting standards;

4785 (q) "Municipality" means any city, town or borough in the state;

4786 (r) "Lending institution" means any bank, trust company, savings
4787 bank, savings and loan association or credit union, whether chartered
4788 by the United States of America or this state, and any insurance

4789 company authorized to do business in this state, and any mortgage
4790 banking firm approved by the authority;

4791 (s) "Tenant" means the occupant of any housing financed or assisted
4792 by the authority under this chapter;

4793 (t) "Second mortgage" means any class of second liens ranking
4794 immediately after a first mortgage on the same property, without any
4795 intervening liens, as are commonly given to secure loans on real estate,
4796 or the unpaid purchase price of real estate under the laws of the state,
4797 together with appropriate credit instruments, provided such second
4798 mortgage, unless granted pursuant to the exercise of powers granted
4799 to the authority under the provisions of the general statutes, is insured
4800 by an agency of the federal government or by such other entity as the
4801 authority shall determine is financially able to insure or guarantee
4802 repayment in the event of default by the mortgagor;

4803 (u) "Person" means any person, including individuals, limited
4804 liability companies, firms, partnerships, associations, public or private,
4805 organized or existing under the laws of the state or, any other state if
4806 qualified to do business in the state;

4807 (v) "Urban area" means any targeted area, as defined in Section 143
4808 of the Internal Revenue Code of 1986, or any subsequent
4809 corresponding internal revenue code of the United States, as from time
4810 to time amended;

4811 (w) "Urban area mortgage" means a mortgage securing a
4812 construction or a permanent loan to any person for the purpose of
4813 purchasing, refinancing, constructing or rehabilitating any residential
4814 building in an urban area, including related facilities, such as
4815 commercial, offices, health, welfare, administration, recreational,
4816 community and service facilities incidental and pertinent thereto as
4817 determined by the authority, but need not be a first lien upon the
4818 mortgaged property;

4819 (x) "Municipal developer" means a municipality, as defined in
4820 subsection (q) of this section, which has not declared by resolution a
4821 need for a housing authority pursuant to section 8-40, acting by and
4822 through its legislative body, except that in any town in which a town
4823 meeting or representative town meeting is the legislative body,
4824 "municipal developer" means the board of selectmen if such board is
4825 authorized to act as the municipal developer by the town meeting or
4826 representative town meeting; and

4827 (y) "Employer-assisted housing" means (1) housing that is, in whole
4828 or in part, owned, acquired, developed or managed by employers, or
4829 on behalf of employers, for the benefit of employees in the state or (2)
4830 assistance offered by employers to employees in the purchase or lease
4831 of residential property in the state. **[**;**]**

4832 **[**(z) "Department" means the Department of Economic and
4833 Community Development.**]**

4834 Sec. 117. Subsection (a) of section 8-252a of the general statutes is
4835 repealed and the following is substituted in lieu thereof (*Effective*
4836 *July 1, 2011*):

4837 (a) The Connecticut Housing Finance Authority, or any successor
4838 authority, is authorized to issue bonds secured by a pledge of principal
4839 and interest payments and other revenues to be received by the state
4840 with respect to any loans made by the state under any bond-financed
4841 housing program, as defined in section 8-37qq. Except as otherwise
4842 provided in this section, the issuance of such bonds shall be governed
4843 by the provisions of section 8-252. Such bonds may be guaranteed by
4844 the authority, which guarantee may be a general obligation of the
4845 authority. Such bonds whether or not a general obligation of the
4846 authority may be secured by revenues or other assets of the authority
4847 which are not subject to the lien of the general housing mortgage
4848 program bond resolution of the authority adopted September 27, 1972,
4849 as amended, or subject to a lien created by any other existing bond
4850 resolution of the authority. The state, acting through the State

4851 Treasurer, is authorized to pledge such principal and interest
4852 payments and other revenues, and to make such agreements,
4853 covenants and representations as may be required for issuance of the
4854 bonds. The provisions of subdivision (3) of section 32-1*l* shall not apply
4855 to any pledge under this section, nor to any transfer of revenues to the
4856 Connecticut Housing Finance Authority, or any successor authority, or
4857 to a trustee incident to the issuance of bonds under this section, but
4858 such a pledge or transfer of revenues from bond-financed state
4859 housing programs, as defined in section 8-37qq, to the Connecticut
4860 Housing Finance Authority, or any successor authority, or to a trustee
4861 incident to the issuance of bonds under this section is hereby
4862 authorized. Any pledges made pursuant to this section shall be valid
4863 and binding from the time such pledge is made, and are not subject to
4864 further appropriation by the state. The proceeds of any bonds issued
4865 pursuant to this section shall, after payment of all costs of issuance and
4866 sale, including, without limitation, the costs of credit facilities and the
4867 establishment of any reserves as security for such bonds, be deposited
4868 in the General Fund.

4869 Sec. 118. Section 8-265o of the general statutes is repealed and the
4870 following is substituted in lieu thereof (*Effective July 1, 2011*):

4871 As used in this section and sections 8-265p to 8-265v, inclusive:

4872 (1) "Authority" means the Connecticut **[**Housing Finance**]** Economic
4873 Development Authority as **[**created**]** established under section **[**8-244**]**
4874 25 of this act;

4875 (2) "Mortgage" means a mortgage deed or other instrument which
4876 constitutes a first or second consensual lien on one, two or three-family
4877 owner-occupied residential real property, including single-family units
4878 in a common interest community, located in this state;

4879 (3) "Mortgagee" means mortgage lenders authorized to originate
4880 mortgage loans in this state; and

4881 (4) "Mortgagor" means the owner-occupant of one, two or three-
4882 family residential real property located in this state who is also the
4883 borrower under a mortgage encumbering such real property.

4884 Sec. 119. Subsection (b) of section 8-265w of the general statutes is
4885 repealed and the following is substituted in lieu thereof (*Effective*
4886 *July 1, 2011*):

4887 (b) The proceeds of the sale of said bonds, to the extent of the
4888 amount stated in subsection (a) of this section, shall be used by the
4889 **[**Department of Economic and Community Development for the
4890 purpose of (1) a grant to the**]** Connecticut **[**Housing Finance**]** Economic
4891 Development Authority for the purposes of sections 8-265o to 8-265v,
4892 inclusive, and **[**(2)**]** for loans or deferred loans by the **[**Department of
4893 Economic and Community Development**]** Connecticut Economic
4894 Development Authority pursuant to sections 8-283 to 8-289, inclusive.
4895 Any proceeds authorized or allocated by the commission for loans or
4896 deferred loans pursuant to sections 8-283 to 8-289, inclusive, shall not
4897 be deemed to be authorized, allocated or available for the purposes of
4898 sections 8-265o to 8-265v, inclusive.

4899 Sec. 120. Section 8-265cc of the general statutes is repealed and the
4900 following is substituted in lieu thereof (*Effective July 1, 2011*):

4901 As used in sections 8-265cc to 8-265kk, inclusive:

4902 (1) "Aggregate family income" means the total income of persons
4903 residing in the same household as the mortgagor and any other
4904 resident of the household declared by the mortgagor as a dependent
4905 for federal tax purposes, from whatever source derived, including, but
4906 not limited to, pensions, annuities, retirement benefits and Social
4907 Security benefits, provided the authority may exclude from income (A)
4908 reasonable allowances for dependents, (B) reasonable allowances for
4909 medical expenses, (C) all or any part of the earnings of gainfully
4910 employed minors or family members other than the chief wage earner,
4911 (D) income not regularly received, and (E) such other expenses as the

4912 authority may allow;

4913 (2) "Authority" means the Connecticut [Housing Finance] Economic
4914 Development Authority [created] established under section [8-244] 25
4915 of this act;

4916 (3) "Mortgage" means a mortgage deed or other instrument which
4917 constitutes a first or second consensual lien on one-to-four family
4918 owner-occupied residential real property located in this state,
4919 including, but not limited to, a single-family unit in a common interest
4920 community;

4921 (4) "Mortgagee" means the original lender under a mortgage, or its
4922 agents, successors, or assigns;

4923 (5) "Mortgagor" means the owner-occupant of a one-to-four family
4924 residential real property located in this state, including, but not limited
4925 to, a single family unit in a common interest community, who is also
4926 the borrower under a mortgage encumbering such real property;

4927 (6) "Housing expense" means the sum of the mortgagor's monthly
4928 maintenance expense in a common interest community, utility
4929 expense, heating expense, hazard insurance payment, taxes and
4930 required mortgage payment, including escrows;

4931 (7) "Financial hardship due to circumstances beyond the
4932 mortgagor's control" means a significant reduction of aggregate family
4933 household income or increase in expenses which reasonably cannot be
4934 or could not have been alleviated by the liquidation of assets by the
4935 mortgagor as determined by the Connecticut [Housing Finance]
4936 Economic Development Authority, including, but not limited to, a
4937 reduction resulting from (A) (i) unemployment or underemployment
4938 of one or more of the mortgagors; (ii) a loss, reduction or delay in
4939 receipt of such federal, state or municipal benefits as Social Security,
4940 supplemental security income, public assistance and government
4941 pensions; (iii) a loss, reduction or delay in receipt of such private

4942 benefits as pension, disability, annuity or retirement benefits; (iv)
4943 divorce or a loss of support payments; (v) disability, illness or death of
4944 a mortgagor; or (B) (i) a significant increase in the dollar amount of the
4945 periodic payments required by the mortgage; (ii) an unanticipated rise
4946 in housing expenses; or (iii) expenses related to the disability, illness or
4947 death of a member of the mortgagor's family, but does not include
4948 expenses related to the accumulation of credit or installment debt
4949 incurred for recreational or nonessential items prior to the occurrence
4950 of the alleged circumstances beyond the mortgagor's control in an
4951 amount that would have caused the mortgagor's total debt service to
4952 exceed sixty per cent of aggregate family income at that time;

4953 (8) "Consumer credit counseling agency" means a nonprofit
4954 corporation or governmental agency located in this state which has
4955 been designated by the authority to provide homeowners' emergency
4956 mortgage assistance program counseling. A qualified consumer credit
4957 counseling agency must either be certified as a housing counseling
4958 agency by the federal Department of Housing and Urban
4959 Development or otherwise determined accepted by the authority;

4960 (9) "Foreclosure mediation program" means the foreclosure
4961 mediation program established by section 49-31m; and

4962 (10) "Periodic payments" means principal, interest, taxes, insurance
4963 and, if applicable, condominium fees.

4964 Sec. 121. Subsections (a) and (b) of section 8-265oo of the general
4965 statutes are repealed and the following is substituted in lieu thereof
4966 (*Effective July 1, 2011*):

4967 (a) As used in this section:

4968 (1) "Authority" means the Connecticut **[**Housing Finance**]** <u>Economic</u>
4969 <u>Development</u> Authority as **[**created**]** <u>established</u> under section **[**8-244**]**
4970 <u>25 of this act</u>;

4971 (2) "Mortgage" means a mortgage deed or other instrument that

4972 constitutes a first consensual lien on one, two or three-family owner-
4973 occupied residential real property located in this state;

4974 (3) "Mortgagee" means mortgage lenders authorized to originate
4975 mortgage loans in this state; and

4976 (4) "Mortgagor" means the owner-occupant of one, two or three-
4977 family residential real property located in this state who is also the
4978 borrower under a mortgage encumbering such real property.

4979 (b) It being in the public interest for the state to extend mortgage
4980 guarantees to mortgage lending institutions to provide refinancing for
4981 mortgage loans when the decline of home values has precluded such
4982 lending, the Connecticut **[**Housing Finance**]** Economic Development
4983 Authority shall establish and administer a program of loan guarantees
4984 to work in conjunction with loan programs established by secondary
4985 market investors to allow mortgagees to refinance residential
4986 mortgage loans when a decrease in the appraised value of the real
4987 property securing the mortgage might otherwise preclude such
4988 lending. The authority shall adopt procedures in accordance with the
4989 provisions of section 1-121 no later than January 1, 2000, to carry out
4990 the provisions of this section. Such procedures may establish a fee for
4991 such mortgage guarantee.

4992 Sec. 122. Section 8-265rr of the general statutes is repealed and the
4993 following is substituted in lieu thereof (*Effective July 1, 2011*):

4994 (a) As used in this section, "authority" means the Connecticut
4995 **[**Housing Finance**]** Economic Development Authority **[**created**]**
4996 established under section **[**8-244**]** 25 of this act.

4997 (b) The authority is authorized to continue to develop and
4998 implement a program for home mortgage refinancing for homeowners
4999 with fixed or adjustable rate mortgages as an additional purpose
5000 pursuant to the provisions of subdivision (32) of section 8-250. Such
5001 program shall (1) include making mortgage loans to borrowers who

5002 (A) are deemed eligible by the authority, and (B) purchase foreclosed
5003 or abandoned properties or properties conveyed by deed in lieu of
5004 foreclosure or short sale; or (2) be undertaken by the authority
5005 consistent with and subject to its contractual obligations to its
5006 bondholders in an initial amount of forty million dollars under terms
5007 and conditions determined by the authority.

5008 Sec. 123. Subdivision (1) of subsection (a) of section 8-265ss of the
5009 general statutes is repealed and the following is substituted in lieu
5010 thereof (*Effective July 1, 2011*):

5011 (1) "Authority" means the Connecticut **[**Housing Finance**]** Economic
5012 Development Authority **[**created**]** established under section **[**8-244**]** 25
5013 of this act;

5014 Sec. 124. Section 8-284 of the general statutes is repealed and the
5015 following is substituted in lieu thereof (*Effective July 1, 2011*):

5016 As used in this chapter:

5017 (a) "Eligible family or person" means a family or person who lacks
5018 the amount of income necessary, to purchase safe and adequate
5019 housing without special financial assistance;

5020 (b) **[**"Commissioner" means the Commissioner of Economic and
5021 Community Development;**]** "Executive director" means the executive
5022 director of the Connecticut Economic Development Authority; and

5023 (c) "Authority" means the Connecticut **[**Housing Finance**]** Economic
5024 Development Authority. **[**; and**]**

5025 **[**(d) "Department" means the Department of Economic and
5026 Community Development.**]**

5027 Sec. 125. Section 8-336 of the general statutes is repealed and the
5028 following is substituted in lieu thereof (*Effective July 1, 2011*):

5029 After June 8, 1982, neither the state nor any political subdivision

5030 thereof, nor any municipality or any political subdivision thereof, nor
5031 any department, agency, authority or other body of the state or any
5032 municipality, other than the Connecticut Housing Finance Authority,
5033 or any successor authority, shall issue bonds for the purpose of
5034 providing mortgages for single-family homes, as defined in the federal
5035 Mortgage Subsidy Bond Tax Act, Pub. L. 96-499, Title XI, Subtitle A, 94
5036 Stat 2669, except that the following amounts may be issued prior to
5037 October 1, 1983: (1) By the towns and cities of the state, as allocated
5038 and authorized by the [Commissioner of Economic and Community
5039 Development] executive director of the Connecticut Economic
5040 Development Authority and the Governor, thirty million dollars; (2) by
5041 the state pursuant to section 8-288, ten million dollars; and (3) by the
5042 state pursuant to section 16a-40c, ten million dollars. Any amount
5043 which may be issued by any entity other than the Connecticut Housing
5044 Finance Authority, or any successor authority, pursuant to this section
5045 may be issued by said authority if such amount is not issued by such
5046 other entity by October 1, 1983.

5047 Sec. 126. Section 8-336m of the general statutes is repealed and the
5048 following is substituted in lieu thereof (*Effective July 1, 2011*):

5049 As used in this section the following terms shall have the following
5050 meanings, unless the context clearly indicates a different meaning or
5051 intent:

5052 (1) "Authority" means the Connecticut [Housing Finance] Economic
5053 Development Authority.

5054 (2) ["Commissioner" means the Commissioner of Economic and
5055 Community Development] "Executive director" means the executive
5056 director of the Connecticut Economic Development Authority.

5057 [(3) "Department" means the Department of Economic and
5058 Community Development.]

5059 [(4)] (3) "Eligible applicant" means: (A) A nonprofit entity; (B) a

5060 municipality; (C) a housing authority; (D) a business corporation
5061 incorporated pursuant to chapter 601 or any predecessor statutes
5062 thereto or authorized to do business pursuant to said chapter 601
5063 having as one of its purposes the construction, financing, acquisition,
5064 rehabilitation or operation of affordable housing, and having a
5065 certificate or articles of incorporation approved by the commissioner;
5066 (E) any partnership, limited partnership, limited liability company,
5067 joint venture, sole proprietorship, trust or association having as one of
5068 its purposes the construction, financing, acquisition, rehabilitation or
5069 operation of affordable housing; (F) the Connecticut **[**Housing Finance**]**
5070 Economic Development Authority; (G) a municipal developer; (H) any
5071 community development financial institution; or (I) any combination
5072 thereof.

5073 **[**(5)**]** (4) "Housing", "housing development" or "development" means
5074 a work or undertaking having as its primary purpose the provision of
5075 safe, well-designed and adequate housing and related facilities for low
5076 and moderate income families and persons and includes existing
5077 housing for low and moderate income families and persons and
5078 housing whose primary purpose is to provide dwelling
5079 accommodations for low and moderate income families and persons
5080 but has dwelling accommodations for others.

5081 **[**(6)**]** (5) "Housing Trust Fund" or "fund" means the Housing Trust
5082 Fund created under section 8-336o.

5083 **[**(7)**]** (6) "Housing Trust Fund program" or "program" means the
5084 housing trust fund program developed and administered under
5085 section 8-336p.

5086 **[**(8)**]** (7) "Low and moderate income families and persons" means
5087 families and persons whose income falls within the income levels set
5088 by the commissioner pursuant to regulations adopted under
5089 subsection (a) of section 8-336q, except that the commissioner may
5090 establish income levels up to and including one hundred twenty per
5091 cent of the area median income, as determined by the United States

5092 Department of Housing and Urban Development.

5093 [(9)] (8) "Municipal developer" means a municipality acting by and
5094 through its legislative body, except that in any town in which a town
5095 meeting or representative town meeting is the legislative body,
5096 "municipal developer" means the board of selectmen if such board is
5097 authorized to act as the municipal developer by the town meeting or
5098 representative town meeting.

5099 [(10)] (9) "Secretary" means the Secretary of the Office of Policy and
5100 Management.

5101 [(11)] (10) "State Bond Commission" means the commission
5102 established under section 3-20.

5103 [(12)] (11) "Treasurer" means the State Treasurer and includes each
5104 successor in office or authority.

5105 Sec. 127. Section 8-336q of the general statutes is repealed and the
5106 following is substituted in lieu thereof (*Effective July 1, 2011*):

5107 (a) The [commissioner] executive director of the Connecticut
5108 Economic Development Authority, in consultation with the Treasurer
5109 [,] and the Secretary of the Office of Policy and Management [and the
5110 Connecticut Housing Finance Authority] and after consideration of the
5111 recommendations of the committee established by subsection (b) of
5112 this section, shall establish [regulations and] criteria for rating various
5113 proposals for funds under the Housing Trust Fund program. [The
5114 regulations] Such criteria shall be [adopted pursuant to chapter 54 and]
5115 posted on the [department's] authority's web site.

5116 (b) There shall be a Housing Trust Fund Program Advisory
5117 Committee. Said committee shall meet at least semiannually and shall
5118 advise the [commissioner] executive director on (1) the administration,
5119 management and objectives of the Housing Trust Fund program; and
5120 (2) the development of [regulations,] procedures and rating criteria for
5121 the program. The committee shall be appointed by the [commissioner]

5122 executive director, in consultation with the Treasurer and the secretary
5123 and shall include the chairpersons and ranking members of the joint
5124 standing committee of the General Assembly having cognizance of
5125 matters relating to planning and development, and the select
5126 committee of the General Assembly having cognizance of matters
5127 relating to housing and representatives from each of the following: (A)
5128 The nonprofit housing development community; (B) the for-profit
5129 housing development community; (C) a housing authority; (D) a
5130 community development financial institution; (E) the Connecticut
5131 Housing Finance Authority; (F) a state-wide housing organization; (G)
5132 an elected or appointed official of a municipality with a population of
5133 less than fifty thousand; (H) an elected or appointed official of a
5134 municipality with a population between fifty thousand and one
5135 hundred thousand; (I) an elected or appointed official of a
5136 municipality with a population in excess of one hundred thousand;
5137 and (J) the employers of the state, which may be satisfied by the
5138 appointment of a representative from a state business and industry
5139 association or regional chambers of commerce.

5140 **[**(c) The commissioner may adopt regulations, in accordance with
5141 the provisions of chapter 54, to carry out the provisions of sections 8-
5142 336m to 8-336q, inclusive.**]**

5143 **[**(d)**]** (c) The commissioner may request, inspect and audit reports,
5144 books and records and any other financial or project-related
5145 information with respect to eligible applicants that receive financial
5146 assistance, including, without limitation, resident or employment
5147 information, financial and operating statements and audits. The
5148 commissioner may investigate the accuracy and completeness of such
5149 reports, books and records.

5150 **[**(e)**]** (d) Whenever financial assistance is provided pursuant to
5151 section 8-336p, the commissioner may take all reasonable steps and
5152 exercise all available remedies necessary or desirable to protect the
5153 obligations or interests of the state, including, but not limited to,

5154 amending any term or condition of a contract or agreement, provided
5155 such amendment is allowed or agreed to pursuant to such contract or
5156 agreement, or purchasing or redeeming, pursuant to foreclosure
5157 proceedings, bankruptcy proceedings or in other judicial proceedings,
5158 any property on which such commissioner or the department holds a
5159 mortgage or other lien, or in which the commissioner or the
5160 department has an interest.

5161 Sec. 128. Subsection (b) of section 8-385 of the general statutes is
5162 repealed and the following is substituted in lieu thereof (*Effective*
5163 *July 1, 2011*):

5164 (b) The Housing Advisory Committee shall: (1) Advise the General
5165 Assembly, the Governor **[**, the Commissioner of Economic and
5166 Community Development**]** and the Connecticut **[**Housing Finance**]**
5167 Economic Development Authority on matters relating to housing
5168 programs and policies; (2) provide legislative recommendations
5169 relating to housing matters to **[**the Commissioner of Economic and
5170 Community Development,**]** the Connecticut **[**Housing Finance**]**
5171 Economic Development Authority and the General Assembly; (3)
5172 monitor the housing-related activities of the regional planning
5173 agencies under chapter 127; and (4) promote coordination on housing
5174 matters among state agencies.

5175 Sec. 129. Subdivision (1) of subsection (a) of section 8-400 of the
5176 general statutes is repealed and the following is substituted in lieu
5177 thereof (*Effective July 1, 2011*):

5178 (1) "Authority" means the Connecticut **[**Housing Finance**]** Economic
5179 Development Authority as **[**created**]** established under section **[**8-244**]**
5180 25 of this act;

5181 Sec. 130. Section 17a-54a of the general statutes is repealed and the
5182 following is substituted in lieu thereof (*Effective July 1, 2011*):

5183 The Commissioner of Children and Families, in collaboration with

5184 the Commissioners of [Economic and Community Development,]
5185 Social Services, Developmental Services and Public Health, the
5186 Secretary of the Office of Policy and Management and the executive
5187 director of the Connecticut [Housing Finance] Economic Development
5188 Authority, shall establish a pilot project to provide affordable housing
5189 and support services to families with children who have one or more
5190 serious, chronic medical conditions and have ongoing, significant
5191 health care service needs.

5192 Sec. 131. Section 17a-485c of the general statutes is repealed and the
5193 following is substituted in lieu thereof (*Effective July 1, 2011*):

5194 (a) The Commissioner of Mental Health and Addiction Services, in
5195 collaboration with the Commissioners of Social Services [,] and
5196 Children and Families [and Economic and Community Development]
5197 and the Connecticut [Housing Finance] Economic Development
5198 Authority, shall establish a Supportive Housing Initiative to provide
5199 additional units of affordable housing and support services to eligible
5200 persons. The Supportive Housing Initiative shall be implemented in
5201 two phases with the first phase to be known as the Supportive
5202 Housing Pilots Initiative and the second phase to be known as the
5203 Next Steps Initiative.

5204 (b) The Supportive Housing Pilots Initiative shall provide up to six
5205 hundred fifty additional units of affordable housing and support
5206 services to eligible households, as defined in section 17a-484a, and to
5207 persons with serious mental health needs who are community-
5208 supervised offenders supervised by the executive or judicial branch.
5209 Such housing shall be permanent supportive housing or transitional
5210 living programs, and the permanent supportive housing may include
5211 both individuals and families with special needs and individuals and
5212 families without such needs.

5213 (c) The Next Steps Initiative shall provide up to one thousand
5214 additional units of affordable housing and support services to: (1)
5215 Eligible households, as defined in section 17a-484a; (2) families who

5216 are eligible under the state plan for the federal temporary assistance
5217 for needy families program; (3) adults who are eighteen to twenty-
5218 three years of age, inclusive, and who are homeless, or at risk for
5219 becoming homeless because they are transitioning from foster care or
5220 other residential programs; and (4) persons with serious mental health
5221 needs who are community-supervised offenders supervised by the
5222 executive or judicial branch. Such housing shall be permanent
5223 supportive housing and may include both individuals and families
5224 with special needs and individuals and families without such needs.

5225 (d) The Connecticut **[**Housing Finance**]** Economic Development
5226 Authority shall issue one or more requests for proposals by persons or
5227 entities interested in participating in such initiative with priority given
5228 to applicants that include organizations deemed qualified to provide
5229 services by the Departments of Mental Health and Addiction Services,
5230 Social Services and Children and Families. The Connecticut **[**Housing
5231 Finance**]** Economic Development Authority shall review and
5232 underwrite projects developed under the Supportive Housing
5233 Initiative. For purposes of this subsection, "state assistance" means a
5234 payment by the state of actual debt service, comprised of principal,
5235 interest, interest rate swap payments, liquidity fees, letter of credit fees,
5236 trustee fees, and other similar bond-related expenses.

5237 Sec. 132. Section 17b-347e of the general statutes is repealed and the
5238 following is substituted in lieu thereof (*Effective July 1, 2011*):

5239 (a) The Commissioner of Social Services, in collaboration with the
5240 **[**Commissioner of Economic and Community Development and the**]**
5241 Connecticut **[**Housing Finance**]** Economic Development Authority,
5242 shall establish a demonstration project to provide subsidized assisted
5243 living services, as defined in section 19-13-D105 of the regulations of
5244 Connecticut state agencies, for persons residing in affordable housing,
5245 as defined in section 8-39a. The demonstration project shall be
5246 conducted in at least three municipalities to be determined by the
5247 Commissioner of Social Services. The demonstration project shall be

5248 limited to a maximum of three hundred subsidized dwelling units.
5249 Applicants for such subsidized assisted living services shall be subject
5250 to the same eligibility requirements as the Connecticut home care
5251 program for the elderly pursuant to section 17b-342.

5252 (b) Not later than January 1, 1999, the Commissioner of Social
5253 Services shall enter into a memorandum of understanding with the
5254 **[**Commissioner of Economic and Community Development and the**]**
5255 Connecticut **[**Housing Finance**]** Economic Development Authority.
5256 Such memorandum of understanding shall specify that (1) the
5257 Department of Social Services apply for a Medicaid waiver to secure
5258 federal financial participation to fund assisted living services, establish
5259 a process to select nonprofit and for-profit providers and determine
5260 the number of dwelling units in the demonstration project, (2) the
5261 **[**Department of Economic and Community Development**]** Connecticut
5262 Economic Development Authority provide rental subsidy certificates
5263 pursuant to section 8-402 or rental assistance pursuant to section 8-
5264 119kk, and (3) the Connecticut **[**Housing Finance**]** Economic
5265 Development Authority provide second mortgage loans for housing
5266 projects for which the authority has provided financial assistance in
5267 the form of a loan secured by a first mortgage pursuant to section 8-403
5268 for the demonstration project. Not later than July 1, 1999, the
5269 Connecticut **[**Housing Finance**]** Economic Development Authority
5270 shall issue a request for proposals for persons or entities interested in
5271 participating in the demonstration project.

5272 (c) Nothing in this section shall be construed to prohibit a
5273 combination of unsubsidized dwelling units and subsidized dwelling
5274 units under the demonstration project within the same facility.
5275 Notwithstanding the provisions of section 8-402, the **[**Department of
5276 Economic and Community Development**]** Connecticut Economic
5277 Development Authority may set the rental subsidy at any percentage
5278 of the annual aggregate family income and define aggregate family
5279 income and eligibility for subsidies in a manner consistent with such
5280 demonstration project.

5281 Sec. 133. Subsection (a) of section 21-84a of the general statutes is
5282 repealed and the following is substituted in lieu thereof (*Effective*
5283 *July 1, 2011*):

5284 (a) There is established, within the Department of Consumer
5285 Protection, a Mobile Manufactured Home Advisory Council composed
5286 of fifteen members as follows: One member of the Connecticut Real
5287 Estate Commission **[**, one employee of the Department of Economic
5288 and Community Development**]** and one employee of the Connecticut
5289 **[**Housing Finance**]** Economic Development Authority to be appointed
5290 by the Governor; an attorney-at-law specializing in mobile
5291 manufactured home matters to be appointed by the speaker of the
5292 House of Representatives; one town planner and one representative of
5293 the banking industry to be appointed by the Governor; three mobile
5294 manufactured home park owners, one to be appointed by the
5295 Governor, one to be appointed by the minority leader of the Senate
5296 and one to be appointed by the minority leader of the House of
5297 Representatives; a representative of the mobile manufactured home
5298 industry to be appointed by the majority leader of the House of
5299 Representatives; three mobile manufactured home park tenants or
5300 representatives of such tenants, each from different geographic areas
5301 of the state, one to be appointed by the Governor, one to be appointed
5302 by the president pro tempore of the Senate and one to be appointed by
5303 the majority leader of the Senate; a senior citizen, who is either a
5304 resident of a mobile manufactured home park or a representative of
5305 other senior citizens who reside in mobile manufactured home parks,
5306 and a representative of the Housing Advisory Committee to be
5307 appointed by the Governor. The mobile manufactured home park
5308 owners and the representative of the mobile manufactured home
5309 industry shall be appointed from a list submitted to the appointing
5310 authorities by the Connecticut Manufactured Housing Association or
5311 its successor, if such organization or successor exists. The mobile
5312 manufactured home park tenants or tenant representatives and the
5313 senior citizen shall be appointed from a list submitted to the
5314 appointing authorities by the Connecticut Manufactured Home

5315 Owners Alliance or its successor, if such organization or successor
5316 exists. The Governor shall appoint a chairperson from among the
5317 members of the council. Members shall serve for a term coterminous
5318 with the term of the Governor or until their successors are appointed,
5319 whichever is later. Any vacancy shall be filled by the appointing
5320 authority for the position which has become vacant. Members of the
5321 council shall not be compensated for their services. Any council
5322 member who fails to attend three consecutive meetings or who fails to
5323 attend fifty per cent of all meetings held during any calendar year shall
5324 be deemed to have resigned from office.

5325 Sec. 134. Section 32-1m of the general statutes is repealed and the
5326 following is substituted in lieu thereof (*Effective July 1, 2011*):

5327 (a) Not later than February 1, 2006, and annually thereafter, the
5328 **[**Commissioner of Economic and Community Development**]** executive
5329 director of the Connecticut Economic Development Authority shall
5330 submit a report to the Governor and the General Assembly, in
5331 accordance with the provisions of section 11-4a. Not later than thirty
5332 days after submission of the report to the Governor and the General
5333 Assembly, said **[**commissioner**]** director shall post the report on the
5334 **[**Department of Economic and Community Development's**]** authority's
5335 web site. Said report shall include, but not be limited to, the following
5336 information with regard to the activities of the **[**Department of
5337 Economic and Community Development**]** Connecticut Economic
5338 Development Authority during the preceding state fiscal year:

5339 (1) A brief description and assessment of the state's economy during
5340 such year, utilizing the most recent and reasonably available data, and
5341 including:

5342 (A) Connecticut employment by industry;

5343 (B) Connecticut and national average unemployment;

5344 (C) Connecticut gross state product, by industry;

5345 (D) Connecticut productivity, by industry, compared to the national
5346 average;

5347 (E) Connecticut manufacturing activity;

5348 (F) Identification of economic and competitive conditions affecting
5349 Connecticut's industry sectors, problems resulting from these
5350 conditions and state efforts to address the problems;

5351 (G) A brief summary of Connecticut's competitiveness as a place for
5352 business, which shall include, but not be limited to, an evaluation of (i)
5353 how the programs and policies of state government affect the state
5354 economy and state business environment, (ii) the ability of the state to
5355 retain and attract businesses, (iii) the steps taken by other states to
5356 improve the competitiveness of such states as places for business, and
5357 (iv) programs and policies the state could implement to improve the
5358 competitiveness of the state in order to encourage economic growth;
5359 and

5360 (H) Any other economic information that the **[**commissioner**]**
5361 executive director deems appropriate.

5362 (2) A statement of the **[**department's**]** authority's economic and
5363 community development objectives, measures of program success and
5364 standards for granting financial and nonfinancial assistance under
5365 programs administered by the **[**department**]** authority.

5366 (3) An analysis of the economic development portfolio of the
5367 **[**department**]** authority, including:

5368 (A) A list of the names, addresses and locations of all recipients of
5369 the **[**department's**]** authority's assistance;

5370 (B) The following information concerning each recipient of such
5371 assistance: (i) Business activities, (ii) standard industrial classification
5372 codes or North American industrial classification codes, (iii) number of
5373 full-time jobs and part-time jobs at the time of application, (iv) number

5374 of actual full-time jobs and actual part-time jobs during the preceding
5375 state fiscal year, (v) whether the recipient is a minority or woman-
5376 owned business, (vi) a summary of the terms and conditions for the
5377 assistance, including the type and amount of state financial assistance,
5378 job creation or retention requirements and anticipated wage rates, (vii)
5379 the amount of investments from private and other nonstate sources
5380 that have been leveraged by the assistance, (viii) the extent to which
5381 employees of the recipient participate in health benefit plans offered
5382 by such recipient, (ix) the extent to which the recipient offers unique
5383 economic, social, cultural or aesthetic attributes to the municipality in
5384 which the recipient is located or to the state, and (x) the amount of
5385 state investment;

5386 (C) A portfolio analysis, including (i) an analysis of the wages paid
5387 by recipients of financial assistance, (ii) the average portfolio wage,
5388 median portfolio wage, highest and lowest portfolio wage, (iii)
5389 portfolio wage data by industry, and (iv) portfolio wage data by
5390 municipality;

5391 (D) An investment analysis, including (i) total portfolio value, (ii)
5392 total investment by industry, (iii) portfolio dollar per job average, (iv)
5393 portfolio leverage ratio, and (v) percentage of financial assistance
5394 which was provided to high performance work organizations in the
5395 preceding state fiscal year; and

5396 (E) An analysis of the estimated economic effects of the
5397 **[**department's**]** authority's economic development investments on the
5398 state's economy, including (i) contribution to gross state product for
5399 the total economic development portfolio and for any investment
5400 activity occurring in the preceding state fiscal year, (ii) direct and
5401 indirect employment created by the investments for the total portfolio
5402 and for any investment activity occurring in the preceding state fiscal
5403 year, (iii) productivity of recipients of financial assistance as a result of
5404 the **[**department's**]** authority's investment occurring in the preceding
5405 state fiscal year, (iv) directly or indirectly increased property values in

5406 the municipalities in which the recipients of assistance are located, and
5407 (v) personal income.

5408 (4) An analysis of the community development portfolio of the
5409 [department] authority, including:

5410 (A) A list of the names, addresses and locations of all recipients of
5411 the [department's] authority's assistance;

5412 (B) The following information concerning each recipient of such
5413 assistance: (i) Amount of state investment, (ii) a summary of the terms
5414 and conditions for the department's assistance, including the type and
5415 amount of state financial assistance, and (iii) the amount of
5416 investments from private and other nonstate sources that have been
5417 leveraged by such assistance;

5418 (C) An investment analysis, including (i) total active portfolio value,
5419 (ii) total investments made in the preceding state fiscal year, (iii) total
5420 portfolio by municipality, (iv) total investments made in the preceding
5421 state fiscal year categorized by municipality, (v) total portfolio
5422 leverage ratio, and (vi) leverage ratio of the total investments made in
5423 the preceding state fiscal year; and

5424 (D) An analysis of the estimated economic effects of the
5425 [department's] authority's economic development investments on the
5426 state's economy, including (i) contribution to gross state product for
5427 the total portfolio and for any investment activity occurring in the
5428 preceding state fiscal year, (ii) direct and indirect employment created
5429 by the investments for the total portfolio and for any investment
5430 activity occurring in the preceding state fiscal year, (iii) productivity of
5431 recipients of financial assistance as a result of the [department's]
5432 authority's investment occurring in the preceding state fiscal year, (iv)
5433 directly or indirectly increased property values in the municipalities in
5434 which the recipients are located, and (v) personal income.

5435 (5) A summary of the [department's] authority's economic and

5436 community development marketing efforts in the preceding state fiscal
5437 year, a summary of the [department's] authority's business recruitment
5438 strategies and activities in such year, and a summary of the
5439 [department's] authority's efforts to assist small businesses and
5440 minority business enterprises in such year.

5441 (6) A summary of the [department's] authority's international trade
5442 efforts in the preceding state fiscal year, and, to the extent possible, a
5443 summary of foreign direct investment that occurred in the state in such
5444 year.

5445 (7) Identification of existing economic clusters, the formation of new
5446 economic clusters, the measures taken by the [commissioner] executive
5447 director during the preceding state fiscal year to encourage the growth
5448 of economic clusters and the amount of bond funds expended by the
5449 [department] authority during the previous fiscal year on each
5450 economic cluster.

5451 (8) (A) A summary of the [department's] authority's brownfield-
5452 related efforts and activities within the Office of Brownfield
5453 Remediation and Development established pursuant to subsections (a)
5454 to (f), inclusive, of section 32-9cc in the preceding state fiscal year,
5455 except for activity under the Special Contaminated Property
5456 Remediation and Insurance Fund program. Such efforts shall include,
5457 but not be limited to, (i) total portfolio investment in brownfield
5458 remediation projects, (ii) total investment in brownfield remediation
5459 projects in the preceding state fiscal year, (iii) total number of
5460 brownfield remediation projects, (iv) total number of brownfield
5461 remediation projects in the preceding state fiscal year, (v) total of
5462 reclaimed and remediated acreage, (vi) total of reclaimed and
5463 remediated acreage in the preceding state fiscal year, (vii) leverage
5464 ratio for the total portfolio investment in brownfield remediation
5465 projects, and (viii) leverage ratio for the total portfolio investment in
5466 brownfield remediation projects in the preceding state fiscal year. Such
5467 summary shall include a list of such brownfield remediation projects

5468 and, for each such project, the name of the developer and the location
5469 by street address and municipality and a tracking of all funds
5470 administered through or by said office;

5471 (B) A summary of the [department's] authority's efforts with regard
5472 to the Special Contaminated Property Remediation and Insurance
5473 Fund, including, but not limited to, (i) the number of applications
5474 received in the preceding state fiscal year, (ii) the number and amounts
5475 of loans made in such year, (iii) the names of the applicants for such
5476 loans, (iv) the average time period between submission of application
5477 and the decision to grant or deny the loan, (v) a list of the applications
5478 approved and the applications denied and the reasons for such
5479 denials, and (vi) for each project, the location by street address and
5480 municipality; and

5481 (C) A summary of the [department's] authority's efforts with regard
5482 to the dry cleaning grant program, established pursuant to section 12-
5483 263m, including, but not limited to, (i) information as to the number of
5484 applications received, (ii) the number and amounts of grants made
5485 since the inception of the program, (iii) the names of the applicants,
5486 (iv) the time period between submission of application and the
5487 decision to grant or deny the loan, (v) which applications were
5488 approved and which applications were denied and the reasons for any
5489 denials, and (vi) a recommendation as to whether the surcharge and
5490 grant program established pursuant to section 12-263m should
5491 continue.

5492 (9) The following information concerning enterprise zones
5493 designated under section 32-70:

5494 (A) A statement of the current goals for enterprise zones;

5495 (B) A statement of the current performance standards to measure
5496 the progress of municipalities that have enterprise zones in attaining
5497 the goals for such zones;

5498 (C) A report from each municipality that has an enterprise zone,
5499 which evaluates the progress of the municipality in meeting the
5500 performance standards established under section 32-70a; and

5501 (D) An assessment of the performance of each enterprise zone based
5502 on information collected under subparagraph (C) of this subdivision.

5503 (10) With regard to the grant program designated pursuant to
5504 sections 32-324a to 32-324e, inclusive, an assessment of program
5505 performance.

5506 (11) With regard to the fuel diversification program designated
5507 pursuant to section 32-324g, an assessment of program performance.

5508 (12) With regard to the [department's] authority's housing-
5509 development-related functions and activities:

5510 (A) A brief description and assessment of the state's housing market
5511 during the preceding state fiscal year, utilizing the most recent and
5512 reasonably available data, and including, but not limited to, (i) a brief
5513 description of the significant characteristics of such market, including
5514 supply, demand and condition and cost of housing, and (ii) any other
5515 information that the [commissioner] executive director deems
5516 appropriate;

5517 (B) A comprehensive assessment of current and future needs for
5518 rental assistance under section 8-119kk for housing projects for the
5519 elderly and disabled; [, in consultation with the Connecticut Housing
5520 Finance Authority;]

5521 (C) An analysis of the progress of the public and private sectors
5522 toward meeting housing needs in the state, using building permit data
5523 from the United States Census Bureau and demolition data from
5524 Connecticut municipalities;

5525 (D) A list of municipalities that meet the affordable housing criteria
5526 set forth in subsection (k) of section 8-30g, pursuant to [regulations]

5527 procedures that the [Commissioner of Economic and Community
5528 Development] executive director shall adopt [pursuant to the
5529 provisions of chapter 54] in accordance with section 1-121. For the
5530 purpose of determining the percentage required by subsection (k) of
5531 said section 8-30g, the [commissioner] executive director shall use as
5532 the denominator the number of dwelling units in the municipality, as
5533 reported in the most recent United States decennial census; and

5534 (E) A statement of the [department's] authority's housing
5535 development objectives, measures of program success and standards
5536 for granting financial and nonfinancial assistance under programs
5537 administered by said [commissioner] director.

5538 (13) A presentation of the state-funded housing development
5539 portfolio of the [department] authority, including:

5540 (A) A list of the names, addresses and locations of all recipients of
5541 such assistance; and

5542 (B) For each such recipient, (i) a summary of the terms and
5543 conditions for the assistance, including the type and amount of state
5544 financial assistance, (ii) the amount of investments from private and
5545 other nonstate sources that have been leveraged by the assistance, (iii)
5546 the number of new units to be created and the number of units to be
5547 preserved at the time of the application, and (iv) the number of actual
5548 new units created and number of units preserved.

5549 (14) An analysis of the state-funded housing development portfolio
5550 of the [department] authority, including:

5551 (A) An investment analysis, including the (i) total active portfolio
5552 value, (ii) total investment made in the preceding state fiscal year, (iii)
5553 portfolio dollar per new unit created, (iv) estimated dollars per new
5554 unit created for projects receiving an assistance award in the preceding
5555 state fiscal year, (v) portfolio dollars per unit preserved, (vi) estimated
5556 dollar per unit preserved for projects receiving an assistance award in

5557 the preceding state fiscal year, (vii) portfolio leverage ratio, and (viii)
5558 leverage ratio for housing development investments made in the
5559 preceding state fiscal year; and

5560 (B) A production and preservation analysis, including (i) the total
5561 number of units created, itemized by municipality, for the total
5562 portfolio and projects receiving an assistance award in the preceding
5563 state fiscal year, (ii) the total number of elderly units created for the
5564 total portfolio and for projects receiving an assistance award in the
5565 preceding state fiscal year, (iii) the total number of family units created
5566 for the total portfolio and for projects receiving an assistance award in
5567 the preceding state fiscal year, (iv) the total number of units preserved,
5568 itemized by municipality, for the total portfolio and projects receiving
5569 an assistance award in the preceding state fiscal year, (v) the total
5570 number of elderly units preserved for the total portfolio and for
5571 projects receiving an assistance award in the preceding state fiscal
5572 year, (vi) the total number of family units preserved for the total
5573 portfolio and for projects receiving an assistance award in the
5574 preceding state fiscal year, (vii) an analysis by income group of
5575 households served by the **[**department's**]** authority's housing
5576 construction, substantial rehabilitation, purchase and rental assistance
5577 programs, for each housing development, if applicable, and for each
5578 program, including number of households served under each program
5579 by race and data for all households, and (viii) a summary of the
5580 **[**department's**]** authority's efforts in promoting fair housing choice and
5581 racial and economic integration, including data on the racial
5582 composition of the occupants and persons on the waiting list of each
5583 housing project that is assisted under any housing program
5584 established by the general statutes or a special act or that is supervised
5585 by the **[**department**]** authority, provided no information shall be
5586 required to be disclosed by any occupant or person on a waiting list for
5587 the preparation of such summary. As used in this subparagraph,
5588 "elderly units" means dwelling units for which occupancy is restricted
5589 by age, and "family units" means dwelling units for which occupancy
5590 is not restricted by age.

5591 (15) An economic impact analysis of the [department's] authority's
5592 housing development efforts and activities, including, but not limited
5593 to:

5594 (A) The contribution of such efforts and activities to the gross state
5595 product;

5596 (B) The direct and indirect employment created by the investments
5597 for the total housing development portfolio and for any investment
5598 activity for such portfolio occurring in the preceding state fiscal year;
5599 and

5600 (C) Personal income in the state.

5601 (16) With regard to the Housing Trust Fund and Housing Trust
5602 Fund program, as those terms are defined in section 8-336m:

5603 (A) Activities for the prior fiscal year of the Housing Trust Fund and
5604 the Housing Trust Fund program; and

5605 (B) The efforts of the [department] authority to obtain private
5606 support for the Housing Trust Fund and the Housing Trust Fund
5607 program.

5608 (17) With regard to the [department's] authority's energy
5609 conservation loan program:

5610 (A) The number of loans or deferred loans made during the
5611 preceding fiscal year under each component of such program and the
5612 total amount of the loans or deferred loans made during such fiscal
5613 year under each such component;

5614 (B) A description of each step of the loan or deferred loan
5615 application and review process;

5616 (C) The location of each loan or deferred loan application intake site
5617 for such program;

5618 (D) The average time period for the processing of loan or deferred
5619 loan applications during such fiscal year; and

5620 (E) The total administrative expenses of such program for such
5621 fiscal year.

5622 (18) An assessment of the performance of the Connecticut qualified
5623 biodiesel producer incentive account grant program established
5624 pursuant to sections 32-324a to 32-324e, inclusive.

5625 (19) An assessment of the performance of the fuel diversification
5626 grant program established pursuant to section 32-324g.

5627 (20) A summary of the total social and economic impact of the
5628 [department's] authority's efforts and activities in the areas of
5629 economic, community and housing development, and an assessment
5630 of the department's performance in terms of meeting its stated goals
5631 and objectives.

5632 (21) With regard to the Connecticut Credit Consortium established
5633 pursuant to section 32-9yy, a summary of the activity of such program,
5634 including, but not limited to, the number of loans and lines of credit
5635 applied for and approved, the size of the businesses, the amount of the
5636 loans or lines of credit, and the amount repaid to date.

5637 (22) With regard to the office of the permit ombudsman, established
5638 pursuant to section 32-726:

5639 (A) The names of applicants for expedited review;

5640 (B) The date of request for expedited review;

5641 (C) The basis upon which the applicant claimed eligibility for
5642 expedited review;

5643 (D) State agencies that participated in the permit review process;

5644 (E) The dates on which the permit was granted or denied via the

5645 expedited review process or the date the applicant was determined not
5646 to be eligible for expedited review; and

5647 (F) If applicable, the reason the applicant was determined not to be
5648 eligible for the expedited review process.

5649 (b) Any annual report that is required from the **[**department**]**
5650 authority by any provision of the general statutes shall be incorporated
5651 into the annual report provided pursuant to subsection (a) of this
5652 section.

5653 Sec. 135. Section 32-23e of the general statutes is repealed and the
5654 following is substituted in lieu thereof (*Effective July 1, 2011*):

5655 To accomplish the purposes of the authority, as defined in
5656 subsection (t) of section 32-23d, which are hereby determined to be
5657 public purposes for which public funds may be expended, and in
5658 addition to any other powers provided by law, the authority shall have
5659 power to: (1) Determine the location and character of any project to be
5660 financed under the provisions of said chapters and sections, provided
5661 any financial assistance shall be approved in accordance with written
5662 procedures prepared pursuant to subdivision (14) of this section; (2)
5663 purchase, receive, by gift or otherwise, lease, exchange, or otherwise
5664 acquire, and construct, reconstruct, improve, maintain, equip and
5665 furnish one or more projects, including all real and personal property
5666 which the authority may deem necessary in connection therewith, and
5667 to enter into a contract with a person therefor upon such terms and
5668 conditions as the authority shall determine to be reasonable, including
5669 but not limited to reimbursement for the planning, designing,
5670 financing, construction, reconstruction, improvement, equipping,
5671 furnishing, operation and maintenance of the project and any claims
5672 arising therefrom and establishment and maintenance of reserve and
5673 insurance funds with respect to the financing of the project; (3) insure
5674 any or all payments to be made by the borrower under the terms of
5675 any agreement for the extension of credit or making of a loan by the
5676 authority in connection with any economic development project to be

5677 financed, wholly or in part, through the issuance of bonds or mortgage
5678 payments of any mortgage which is given by a mortgagor to the
5679 mortgagee who has provided the mortgage for an economic
5680 development project upon such terms and conditions as the authority
5681 may prescribe and as provided herein, and the faith and credit of the
5682 state are pledged thereto; (4) in connection with the insuring of
5683 payments of any mortgage, request for its guidance a finding of the
5684 municipal planning commission, or, if there is no planning
5685 commission, a finding of the municipal officers, of the municipality in
5686 which the economic development project is proposed to be located, or
5687 of the regional planning agency of which such municipality is a
5688 member, as to the expediency and advisability of the economic
5689 development project; (5) sell or lease to any person, all or any portion
5690 of a project, purchase from eligible financial institutions mortgages
5691 with respect to economic development projects, purchase or
5692 repurchase its own bonds, and sell, pledge or assign to any person any
5693 such bonds, mortgages, or other loans, notes, revenues or assets of the
5694 authority, or any interest therein, for such consideration and upon
5695 such terms as the authority may determine to be reasonable; (6)
5696 mortgage or otherwise encumber all or any portion of a project
5697 whenever it shall find such action to be in furtherance of the purposes
5698 of said chapters and sections; (7) enter into agreements with any
5699 person, including prospective mortgagees and mortgagors, for the
5700 purpose of planning, designing, constructing, acquiring, altering and
5701 financing projects, providing liquidity or a secondary market for
5702 mortgages or other financial obligations incurred with respect to
5703 facilities which would qualify as a project under this chapter,
5704 purchasing loans made by regional corporations under section 32-276,
5705 or for any other purpose in furtherance of any other power of the
5706 authority; (8) grant options to purchase or renew a lease for any of its
5707 projects on such terms as the authority may determine to be
5708 reasonable; (9) employ or retain attorneys, accountants and
5709 architectural, engineering and financial consultants and such other
5710 employees and agents and to fix their compensation and to employ the

5711 Connecticut Development Credit Corporation on a cost basis as it shall
5712 deem necessary to assist it in carrying out the purposes of said
5713 authority legislation; (10) borrow money or accept gifts, grants or loans
5714 of funds, property or service from any source, public or private, and
5715 comply, subject to the provisions of said authority legislation, with the
5716 terms and conditions thereof; (11) accept from a federal agency loans,
5717 grants or loan guarantees or otherwise participate in any loan, grant,
5718 loan guarantee or other financing or economic or project development
5719 program of a federal agency in furtherance of, and consistent with, the
5720 purposes of the authority, and enter into agreements with such agency
5721 respecting any such loans, grants, loan guarantees or federal agency
5722 programs; (12) provide tenant lease guarantees and performance
5723 guarantees, invest in, extend credit or make loans to any person for the
5724 planning, designing, financing, acquiring, constructing, reconstructing,
5725 improving, expanding, continuing in operation, equipping and
5726 furnishing of a project and for the refinancing of existing indebtedness
5727 with respect to any facility or part thereof which would qualify as a
5728 project in order to facilitate substantial improvements thereto, which
5729 guarantees, investments, credits or loans may be secured by loan
5730 agreements, lease agreements, installment sale agreements, mortgages,
5731 contracts and all other instruments or fees and charges, upon such
5732 terms and conditions as the authority shall determine to be reasonable
5733 in connection with such loans, including provision for the
5734 establishment and maintenance of reserve and insurance funds and in
5735 the exercise of powers granted in this section in connection with a
5736 project for such person, to require the inclusion in any contract, loan
5737 agreement or other instrument, such provisions for the construction,
5738 use, operation and maintenance and financing of a project as the
5739 authority may deem necessary or desirable; (13) in connection with
5740 any application for assistance under said authority legislation, or
5741 commitments therefor, to make and collect such fees and charges as
5742 the authority shall determine to be reasonable; (14) adopt procedures,
5743 in accordance with the provisions of section 1-121, to carry out the
5744 provisions of said authority legislation, which may give priority to

5745 applications for financial assistance based upon the extent the project
5746 will materially contribute to the economic base of the state by creating
5747 or retaining jobs, providing increased wages or benefits to employees,
5748 promoting the export of products or services beyond the boundaries of
5749 the state, encouraging innovation in products or services, encouraging
5750 defense-dependent business to diversify to nondefense production,
5751 promoting standards of participation adopted by the Connecticut
5752 partnership compact pursuant to section 33-374g of the general
5753 statutes, revision of 1958, revised to 1991, or will otherwise enhance
5754 existing activities that are important to the economic base of the state,
5755 provided regulation-making proceedings commenced before January
5756 1, 1989, shall be governed by sections 4-166 to 4-174, inclusive; (15)
5757 adopt an official seal and alter the same at pleasure; (16) maintain an
5758 office at such place or places within the state as it may designate; (17)
5759 sue and be sued in its own name and plead and be impleaded, service
5760 of process in any action to be made by service upon the executive
5761 director of said authority either in hand or by leaving a copy of the
5762 process at the office of the authority with some person having charge
5763 thereof; (18) employ such assistants, agents and other employees as
5764 may be necessary or desirable for its purposes, which employees shall
5765 be exempt from the classified service and shall not be employees as
5766 defined in subsection (b) of section 5-270; establish all necessary or
5767 appropriate personnel practices and policies, including those relating
5768 to hiring, promotion, compensation, retirement and collective
5769 bargaining, which need not be in accordance with chapter 68 and the
5770 authority shall not be an employer as defined in subsection (a) of
5771 section 5-270; contract for and engage appraisers of industrial
5772 machinery and equipment, consultants and property management
5773 services, and utilize the services of other governmental agencies; (19)
5774 when it becomes necessary or feasible for the authority to safeguard
5775 itself from losses, acquire, purchase, manage and operate, hold and
5776 dispose of real and personal property, take assignments of rentals and
5777 leases and make and enter into all contracts, leases, agreements and
5778 arrangements necessary or incidental to the performance of its duties;

5779 (20) in order to further the purposes of said authority legislation, or to
5780 assure the payment of the principal and interest on bonds or notes of
5781 the authority or to safeguard the mortgage insurance fund, purchase,
5782 acquire and take assignments of notes, mortgages and other forms of
5783 security and evidences of indebtedness, purchase, acquire, attach,
5784 seize, accept or take title to any project by conveyance or, by
5785 foreclosure, and sell, lease or rent any project for a use specified in said
5786 chapters and sections or in this chapter; (21) adopt rules for the
5787 conduct of its business; (22) invest any funds not needed for immediate
5788 use or disbursement, including any funds held in reserve, in
5789 obligations issued or guaranteed by the United States of America or
5790 the state of Connecticut and in other obligations which are legal
5791 investments for savings banks in this state; (23) do, or delegate, any
5792 and all things necessary or convenient to carry out the purposes and to
5793 exercise the powers given and granted in said authority legislation;
5794 provided, in all matters concerning the internal administrative
5795 functions of the authority which are funded by amounts appropriated
5796 by the state to the authority, [or to the department,] the procedures of
5797 the state relating to office space, supplies, facilities, materials,
5798 equipment and professional services shall be followed, and provided
5799 further, that in the acquisition by the authority of real estate involving
5800 the use of appropriated funds or bonds supported by the full faith and
5801 credit of the state, the authority shall be subject to the provisions of
5802 section 4b-23; (24) to accept from the [department] state: (A) Financial
5803 assistance, (B) revenues or the right to receive revenues with respect to
5804 any program under the supervision of the [department] authority, and
5805 (C) loan assets or equity interests in connection with any program
5806 under the supervision of the [department] authority; to make advances
5807 to and reimburse the [department] state for any expenses incurred or
5808 to be incurred by it in the delivery of such assistance, revenues, rights,
5809 assets or amounts; to enter into agreements for the delivery of services
5810 by the authority, in consultation with [the department, the Connecticut
5811 Housing Finance Authority and Connecticut Innovations,
5812 Incorporated] state agencies, to third parties which agreements may

5813 include provisions for payment by the **[**department**]** state to the
5814 authority for the delivery of such services; and to enter into
5815 agreements with **[**the department or with the Connecticut Housing
5816 Finance Authority or Connecticut Innovations, Incorporated**]** state
5817 agencies for the sharing of assistants, agents and other consultants,
5818 professionals and employees, and facilities and other real and personal
5819 property used in the conduct of the authority's affairs; and (25) to
5820 transfer to the **[**department**]** state: (A) Financial assistance, (B)
5821 revenues or the right to receive revenues with respect to any program
5822 under the supervision of the authority, and (C) loan assets or equity
5823 interests in connection with any program under the supervision of the
5824 authority, provided the transfer of such financial assistance, revenues,
5825 rights, assets or interests is determined by the authority to be
5826 practicable, within the constraints and not inconsistent with the
5827 fiduciary obligations of the authority imposed upon or established
5828 upon the authority by any provision of the general statutes, the
5829 authority's bond resolutions or any other agreement or contract of the
5830 authority and to have no adverse effect on the tax-exempt status of any
5831 bonds of the authority or the state.

5832 Sec. 136. Section 49-31k of the general statutes is repealed and the
5833 following is substituted in lieu thereof (*Effective July 1, 2011*):

5834 As used in this section and sections 49-31*l* to 49-31o, inclusive:

5835 (1) "Mortgagor" means the owner-occupant of one-to-four family
5836 residential real property located in this state who is also the borrower
5837 under a mortgage encumbering such residential real property, which is
5838 the primary residence of such owner-occupant;

5839 (2) "Residential real property" means a one-to-four family dwelling
5840 occupied as a residence by a mortgagor;

5841 (3) "Mortgagee" means the original lender or servicer under a
5842 mortgage, or its successors or assigns, who is the holder of any
5843 mortgage on residential real property securing a loan made primarily

5844 for personal, family or household purposes that is the subject of a
5845 foreclosure action;

5846 (4) "Authority" means the Connecticut [Housing Finance] Economic
5847 Development Authority [created] established under section [8-244] 25
5848 of this act; and

5849 (5) "Mortgage assistance programs" means the mortgage assistance
5850 programs developed and implemented by the authority in accordance
5851 with sections 8-265cc to 8-265kk, inclusive, 8-265rr and 8-265ss.

5852 Sec. 137. Subsection (o) of section 8-252 of the general statutes is
5853 repealed and the following is substituted in lieu thereof (*Effective*
5854 *July 1, 2011*):

5855 (o) The authority is authorized and empowered, from time to time,
5856 for the purposes and upon the findings set forth in section [8-242] 26 of
5857 this act, to issue bonds, notes or other obligations the interest on which
5858 may be includable under the Internal Revenue Code of 1986 or any
5859 subsequent corresponding internal revenue code of the United States,
5860 as from time to time amended, in the gross income of the holder or
5861 holders of such bonds, notes or other obligations to the same extent
5862 and in the same manner that interest on bills, bonds, notes or other
5863 obligations of the United States is includable in the gross income of the
5864 holders or holders thereof under said Internal Revenue Code; the state
5865 hereby consents to such inclusion only for the bonds, notes and other
5866 obligations of the authority authorized by this subsection. Such taxable
5867 bonds, notes or other obligations of the authority may be issued
5868 pursuant to this subsection by the authority for the purpose of
5869 financing the purchase, construction, rehabilitation or refinancing of
5870 new or existing multifamily rental developments and common interest
5871 ownership communities or land, upon a finding and determination by
5872 the board of directors, based on reasonable information, that such
5873 financing or refinancing is not readily available and that it is
5874 appropriate and in the public interest.

5875 Sec. 138. Subdivision (17) of section 8-250 of the general statutes is
5876 repealed and the following is substituted in lieu thereof (*Effective*
5877 *July 1, 2011*):

5878 (17) To sue and be sued, plead and be impleaded, provided nothing
5879 in section **[**8-244 or**]** 8-253 shall be so construed as to permit an
5880 attachment of or garnishment against any of the funds or assets of the
5881 authority prior to final judgment, adopt a seal and alter the same at
5882 pleasure, and maintain an office at such place or places within the state
5883 as it may designate;

5884 Sec. 139. Section 4-5 of the general statutes is repealed and the
5885 following is substituted in lieu thereof (*Effective July 1, 2011*):

5886 As used in sections 4-6, 4-7 and 4-8, the term "department head"
5887 means Secretary of the Office of Policy and Management,
5888 Commissioner of Administrative Services, Commissioner of Revenue
5889 Services, Banking Commissioner, Commissioner of Children and
5890 Families, Commissioner of Consumer Protection, Commissioner of
5891 Correction, **[**Commissioner of Economic and Community
5892 Development,**]** State Board of Education, Commissioner of Emergency
5893 Management and Homeland Security, Commissioner of
5894 Environmental Protection, Commissioner of Agriculture,
5895 Commissioner of Public Health, Insurance Commissioner, Labor
5896 Commissioner, Liquor Control Commission, Commissioner of Mental
5897 Health and Addiction Services, Commissioner of Public Safety,
5898 Commissioner of Social Services, Commissioner of Developmental
5899 Services, Commissioner of Motor Vehicles, Commissioner of
5900 Transportation, Commissioner of Public Works, Commissioner of
5901 Veterans' Affairs, Chief Information Officer, the chairperson of the
5902 Public Utilities Control Authority, the executive director of the Board
5903 of Education and Services for the Blind, the executive director of the
5904 Connecticut Commission on Culture and Tourism, and the executive
5905 director of the Office of Military Affairs. As used in sections 4-6 and 4-
5906 7, "department head" also means the Commissioner of Education.

5907 Sec. 140. Section 4-38c of the general statutes is repealed and the
5908 following is substituted in lieu thereof (*Effective July 1, 2011*):

5909 There shall be within the executive branch of state government the
5910 following departments: Office of Policy and Management, Department
5911 of Administrative Services, Department of Revenue Services,
5912 Department of Banking, Department of Agriculture, Department of
5913 Children and Families, Department of Consumer Protection,
5914 Department of Correction, **[**Department of Economic and Community
5915 Development,**]** State Board of Education, Department of Emergency
5916 Management and Homeland Security, Department of Environmental
5917 Protection, Department of Public Health, Board of Governors of
5918 Higher Education, Insurance Department, Labor Department,
5919 Department of Mental Health and Addiction Services, Department of
5920 Developmental Services, Department of Public Safety, Department of
5921 Social Services, Department of Transportation, Department of Motor
5922 Vehicles, Department of Veterans' Affairs, Department of Public
5923 Works and Department of Public Utility Control.

5924 Sec. 141. Subsection (f) of section 4-66a of the general statutes is
5925 repealed and the following is substituted in lieu thereof (*Effective July*
5926 *1, 2011*):

5927 (f) The Secretary of the Office of Policy and Management is
5928 authorized to do all things necessary to apply for and accept federal
5929 funds allotted or available to the state under any federal act or
5930 program which could support activities which the secretary is
5931 authorized to undertake. He shall administer such funds in accordance
5932 with state and federal law. The secretary, in consultation with the
5933 executive director of **[**Connecticut Innovations, Incorporated, or the
5934 Commissioner of Economic and Community Development**]** <u>the</u>
5935 <u>Connecticut Economic Development Authority</u>, when applicable, may
5936 apply for all federal funds available to the state for defense conversion
5937 projects and other projects consistent with a defense conversion
5938 strategy.

5939 Sec. 142. Section 4-66c of the general statutes is repealed and the
5940 following is substituted in lieu thereof (*Effective July 1, 2011*):

5941 (a) For the purposes of subsection (b) of this section, the State Bond
5942 Commission shall have power, from time to time to authorize the
5943 issuance of bonds of the state in one or more series and in principal
5944 amounts not exceeding in the aggregate one billion one hundred fifty-
5945 nine million four hundred eighty-seven thousand five hundred forty-
5946 four dollars. All provisions of section 3-20, or the exercise of any right
5947 or power granted thereby, which are not inconsistent with the
5948 provisions of this section, are hereby adopted and shall apply to all
5949 bonds authorized by the State Bond Commission pursuant to this
5950 section, and temporary notes in anticipation of the money to be
5951 derived from the sale of any such bonds so authorized may be issued
5952 in accordance with said section 3-20 and from time to time renewed.
5953 Such bonds shall mature at such time or times not exceeding twenty
5954 years from their respective dates as may be provided in or pursuant to
5955 the resolution or resolutions of the State Bond Commission authorizing
5956 such bonds. None of said bonds shall be authorized except upon a
5957 finding by the State Bond Commission that there has been filed with it
5958 a request for such authorization, which is signed by or on behalf of the
5959 Secretary of the Office of Policy and Management and states such
5960 terms and conditions as said commission in its discretion may require.
5961 Said bonds issued pursuant to this section shall be general obligations
5962 of the state and the full faith and credit of the state of Connecticut are
5963 pledged for the payment of the principal of and interest on said bonds
5964 as the same become due, and accordingly as part of the contract of the
5965 state with the holders of said bonds, appropriation of all amounts
5966 necessary for punctual payment of such principal and interest is
5967 hereby made, and the Treasurer shall pay such principal and interest
5968 as the same become due.

5969 (b) (1) The proceeds of the sale of said bonds, to the extent
5970 hereinafter stated, shall be used, subject to the provisions of
5971 subsections (c) and (d) of this section, for the purpose of redirecting,

5972 improving and expanding state activities which promote community
5973 conservation and development and improve the quality of life for
5974 urban residents of the state as hereinafter stated: (A) For the
5975 [Department of Economic and Community Development] Connecticut
5976 Economic Development Authority: Economic and community
5977 development projects, including administrative costs incurred by the
5978 [Department of Economic and Community Development] Connecticut
5979 Economic Development Authority, not exceeding sixty-seven million
5980 five hundred ninety-one thousand six hundred forty-two dollars, one
5981 million dollars of which shall be used for a grant to the development
5982 center program and the nonprofit business consortium deployment
5983 center approved pursuant to section 32-411; (B) for the Department of
5984 Transportation: Urban mass transit, not exceeding two million dollars;
5985 (C) for the Department of Environmental Protection: Recreation
5986 development and solid waste disposal projects, not exceeding one
5987 million nine hundred ninety-five thousand nine hundred two dollars;
5988 (D) for the Department of Social Services: Child day care projects,
5989 elderly centers, shelter facilities for victims of domestic violence,
5990 emergency shelters and related facilities for the homeless,
5991 multipurpose human resource centers and food distribution facilities,
5992 not exceeding thirty-nine million one hundred thousand dollars,
5993 provided four million dollars of said authorization shall be effective
5994 July 1, 1994; (E) for the [Department of Economic and Community
5995 Development] Connecticut Economic Development Authority:
5996 Housing projects, not exceeding three million dollars; (F) for the Office
5997 of Policy and Management: (i) Grants-in-aid to municipalities for a
5998 pilot demonstration program to leverage private contributions for
5999 redevelopment of designated historic preservation areas, not
6000 exceeding one million dollars; (ii) grants-in-aid for urban development
6001 projects including economic and community development,
6002 transportation, environmental protection, public safety, children and
6003 families and social services projects and programs, including, in the
6004 case of economic and community development projects administered
6005 on behalf of the Office of Policy and Management by the [Department

6006 of Economic and Community Development] Connecticut Economic
6007 Development Authority, administrative costs incurred by the
6008 [Department of Economic and Community Development] Connecticut
6009 Economic Development Authority, not exceeding one billion forty-four
6010 million eight hundred thousand dollars.

6011 (2) (A) Five million dollars of the grants-in-aid authorized in
6012 subparagraph (F)(ii) of subdivision (1) of this subsection may be made
6013 available to private nonprofit organizations for the purposes described
6014 in said subparagraph (F)(ii). (B) Twelve million dollars of the grants-in-
6015 aid authorized in subparagraph (F)(ii) of subdivision (1) of this
6016 subsection may be made available for necessary renovations and
6017 improvements of libraries. (C) Five million dollars of the grants-in-aid
6018 authorized in subparagraph (F)(ii) of subdivision (1) of this subsection
6019 shall be made available for small business gap financing. (D) Ten
6020 million dollars of the grants-in-aid authorized in subparagraph (F)(ii)
6021 of subdivision (1) of this subsection may be made available for regional
6022 economic development revolving loan funds. (E) One million four
6023 hundred thousand dollars of the grants-in-aid authorized in
6024 subparagraph (F)(ii) of subdivision (1) of this subsection shall be made
6025 available for rehabilitation and renovation of the Black Rock Library in
6026 Bridgeport. (F) Two million five hundred thousand dollars of the
6027 grants-in-aid authorized in subparagraph (F)(ii) of subdivision (1) of
6028 this subsection shall be made available for site acquisition, renovation
6029 and rehabilitation for the Institute for the Hispanic Family in Hartford.
6030 (G) Three million dollars of the grants-in-aid authorized in
6031 subparagraph (F)(ii) of subdivision (1) of this subsection shall be made
6032 available for the acquisition of land and the development of
6033 commercial or retail property in New Haven. (H) Seven hundred fifty
6034 thousand dollars of the grants-in-aid authorized in subparagraph
6035 (F)(ii) of subdivision (1) of this subsection shall be made available for
6036 repairs and replacement of the fishing pier at Cummings Park in
6037 Stamford.

6038 (c) Any proceeds from the sale of bonds authorized pursuant to

6039 subsections (a) and (b) of this section or of temporary notes issued in
6040 anticipation of the moneys to be derived from the sale of such bonds
6041 may be used to fund grants-in-aid to municipalities or the grant-in-aid
6042 programs of said departments or authority, including, but not limited
6043 to, financial assistance and expenses authorized under chapters 128,
6044 129, 130, 133, 136 and 298, and section 16a-40a, provided any such
6045 program shall be implemented in an eligible municipality or is for
6046 projects in other municipalities which the State Bond Commission
6047 determines will help to meet the goals set forth in section 4-66b. For the
6048 purposes of this section, "eligible municipality" means a municipality
6049 which is economically distressed within the meaning of subsection (b)
6050 of section 32-9p, which is classified as an urban center in any plan
6051 adopted by the General Assembly pursuant to section 16a-30, which is
6052 classified as a public investment community within the meaning of
6053 subdivision (9) of subsection (a) of section 7-545, or in which the State
6054 Bond Commission determines that the project in question will help
6055 meet the goals set forth in section 4-66b. Notwithstanding the
6056 provisions of this subsection, proceeds from the sale of bonds pursuant
6057 to this section may, with the approval of the State Bond Commission,
6058 be used for transit-oriented development projects, as defined in section
6059 13b-79o, in any municipality.

6060 (d) Any economic development project eligible for assistance under
6061 this section may include but not be limited to: (1) The construction or
6062 rehabilitation of commercial, industrial and mixed use structures; and
6063 (2) the construction, reconstruction or repair of roads, accessways and
6064 other site improvements. The **[**state, acting by and in the discretion of
6065 the Commissioner of Economic and Community Development,**]**
6066 executive director of the Connecticut Economic Development
6067 Authority may enter into a contract for state financial assistance for
6068 any eligible economic or community development project in the form
6069 of a grant-in-aid. Any grant-in-aid shall be in an amount not in excess
6070 of the cost of the project for which the grant is made as determined and
6071 approved by the **[**Commissioner of Economic and Community
6072 Development**]** executive director. Before entering into a grant-in-aid

6073 contract the [Commissioner of Economic and Community
6074 Development] executive director of the Connecticut Economic
6075 Development Authority shall have approved an application submitted
6076 on forms provided by the [commissioner] executive director. No
6077 project shall be undertaken until the [Commissioner of Economic and
6078 Community Development] executive director of the Connecticut
6079 Economic Development Authority approves the plans, specifications
6080 and estimated costs. The [commissioner] executive director may adopt
6081 such [regulations] procedures, in accordance with [chapter 54] section
6082 1-121, as are necessary for the implementation of this section.

6083 (e) Notwithstanding any provision of the general statutes to the
6084 contrary, whenever the [Department of Economic and Community
6085 Development] Connecticut Economic Development Authority or the
6086 Office of Policy and Management is authorized by the general statutes
6087 to assess, collect or fund administrative expenses or service charges or
6088 otherwise recover costs or expenses incurred by the state in carrying
6089 out the provisions of any economic or community development project
6090 or program administered by the [Department of Economic and
6091 Community Development] Connecticut Economic Development
6092 Authority, except in the case of administrative oversight charges
6093 described in section 8-37tt amounts so assessed, collected or funded by
6094 the state may be used to pay any administrative expenses of the
6095 [Department of Economic and Community Development] Connecticut
6096 Economic Development Authority and shall not be required to be used
6097 to pay expenses related to a particular project or program.

6098 Sec. 143. Subsection (a) of section 4-67r of the general statutes is
6099 repealed and the following is substituted in lieu thereof (*Effective July*
6100 *1, 2011*):

6101 (a) There is created a Connecticut Progress Council. The council
6102 shall consist of the following members: The Lieutenant Governor, the
6103 Secretary of the Office of Policy and Management, the Commissioners
6104 of Social Services, Transportation [,] and Education; [and Economic

6105 and Community Development;**]** the president pro tempore of the
6106 Senate, the speaker of the House of Representatives, the minority
6107 leader of the Senate, the minority leader of the House of
6108 Representatives, the majority leader of the Senate and the majority
6109 leader of the House of Representatives, or their designees; the
6110 chairpersons and ranking members of the joint standing committee of
6111 the General Assembly having cognizance of matters relating to
6112 planning and development; a representative of a nonprofit municipal
6113 research organization, a representative of a state-sponsored economic
6114 advisory body, a representative of a major labor organization, a
6115 representative of a manufacturing concern, a representative of a
6116 service-related business and a representative of a financial service
6117 company, one appointed by the president pro tempore of the Senate,
6118 one by the speaker of the House of Representatives, one by the
6119 majority leader of the Senate, one by the majority leader of the House
6120 of Representatives, one by the minority leader of the Senate and one by
6121 the minority leader of the House of Representatives and six members
6122 appointed by the Governor, one representing medical services, one a
6123 major public or private university, one a major nonprofit organization,
6124 one a state employees' bargaining unit, one an environmental
6125 organization and one a business research organization. The first
6126 meeting of the council shall be called on or before November 1, 1993,
6127 by the Secretary of the Office of Policy and Management. The council
6128 shall elect a chairman from its members at the first meeting.

6129 Sec. 144. Subsection (a) of section 4-67x of the general statutes is
6130 repealed and the following is substituted in lieu thereof (*Effective July*
6131 *1, 2011*):

6132 (a) There shall be a Child Poverty and Prevention Council consisting
6133 of the following members or their designees: The Secretary of the
6134 Office of Policy and Management, the president pro tempore of the
6135 Senate, the speaker of the House of Representatives, the minority
6136 leader of the Senate and the minority leader of the House of
6137 Representatives, the Commissioners of Children and Families, Social

6138 Services, Correction, Developmental Services, Mental Health and
6139 Addiction Services, Transportation, Public Health [,] and Education,
6140 [and Economic and Community Development,] the Labor
6141 Commissioner, the Chief Court Administrator, the chairperson of the
6142 Board of Governors of Higher Education, the Child Advocate, the
6143 chairperson of the Children's Trust Fund Council and the executive
6144 directors of the Commission on Children and the Commission on
6145 Human Rights and Opportunities. The Secretary of the Office of Policy
6146 and Management, or the secretary's designee, shall be the chairperson
6147 of the council. The council shall (1) develop and promote the
6148 implementation of a ten-year plan, to begin June 8, 2004, to reduce the
6149 number of children living in poverty in the state by fifty per cent, and
6150 (2) within available appropriations, establish prevention goals and
6151 recommendations and measure prevention service outcomes in
6152 accordance with this section in order to promote the health and well-
6153 being of children and families.

6154 Sec. 145. Subsection (a) of section 4-124z of the general statutes is
6155 repealed and the following is substituted in lieu thereof (*Effective July*
6156 *1, 2011*):

6157 (a) The Office of Workforce Competitiveness, the Labor
6158 Commissioner, the Commissioners of [Economic and Community
6159 Development,] Education and Social Services, the Secretary of the
6160 Office of Policy and Management and the Chancellor of the regional
6161 community-technical colleges, in consultation with the superintendent
6162 of the vocational-technical school system and one member of industry
6163 representing each of the economic clusters identified by the
6164 [Commissioner of Economic and Community Development] executive
6165 director of the Connecticut Economic Development Authority
6166 pursuant to section 32-1m, as amended by this act, shall (1) review,
6167 evaluate and, as necessary, recommend improvements for certification
6168 and degree programs offered by the vocational-technical school system
6169 and the community-technical college system to ensure that such
6170 programs meet the employment needs of business and industry, and

6171 (2) develop strategies to strengthen the linkage between skill standards
6172 for education and training and the employment needs of business and
6173 industry.

6174 Sec. 146. Subsection (b) of section 4-124ff of the general statutes is
6175 repealed and the following is substituted in lieu thereof (*Effective July*
6176 *1, 2011*):

6177 (b) There is established a Council of Advisors on Strategies for the
6178 Knowledge Economy to promote the formation of university-industry
6179 partnerships, identify benchmarks for technology-based workforce
6180 innovation and competitiveness and advise the award process (1) for
6181 innovation challenge grants to public postsecondary schools and their
6182 business partners, and (2) grants under section 4-124hh. The council
6183 shall be chaired by the director of the Office of Workforce
6184 Competitiveness and shall include the Secretary of the Office of Policy
6185 and Management, the **[**Commissioners of Economic and Community
6186 Development and**]** Commissioner of Higher Education, the Labor
6187 Commissioner, the executive **[**directors**]** director of **[**Connecticut
6188 Innovations, Incorporated and**]** the Connecticut Economic
6189 Development Authority and four representatives from the technology
6190 industry, one of whom shall be appointed by the president pro
6191 tempore of the Senate, one of whom shall be appointed by the speaker
6192 of the House of Representatives, one of whom shall be appointed by
6193 the minority leader of the Senate and one of whom shall be appointed
6194 by the minority leader of the House of Representatives.

6195 Sec. 147. Subsection (a) of section 4-124uu of the general statutes is
6196 repealed and the following is substituted in lieu thereof (*Effective July*
6197 *1, 2011*):

6198 (a) The Office of Workforce Competitiveness, in consultation with
6199 the Labor Commissioner, the **[**Commissioners**]** Commissioner of
6200 Education **[**and Economic and Community Development,**]** and the
6201 Connecticut Commission on Culture and Tourism, shall establish a
6202 program that is designed to develop a trained workforce for the film

6203 industry in the state. Such program shall have three components: (1)
6204 An unpaid intern training program for high school and college
6205 students; (2) a production assistant training program open to any state
6206 resident; and (3) a workforce training program that would include
6207 classroom training, on-set training and a mentor program.

6208 Sec. 148. Subsection (c) of section 4-168a of the general statutes is
6209 repealed and the following is substituted in lieu thereof (*Effective July*
6210 *1, 2011*):

6211 (c) Prior to the adoption of any proposed regulation that may have
6212 an adverse impact on small businesses, each agency shall notify the
6213 **[**Department of Economic and Community Development**]** Connecticut
6214 Economic Development Authority and the joint standing committee of
6215 the General Assembly having cognizance of matters relating to
6216 commerce of its intent to adopt the proposed regulation. Said
6217 **[**department**]** authority and committee shall advise and assist agencies
6218 in complying with the provisions of this section.

6219 Sec. 149. Subsection (a) of section 4d-90 of the general statutes is
6220 repealed and the following is substituted in lieu thereof (*Effective July*
6221 *1, 2011*):

6222 (a) There is established a Geospatial Information Systems Council
6223 consisting of the following members, or their designees: (1) The
6224 Secretary of the Office of Policy and Management; (2) the
6225 Commissioners of Environmental Protection, **[**Economic and
6226 Community Development,**]** Transportation, Public Safety, Public
6227 Health, Public Works, Agriculture, Emergency Management and
6228 Homeland Security and Social Services; (3) the Chief Information
6229 Officer of the Department of Information Technology; (4) the
6230 Chancellor of the Connecticut State University System; (5) the
6231 president of The University of Connecticut; (6) the Executive Director
6232 of the Connecticut Siting Council; (7) one member who is a user of
6233 geospatial information systems appointed by the president pro
6234 tempore of the Senate representing a municipality with a population of

6235 more than sixty thousand; (8) one member who is a user of geospatial
6236 information systems appointed by the minority leader of the Senate
6237 representing a regional planning agency; (9) one member who is a user
6238 of geospatial information systems appointed by the Governor
6239 representing a municipality with a population of less than sixty
6240 thousand but more than thirty thousand; (10) one member who is a
6241 user of geospatial information systems appointed by the speaker of the
6242 House of Representatives representing a municipality with a
6243 population of less than thirty thousand; (11) one member appointed by
6244 the minority leader of the House of Representatives who is a user of
6245 geospatial information systems; (12) the chairperson of the Public
6246 Utilities Control Authority; (13) the Adjutant General of the Military
6247 Department; and (14) any other persons the council deems necessary
6248 appointed by the council. The Governor shall select the chairperson
6249 from among the members. The chairperson shall administer the affairs
6250 of the council. Vacancies shall be filled by appointment by the
6251 authority making the appointment. Members shall receive no
6252 compensation for their services on said council, but shall be
6253 reimbursed for necessary expenses incurred in the performance of
6254 their duties. Said council shall hold one meeting each calendar quarter
6255 and such additional meetings as may be prescribed by council rules. In
6256 addition, special meetings may be called by the chairperson or by any
6257 three members upon delivery of forty-eight hours written notice to
6258 each member.

6259 Sec. 150. Section 7-136e of the general statutes is repealed and the
6260 following is substituted in lieu thereof (*Effective July 1, 2011*):

6261 (a) A municipality which, pursuant to section 7-136d, has
6262 authorized the establishment of a foreign trade zone, shall submit a
6263 copy of the application for the privilege of operating such foreign trade
6264 zone to the regional planning agency for the area of operation within
6265 which such municipality is located and the Departments of **[**Economic
6266 and Community Development,**]** Environmental Protection and
6267 Transportation for their comments on the advisability of establishment

6268 of such zone. Such comments shall be prepared within ninety days of
6269 receipt of the application from the municipality.

6270 (b) The Departments of **[**Economic and Community Development,**]**
6271 Environmental Protection and Transportation shall submit their
6272 advisory comments to the municipality and to the board established by
6273 said federal Foreign-Trade Zones Act.

6274 Sec. 151. Section 7-136f of the general statutes is repealed and the
6275 following is substituted in lieu thereof (*Effective July 1, 2011*):

6276 Upon compliance with the provisions of sections 7-136d and 7-136e
6277 and after receipt of the advisory comments prepared by the
6278 Departments of **[**Economic and Community Development,**]**
6279 Environmental Protection and Transportation, a municipality may
6280 apply to the board, established by said federal Foreign-Trade Zones
6281 Act for a grant of the privilege of establishing, operating and
6282 maintaining a foreign trade zone.

6283 Sec. 152. Section 8-13x of the general statutes is repealed and the
6284 following is substituted in lieu thereof (*Effective July 1, 2011*):

6285 Within available appropriations, the **[**Commissioner of Economic
6286 and Community Development**]** executive director of the Connecticut
6287 Economic Development Authority, in consultation with the Secretary
6288 of the Office of Policy and Management, may make grants to nonprofit
6289 housing assistance or nonprofit housing development organizations in
6290 order to support technical assistance planning, predevelopment,
6291 development, construction and management of housing
6292 developments. The **[**commissioner**]** executive director may adopt
6293 **[**regulations**]** procedures, in accordance with the provisions of **[**chapter
6294 54**]** section 1-121, to implement the provisions of this section.

6295 Sec. 153. Subdivision (2) of subsection (a) of section 8-23 of the
6296 general statutes is repealed and the following is substituted in lieu
6297 thereof (*Effective July 1, 2011*):

6298 (2) If a plan is not amended decennially, the chief elected official of
6299 the municipality shall submit a letter to the Secretary of the Office of
6300 Policy and Management and the Commissioners of Transportation **[**,**]**
6301 and Environmental Protection **[**and Economic and Community
6302 Development**]** that explains why such plan was not amended. A copy
6303 of such letter shall be included in each application by the municipality
6304 for discretionary state funding submitted to any state agency.

6305 Sec. 154. Section 8-37z of the general statutes is repealed and the
6306 following is substituted in lieu thereof (*Effective July 1, 2011*):

6307 **[**(a)**]** The **[**Commissioner of Economic and Community
6308 Development**]** executive director of the Connecticut Economic
6309 Development Authority shall ensure that the involuntary displacement
6310 of persons and families residing in any single-family or multifamily
6311 dwelling, which displacement occurs in connection with any housing
6312 or community development project or economic development project
6313 receiving state financial assistance under any program administered
6314 by the **[**commissioner**]** executive director under the general statutes, is
6315 reduced to the minimum level consistent with achieving the objectives
6316 of such program. The **[**commissioner**]** executive director shall require,
6317 as a condition of any contract for state financial assistance under the
6318 provisions of any such program, that the project for which such
6319 financial assistance is provided (1) will not cause the temporary or
6320 permanent displacement of persons and families residing in any
6321 single-family or multifamily dwelling, or (2) will cause only the
6322 minimum level of such displacement which cannot be avoided due to
6323 the nature of the project. The **[**commissioner**]** executive director shall
6324 ensure that all steps necessary to provide any relocation assistance
6325 available under chapter 135 to persons and families unavoidably
6326 displaced as a result of any state assisted housing or community
6327 development project or economic development project have been
6328 taken before granting final approval of any financial assistance for
6329 such project.

6330 **[**(b) The Commissioner of Economic and Community Development
6331 shall adopt regulations, in accordance with the provisions of chapter
6332 54, to carry out the purposes of this section.**]**

6333 Sec. 155. Section 8-37aa of the general statutes is repealed and the
6334 following is substituted in lieu thereof (*Effective July 1, 2011*):

6335 As used in sections 8-37bb to 8-37dd, inclusive, "housing agency"
6336 means the **[**Department of Economic and Community Development,
6337 the Connecticut Housing Finance Authority**]** Connecticut Economic
6338 Development Authority and the Connecticut Housing Authority, and
6339 "income group" means one of the following household groups,
6340 adjusted for family size and based on the appropriate area median
6341 income established by the United States Department of Housing and
6342 Urban Development: (1) Households with incomes twenty-five per
6343 cent or less than the area median income; (2) households with incomes
6344 more than twenty-five per cent but not more than fifty per cent of the
6345 area median income; (3) households with incomes more than fifty per
6346 cent but not more than eighty per cent of the area median income; (4)
6347 households with incomes more than eighty per cent but not more than
6348 one hundred per cent of the area median income; and (5) households
6349 with incomes more than one hundred per cent of the area median
6350 income.

6351 Sec. 156. Section 8-37*ll* of the general statutes is repealed and the
6352 following is substituted in lieu thereof (*Effective July 1, 2011*):

6353 (a) No state financial assistance for any housing or community
6354 development project or economic development project shall be
6355 provided by the **[**Commissioner of Economic and Community
6356 Development**]** executive director of the Connecticut Economic
6357 Development Authority under any program administered by the
6358 **[**commissioner**]** executive director unless the **[**commissioner**]** executive
6359 director has first approved a residential antidisplacement and
6360 relocation assistance plan submitted under subsection (b) of this
6361 section by the applicant seeking such financial assistance. The

6362 [Commissioner of Economic and Community Development] executive
6363 director of the Connecticut Economic Development Authority shall
6364 ensure that any such plan is properly implemented for each project for
6365 which a plan is submitted.

6366 (b) Any applicant seeking state financial assistance for any housing
6367 or community development project or economic development project
6368 under any program administered by the [Commissioner of Economic
6369 and Community Development] executive director of the Connecticut
6370 Economic Development Authority shall submit a residential
6371 antidisplacement and relocation assistance plan to the [commissioner]
6372 executive director as part of the application for such financial
6373 assistance. The plan shall demonstrate that the project for which
6374 financial assistance is applied for will not cause the temporary or
6375 permanent displacement of persons and families residing in any
6376 single-family or multifamily residential dwelling or, if such
6377 displacement will result, that such project will cause no more
6378 displacement than is necessary to accomplish the project. If occupiable
6379 dwelling units are destroyed as a result of the project or displacement
6380 of low and moderate income households will result from the project,
6381 the plan shall further demonstrate that: (1) The applicant shall provide
6382 comparable replacement dwellings within the same municipality for
6383 the same number of occupants as could have been housed in the
6384 occupied and vacant occupiable residential dwellings that will be
6385 demolished or converted to a use other than housing for low and
6386 moderate income persons and families as a result of the project; (2)
6387 such replacement dwellings shall be designed to remain affordable to
6388 low and moderate income persons and families for ten years; (3)
6389 relocation assistance benefits shall be provided pursuant to chapter 135
6390 for all persons displaced as a result of the project; and (4) displaced
6391 persons, to the extent practicable, who wish to remain in the same
6392 neighborhood shall be relocated within such neighborhood. As used in
6393 this subsection, "low and moderate income persons and families"
6394 means persons, families or households whose annual income is less
6395 than or equal to eighty per cent of the area median income for the area

6396 of the state in which they live, as determined by the United States
6397 Department of Housing and Urban Development. An applicant shall
6398 be deemed to have met the replacement requirements of this section by
6399 rehabilitation of vacant, unoccupiable units.

6400 (c) The [Commissioner of Economic and Community Development]
6401 executive director of the Connecticut Economic Development
6402 Authority may exempt an applicant from the provisions of this section
6403 upon determination that:

6404 (1) Based on objective data, there is available in the area an adequate
6405 supply of habitable affordable housing for the full range of low and
6406 moderate income persons, or

6407 (2) The project will dedicate at least as much total floor space to
6408 housing for low and moderate income persons and families as was
6409 contained in all the dwelling units being replaced, whether occupied
6410 or vacant, and either (A) the project will not permanently displace any
6411 person or family or (B) all of the following: (i) The sizes and purposes
6412 of the dwelling units in the project are at least as needed as the sizes
6413 and purposes of the dwelling units to be replaced; (ii) the number of
6414 very low income persons to be served in the project is not less than the
6415 number of very low income persons served by the structure to be
6416 replaced, and (iii) the persons and families to be displaced by the
6417 project will be relocated to permanent housing and will receive
6418 relocation assistance pursuant to chapter 135. As used in this
6419 subsection, "very low income persons" means persons whose annual
6420 income is less than or equal to fifty per cent of the area median income
6421 for the area of the state in which they live, as determined by the United
6422 States Department of Housing and Urban Development.

6423 (d) The [Commissioner of Economic and Community Development]
6424 executive director of the Connecticut Economic Development
6425 Authority shall adopt [regulations] procedures, in accordance with
6426 [the provisions of chapter 54] section 1-121, to carry out the purposes
6427 of this section. Such [regulations] procedures shall define the objective

6428 data used under subdivision (1) of subsection (c) of this section to
6429 determine whether there is an adequate supply of habitable affordable
6430 housing for the full range of low and moderate income persons and
6431 families residing in the area.

6432 Sec. 157. Section 8-37pp of the general statutes is repealed and the
6433 following is substituted in lieu thereof (*Effective July 1, 2011*):

6434 (a) For purposes of this section:

6435 (1) "Affordable housing" means affordable housing, as defined in
6436 section 8-39a;

6437 (2) **[**"Commissioner" means the Commissioner of Economic and
6438 Community Development**]** "Executive director" means the executive
6439 director of the Connecticut Economic Development Authority;

6440 (3) **[**"Department" means the Department of Economic and
6441 Community Development**]** "Authority" means the Connecticut
6442 Economic Development Authority;

6443 (4) "Eligible applicant" means: (A) A nonprofit entity; (B) a
6444 municipality; (C) a housing authority; (D) a business corporation
6445 incorporated pursuant to chapter 601 or any predecessor statutes
6446 thereto or authorized to do business pursuant to said chapter 601
6447 having as one of its purposes the construction, financing, acquisition,
6448 rehabilitation or operation of affordable housing, and having a
6449 certificate or articles of incorporation approved by the **[**commissioner**]**
6450 executive director; (E) any partnership, limited partnership, limited
6451 liability company, joint venture, sole proprietorship, trust or
6452 association having as one of its purposes the construction, financing,
6453 acquisition, rehabilitation or operation of affordable housing, and
6454 having basic documents of organization approved by the
6455 **[**commissioner**]** executive director; or (F) any combination thereof;

6456 (5) "Eligible costs" means costs relating to the planning,
6457 implementation and completion of an eligible project; and

6458 (6) "Eligible project" means a project designed for the purpose of
6459 providing affordable housing, and shall include, but not be limited to,
6460 (A) acquisition, construction, rehabilitation, repair and maintenance of
6461 residential or mixed use structures, (B) acquisition, construction,
6462 rehabilitation, repair and maintenance of related infrastructure,
6463 facilities and amenities incidental and pertinent to the provision of
6464 affordable housing and intended primarily to serve the residents of the
6465 affordable housing project, that may include, but not be limited to, a
6466 community room, laundry, day care space, computer center,
6467 management office or playground, or (C) demolition, renovation or
6468 redevelopment of vacant buildings or related infrastructure.

6469 (b) The state, acting by and in the discretion of the **[**commissioner**]**
6470 executive director, may enter into a contract for state financial
6471 assistance for any eligible project in the form determined by the
6472 **[**commissioner**]** executive director, including, but not limited to, a
6473 grant, loan, loan guarantee, deferred loan or any combination thereof.

6474 (c) An application for financial assistance shall be in the form and
6475 manner prescribed by the **[**commissioner**]** executive director. In
6476 determining whether and to what extent to fund an application
6477 received from eligible applicants, the **[**commissioner**]** executive
6478 director may consider relevant factors including, but not limited to, the
6479 following: (A) The ability of the project to affirmatively further racial
6480 and economic integration, including expanding multifamily rental
6481 housing opportunities in suburban and rural communities; (B) the
6482 ability of the project to meet the housing needs of the lowest income
6483 populations; (C) the ability of the project to revitalize urban
6484 neighborhoods, including expanding homeownership and increasing
6485 multifamily rehabilitation in the central cities; (D) the ability of the
6486 project to provide a full range of supportive housing options for
6487 people with special needs or who are at risk of becoming homeless; (E)
6488 impact of the project on the local neighborhood, region and the state;
6489 (F) short-term and long-term benefits of the project; (G) impact on
6490 affordable housing needs of the neighborhood, community,

6491 municipality and region; (H) project feasibility; (I) potential for
6492 leveraging other public and private investments; (J) applicant's ability
6493 to implement the project in a timely manner; (K) the relative need for
6494 the project; (L) the applicant's financial commitment to the project,
6495 except in the case of a nonprofit entity or a housing authority created
6496 pursuant to section 8-40; and (M) the extent to which the project will
6497 advance the public purposes set forth in this subdivision.

6498 (d) The [commissioner] executive director shall review and approve
6499 the site and the estimated total development budget, including the
6500 nature and amount of financial assistance to be provided from all
6501 sources and by the state. The [commissioner] executive director may
6502 review and approve any additional factors determined to be necessary
6503 or appropriate to protect the state's interests. Upon determination by
6504 the [commissioner] executive director that the eligible costs are
6505 necessary and reasonable, and, in the case of financial assistance
6506 provided from the proceeds of the state's bonds upon preliminary
6507 approval by the State Bond Commission pursuant to the provisions of
6508 section 3-20 or, in the case of financial assistance provided from a
6509 funding source other than the state's bonds upon the approval by the
6510 Governor of an allotment for such purpose, the state, acting by and
6511 through the [commissioner] executive director, may provide the
6512 financial assistance for such eligible costs.

6513 (e) Financial assistance provided shall be upon terms and conditions
6514 not inconsistent with the provisions of this section [which] that the
6515 [commissioner] executive director shall establish as prudent and
6516 necessary to protect the state's interests. Such terms and conditions
6517 may include, separately or in combination, without limitation: (1) The
6518 requirements of funds from other sources, including, without
6519 limitation, financing obtained from quasi-public agencies, as defined in
6520 section 1-120, federal and local government agencies and private for-
6521 profit and not-for-profit institutions; (2) participation interests; (3)
6522 subsidy recapture provisions; and (4) resale and prepayment, job
6523 retention, residency, use and affordability restrictions. Such terms and

6524 conditions and compliance with such terms and conditions may be
6525 documented and secured as the [commissioner] executive director
6526 shall determine.

6527 (f) (1) The [commissioner] executive director may take all reasonable
6528 steps and exercise all available remedies necessary or desirable to
6529 protect the obligations or interests of the state, including, but not
6530 limited to, amending any term or condition of a contract or agreement,
6531 provided such amendment is allowed or agreed to pursuant to such
6532 contract or agreement, or purchasing or redeeming, pursuant to
6533 foreclosure proceedings, bankruptcy proceedings or in other judicial
6534 proceedings, any property on which such [commissioner] executive
6535 director or the [department] authority holds a mortgage or other lien,
6536 or in which such [commissioner] executive director or the
6537 [department] authority has an interest.

6538 (2) The [commissioner] executive director may request, inspect and
6539 audit reports, books and records and any other financial or project-
6540 related information with respect to eligible applicants that receive
6541 financial assistance, including, without limitation, resident or
6542 employment information, financial and operating statements and
6543 audits. The [commissioner] executive director may investigate the
6544 accuracy and completeness of such reports, books and records.

6545 (3) Notwithstanding any provision of the general statutes, the
6546 [commissioner is authorized] executive director may, for purposes of
6547 the program established under this section, [to] assess and collect
6548 application fees of no more than two hundred fifty dollars to recover
6549 all or part of the costs or expenses incurred by the state in reviewing
6550 applications for financial assistance.

6551 (g) The [commissioner] executive director may adopt such
6552 [regulations] procedures, in accordance with [chapter 54] section 1-121,
6553 as are necessary for the implementation of this section.

6554 Sec. 158. Section 8-37uu of the general statutes is repealed and the

6555 following is substituted in lieu thereof (*Effective July 1, 2011*):

6556 Notwithstanding any provision of the general statutes, the
6557 **[**Department of Economic and Community Development**]** Connecticut
6558 Economic Development Authority, in consultation with **[**the
6559 Connecticut Housing Finance Authority,**]** the Office of Policy and
6560 Management and the State Treasurer, shall arrange for the transfer of
6561 the housing loan portfolio of said department or any portion thereof,
6562 to said authority.

6563 Sec. 159. Section 8-37yy of the general statutes is repealed and the
6564 following is substituted in lieu thereof (*Effective July 1, 2011*):

6565 (a) The **[**Department of Economic and Community Development**]**
6566 Connecticut Economic Development Authority shall, in consultation
6567 with the State-Assisted Housing Sustainability Advisory Committee,
6568 established pursuant to section 8-37zz, establish and maintain the
6569 State-Assisted Housing Sustainability Fund for the purpose of the
6570 preservation of eligible housing. The moneys of the fund shall be
6571 available to the **[**department**]** authority to provide financial assistance
6572 to the owners of eligible housing for the maintenance, repair,
6573 rehabilitation, and modernization of eligible housing and for other
6574 activities consistent with preservation of eligible housing, including,
6575 but not limited to, (1) emergency repairs to abate actual or imminent
6576 emergency conditions that would result in the loss of habitable
6577 housing units, (2) major system repairs or upgrades, including, but not
6578 limited to, repairs or upgrades to roofs, windows, mechanical systems
6579 and security, (3) reduction of vacant units, (4) remediation or
6580 abatement of hazardous materials, including lead, (5) increases in
6581 development mobility and sensory impaired accessibility in units,
6582 common areas and accessible routes, (6) relocation costs and
6583 alternative housing for not more than sixty days, necessary because of
6584 the failure of a major building system, and (7) a comprehensive
6585 physical needs assessment. Financial assistance shall be awarded to
6586 applicants consistent with standards and criteria adopted in

6587 consultation with the recommendations of the State-Assisted Housing
6588 Sustainability Advisory Committee.

6589 (b) [In each of the fiscal years ending June 30, 2008, and June 30,
6590 2009, the department may expend not more than seven hundred fifty
6591 thousand dollars from the fund for reasonable administrative costs
6592 related to the operation of the fund, including the expenses of the
6593 State-Assisted Housing Sustainability Advisory Committee, the
6594 development of analytic tools and research concerning the capital and
6595 operating needs of eligible housing for the purpose of advising the
6596 General Assembly on policy regarding eligible housing and the study
6597 required by section 107 of public act 07-4 of the June special session.
6598 Thereafter,] On and after July 1, 2011, the [department] authority shall
6599 prepare an administrative budget which shall be effective upon the
6600 approval of [said committee] the State-Assisted Housing Sustainability
6601 Advisory Committee.

6602 (c) [(1)] The [department] authority shall adopt [regulations] written
6603 procedures, in accordance with [chapter 54] section 1-121, to
6604 implement the provisions of this section and sections 8-37xx, 8-37zz
6605 and 8-37aaa. Such [regulations] procedures shall establish (A)
6606 guidelines for grants and loans, and (B) a process for certifying an
6607 emergency condition in not more than forty-eight hours and for
6608 committing emergency funds, including costs of resident relocation, if
6609 necessary, not more than five business days after application by the
6610 owner of eligible housing for emergency repair financial assistance.
6611 The guidelines under subparagraph (A) of this subdivision shall
6612 provide for deferred payment of principal and interest upon approval
6613 of the committee.

6614 [(2) The department shall adopt written policies and procedures to
6615 implement such provisions while in the process of adopting such
6616 policies and procedures in regulation form, and the commissioner shall
6617 print a notice of intention to adopt the regulations in the Connecticut
6618 Law Journal not later than twenty days prior to implementing such

6619 policies and procedures. The department shall submit final regulations
6620 to implement said sections to the legislative regulation review
6621 committee not later than October 1, 2009. Policies and procedures
6622 implemented pursuant to this subdivision shall be valid until the time
6623 final regulations are effective.]

6624 (d) In reviewing applications and providing financial assistance
6625 under this section, the [department] authority, in consultation with the
6626 State-Assisted Housing Sustainability Advisory Committee, shall
6627 consider the long term viability of the eligible housing and the
6628 likelihood that financial assistance will assure such long term viability.
6629 As used in this section, "viability" includes, but is not limited to,
6630 continuous habitability and adequate operating cash flow to maintain
6631 the existing physical plant and any capital improvements and to
6632 provide basic services required under the lease and otherwise required
6633 by local codes and ordinances.

6634 (e) On or before February 1, 2009, and annually thereafter, the
6635 [department] authority, in consultation with the State-Assisted
6636 Housing Sustainability Advisory Committee, shall submit a report on
6637 the operation of the fund, for the previous calendar year, to the
6638 General Assembly, in accordance with section 11-4a. The report shall
6639 include an analysis of the distribution of funds and an evaluation of
6640 the performance of said fund and may include recommendations for
6641 modification to the program.

6642 Sec. 160. Subsection (b) of section 8-37zz of the general statutes is
6643 repealed and the following is substituted in lieu thereof (*Effective July*
6644 *1, 2011*):

6645 (b) The committee shall meet at least quarterly and shall advise the
6646 [Commissioner of Economic and Community Development and the
6647 Connecticut Housing Finance] Connecticut Economic Development
6648 Authority on the administration, management, procedures and
6649 objectives of the financial assistance provided pursuant to section 8-
6650 37yy, as amended by this act, including, but not limited to, the

6651 establishment of criteria, priorities and procedures for such financial
6652 assistance and the adoption of regulations pursuant to section 8-37yy,
6653 as amended by this act.

6654 Sec. 161. Section 8-37*lll* of the general statutes is repealed and the
6655 following is substituted in lieu thereof (*Effective July 1, 2011*):

6656 (a) The **[**Commissioner of Economic and Community Development**]**
6657 executive director of the Connecticut Economic Development
6658 Authority shall review applications for affordable housing tax credits
6659 submitted pursuant to subsection (e) of section 10-416b. Upon
6660 determination that an application contains affordable housing as
6661 required by said section the **[**commissioner**]** executive director shall
6662 issue a certificate to that effect. The **[**commissioner**]** executive director
6663 shall monitor projects certified under this section to ensure that the
6664 affordable housing units are maintained as affordable for a minimum
6665 of ten years and may require deed restrictions or other fiscal
6666 mechanisms designed to ensure compliance with project requirements.
6667 The **[**commissioner**]** executive director may impose a fee in an amount
6668 not exceeding two thousand dollars to cover the cost of reviewing
6669 applications and monitoring projects that qualify for affordable
6670 housing tax credits pursuant to subsections (a) to (j), inclusive, of
6671 section 10-416b.

6672 (b) The **[**Commissioner of Economic and Community Development**]**
6673 Connecticut Economic Development Authority, in consultation with
6674 the Commission on Culture and Tourism, may adopt **[**regulations**]**
6675 written procedures, pursuant to **[**chapter 54**]** section 1-121, for
6676 monitoring of projects that qualify for affordable housing tax credits
6677 pursuant to subsections (a) to (j), inclusive, of section 10-416b by the
6678 **[**Department of Economic and Community Development**]** Connecticut
6679 Economic Development Authority, or by local housing authorities,
6680 municipalities, other public agencies or quasi-public agencies, as
6681 defined in section 1-120, designated by the **[**department**]** authority.
6682 Such **[**regulations**]** procedures shall include provisions for ensuring

6683 that affordable units developed under subdivision (3) of subsection (e)
6684 of section 10-416b are maintained as affordable for a minimum of ten
6685 years and may require deed restrictions or other fiscal mechanisms
6686 designed to ensure compliance with project requirements.

6687 Sec. 162. Section 8-37mmm of the general statutes is repealed and
6688 the following is substituted in lieu thereof (*Effective July 1, 2011*):

6689 (a) For purposes of this section, "visitable housing" means one-to-
6690 four family residential construction that includes three basic
6691 architectural features to allow persons with disabilities to easily visit:
6692 (1) Interior doorways that provide a minimum thirty-two inch wide
6693 unobstructed opening, (2) an accessible means of egress, as defined in
6694 Appendix A to 28 CFR Part 36, and (3) a full or half bathroom on the
6695 first floor that is compliant with the provisions of the Americans with
6696 Disabilities Act of 1990, as amended, 42 USC 12101.

6697 (b) The **[**Department of Economic and Community Development, in
6698 consultation with the Connecticut Housing Finance Authority,**]**
6699 Connecticut Economic Development Authority may establish a
6700 program to encourage the development of visitable housing in the
6701 state. The program shall (1) provide a single point of contact for any
6702 person seeking financial or technical assistance from the state to
6703 construct visitable housing, (2) identify financial incentives for
6704 developers who construct visitable housing, and (3) include public
6705 education about such housing. The **[**department**]** authority shall
6706 submit a report on the status of the program, in accordance with
6707 section 11-4a, to the joint standing committee of the General Assembly
6708 having cognizance of matters relating to housing not later than
6709 October 1, 2012.

6710 (c) The **[**Department of Economic and Community Development**]**
6711 Connecticut Economic Development Authority shall establish, within
6712 available appropriations, an informational web page in a conspicuous
6713 place on such **[**department's**]** authority's Internet web site with a list of
6714 links to available visitable housing resources.

6715 Sec. 163. Section 8-89 of the general statutes is repealed and the
6716 following is substituted in lieu thereof (*Effective July 1, 2011*):

6717 The **[**Commissioner of Economic and Community Development**]**
6718 Connecticut Economic Development Authority is designated as the
6719 **[**state**]** quasi-public agency empowered to hold or originate in the
6720 name of the state first and second mortgages on real estate and
6721 secondary loans as provided in this part.

6722 Sec. 164. Section 8-119m of the general statutes is repealed and the
6723 following is substituted in lieu thereof (*Effective July 1, 2011*):

6724 (a) The **[**Commissioner of Economic and Community Development**]**
6725 executive director of the Connecticut Economic Development
6726 Authority and the Commissioner of Social Services shall establish a
6727 joint pilot program to provide for the development and operation of
6728 congregate housing and congregate housing projects, as defined in
6729 section 8-119e, in which, at a minimum, (1) residents pay no more than
6730 sixty per cent of their income to live and receive meals in such
6731 housing, (2) residents receive three meals per day and (3) such housing
6732 contains a single kitchen facility and a central dining area. The
6733 **[**commissioners**]** executive director and commissioner may provide
6734 technical assistance and the **[**Commissioner of Economic and
6735 Community Development**]** executive director may provide financial
6736 assistance in the form of grants-in-aid or loans for such development
6737 and operation under the program. Any grant-in-aid or loan shall be
6738 awarded in accordance with such terms and conditions as the
6739 **[**Commissioner of Economic and Community Development**]** executive
6740 director may prescribe. The pilot program shall provide such
6741 assistance for no more than two congregate housing projects located in
6742 different municipalities.

6743 (b) The Commissioner of **[**Economic and Community Development**]**
6744 Social Services, in consultation with the **[**Commissioner of Social
6745 Services**]** executive director, shall adopt regulations, in accordance
6746 with the provisions of chapter 54, to carry out the purposes of this

6747 section. The regulations shall establish the criteria for awarding grants-
6748 in-aid and loans authorized under this section, and the terms and
6749 conditions of such grants and loans.

6750 Sec. 165. Subsection (a) of section 8-169b of the general statutes is
6751 repealed and the following is substituted in lieu thereof (*Effective July*
6752 *1, 2011*):

6753 As used in this part:

6754 (a) **[**"Commissioner" means the Commissioner of Economic and
6755 Community Development**]** "Executive director" means the executive
6756 director of the Connecticut Economic Development Authority.

6757 Sec. 166. Subsection (a) of section 8-244 of the general statutes is
6758 repealed and the following is substituted in lieu thereof (*Effective July*
6759 *1, 2011*):

6760 (a) There is created a body politic and corporate to be known as the
6761 "Connecticut Housing Finance Authority". Said authority is constituted
6762 a public instrumentality and political subdivision of this state and the
6763 exercise by the authority of the powers conferred by this chapter shall
6764 be deemed and held to be the performance of an essential public and
6765 governmental function. The Connecticut Housing Finance Authority
6766 shall not be construed to be a department, institution or agency of the
6767 state. The board of directors of the authority shall consist of fifteen
6768 members as follows: (1) The **[**Commissioner of Economic and
6769 Community Development**]** executive director of the Connecticut
6770 Economic Development Authority, the Secretary of the Office of Policy
6771 and Management, the Banking Commissioner and the State Treasurer,
6772 ex officio, with the right to vote, (2) seven members to be appointed by
6773 the Governor, and (3) four members appointed as follows: One by the
6774 president pro tempore of the Senate, one by the speaker of the House
6775 of Representatives, one by the minority leader of the Senate and one by
6776 the minority leader of the House of Representatives. The member
6777 initially appointed by the speaker of the House of Representatives

6778 shall serve a term of five years; the member initially appointed by the
6779 president pro tempore of the Senate shall serve a term of four years.
6780 The members initially appointed by the Senate minority leader shall
6781 serve a term of three years. The member initially appointed by the
6782 minority leader of the House of Representatives shall serve a term of
6783 two years. Thereafter, each member appointed by a member of the
6784 General Assembly shall serve a term of five years. The members
6785 appointed by the Governor and the members of the General Assembly
6786 shall be appointed in accordance with section 4-9b and among them be
6787 experienced in all aspects of housing, including housing design,
6788 development, finance, management and state and municipal finance,
6789 and at least one of whom shall be selected from among the officers or
6790 employees of the state. At least one shall have experience in the
6791 provision of housing to very low, low and moderate income families.
6792 On or before July first, annually, the Governor shall appoint a member
6793 for a term of five years from said July first to succeed the member
6794 whose term expires and until such member's successor has been
6795 appointed, except that in 1974 and 1995 and quinquennially thereafter,
6796 the Governor shall appoint two members. The chairperson of the
6797 board shall be appointed by the Governor, with the advice and consent
6798 of both houses of the General Assembly. The board shall annually elect
6799 one of its appointed members as vice-chairperson of the board.
6800 Members shall receive no compensation for the performance of their
6801 duties hereunder but shall be reimbursed for necessary expenses
6802 incurred in the performance thereof. The Governor or appointing
6803 member of the General Assembly, as the case may be, shall fill any
6804 vacancy for the unexpired term. A member of the board shall be
6805 eligible for reappointment. Any member of the board may be removed
6806 by the Governor or appointing member of the General Assembly, as
6807 the case may be, for misfeasance, malfeasance or wilful neglect of duty.
6808 Each member of the board before entering upon such member's duties
6809 shall take and subscribe the oath of affirmation required by article XI,
6810 section 1, of the State Constitution. A record of each such oath shall be
6811 filed in the office of the Secretary of the State. Each ex-officio member

6812 may designate such member's deputy or any member of such
6813 member's staff to represent such member at meetings of the board with
6814 full power to act and vote on such member's behalf.

6815 Sec. 167. Section 8-273 of the general statutes is repealed and the
6816 following is substituted in lieu thereof (*Effective July 1, 2011*):

6817 (a) In order to promote uniform and effective administration of
6818 relocation assistance and land acquisition of state agencies, the
6819 Commissioner of Transportation and **[**Commissioner of Economic and
6820 Community Development**]** executive director of the Connecticut
6821 Economic Development Authority shall consult together on the
6822 establishment of regulations and procedures for the implementation of
6823 such projects and programs.

6824 (b) The Commissioner of Transportation is authorized to establish
6825 for transportation projects such regulations and the **[**Commissioner of
6826 Economic and Community Development**]** executive director of the
6827 Connecticut Economic Development Authority for all other state
6828 agency programs and projects such **[**regulations and**]** procedures as
6829 each may determine to be necessary to assure (1) that the payments
6830 and assistance authorized by this chapter shall be administered in a
6831 manner which is fair and reasonable, and as uniform as practicable; (2)
6832 that a displaced person who makes proper application for a payment
6833 authorized for such person by this chapter shall be paid promptly after
6834 a move or, in hardship cases, be paid in advance; and (3) that any
6835 person aggrieved by a determination as to eligibility for a payment
6836 authorized by this chapter, or the amount of a payment, may have his
6837 application reviewed by the Commissioner of Transportation for
6838 transportation projects and by the **[**Commissioner of Economic and
6839 Community Development**]** executive director of the Connecticut
6840 Economic Development Authority for any other state agency program
6841 or project.

6842 (c) The Commissioner of Transportation is authorized to establish
6843 for transportation projects such other regulations and procedures and

6844 the [Commissioner of Economic and Community Development]
6845 executive director of the Connecticut Economic Development
6846 Authority such other procedures for all other state agency programs
6847 and projects, [such other regulations and procedures,] consistent with
6848 the provisions of this chapter, as each deems necessary or appropriate
6849 to carry out this chapter.

6850 Sec. 168. Section 8-280 of the general statutes is repealed and the
6851 following is substituted in lieu thereof (*Effective July 1, 2011*):

6852 (a) The [state, acting by and in the discretion of the Commissioner of
6853 Economic and Community Development,] executive director of the
6854 Connecticut Economic Development Authority may enter into a
6855 contract or agreement with a state agency to provide state financial
6856 assistance to such state agency in the form of a grant-in-aid equal to
6857 two-thirds of the net cost of carrying out a program of relocation
6858 assistance pursuant to a relocation plan as provided under section 8-
6859 281 and approved by the [commissioner] executive director. Such
6860 grant-in-aid shall: (1) Provide actual administration costs not to exceed
6861 one hundred dollars for each dwelling unit and two hundred fifty
6862 dollars for each farm or business relocated in accordance with the
6863 provisions of this chapter; (2) provide advance grants for relocation
6864 assistance paid pursuant to the provisions of said section to persons,
6865 families, businesses and farm operations and nonprofit organizations
6866 not otherwise entitled to relocation assistance from any program of
6867 any other state agency or any program of the federal government and
6868 who have not been reimbursed for moving costs in a condemnation
6869 proceeding; (3) include the cost of the preparation of the relocation
6870 plan.

6871 (b) The [Commissioner of Economic and Community Development]
6872 executive director of the Connecticut Economic Development
6873 Authority shall not provide a grant-in-aid pursuant to subsection (a) of
6874 this section to any town, city or borough for the cost of carrying out a
6875 program of relocation assistance for persons displaced as the direct

6876 result of code enforcement activities undertaken by a town, city or
6877 borough, unless such town, city or borough (1) places, pursuant to
6878 section 8-270, a lien on all real property in such town, city or borough,
6879 which is owned by the landlord of the persons who are displaced by
6880 such code enforcement activities, and (2) assigns to the state the claim
6881 of the town, city or borough against such landlord for the costs of
6882 carrying out such program of relocation assistance. The Attorney
6883 General shall be responsible for collecting such claim and may carry
6884 out such responsibility by (A) enforcing any such lien assigned to the
6885 state by the town, city or borough, (B) placing and enforcing a lien on
6886 any other real property owned by the landlord in the state or (C)
6887 instituting civil proceedings in the Superior Court against such
6888 landlord. Two-thirds of all funds collected by the Attorney General
6889 from a landlord pursuant to this subsection shall be deposited in the
6890 General Fund and the remaining one-third of such funds shall be
6891 remitted to the town, city or borough which brought code enforcement
6892 activities against such landlord.

6893 Sec. 169. Section 8-356 of the general statutes is repealed and the
6894 following is substituted in lieu thereof (*Effective July 1, 2011*):

6895 The state **[**, acting by and in the discretion of the Commissioner of
6896 Economic and Community Development,**]** <u>or the executive director of</u>
6897 <u>the Connecticut Economic Development Corporation</u> may enter into a
6898 contract with a community housing development corporation, a
6899 municipal developer or a nonprofit corporation providing emergency
6900 shelter services for homeless persons for state financial assistance in
6901 the form of a state grant-in-aid, loan, deferred loan, loan guarantee or
6902 interest subsidy for the cost of acquisition, construction, rehabilitation
6903 or renovation of emergency shelters or rooming houses for homeless
6904 persons or for the cost of acquisition of mobile manufactured homes
6905 for use as transitional housing. In the case of a deferred loan, the
6906 contract shall require that payments on interest are due immediately
6907 but that payments on principal may be made at a later time.

6908 Sec. 170. Section 8-357 of the general statutes is repealed and the
6909 following is substituted in lieu thereof (*Effective July 1, 2011*):

6910 (a) The state **[**, acting by and in the discretion of the Commissioner
6911 of Economic and Community Development,**]** or the executive director
6912 of the Connecticut Economic Development Corporation may enter into
6913 a contract with a community housing development corporation, a
6914 municipal developer or a nonprofit corporation for state financial
6915 assistance in the form of a state grant-in-aid, loan, deferred loan, loan
6916 guarantee or interest subsidy for the cost of acquisition, construction,
6917 rehabilitation or renovation of multifamily dwellings for persons and
6918 families whose adjusted monthly income does not exceed fifty per cent
6919 of the median household income, as determined by the **[**commissioner**]**
6920 executive director, for the area in which they reside and who have
6921 received emergency shelter services or shelter services for battered
6922 women and are in need of transitional housing and support services
6923 for a period of six to twenty-four months. Such housing and services
6924 shall be designed to enable such persons to maintain their current jobs,
6925 improve their employment skills, retrain for different occupations or
6926 continue their education. Such services may include, without
6927 limitation, information and referral; counseling and support groups;
6928 aid in finding vocational training, education or employment; health,
6929 nutrition, fitness and recreation programs; child care; transportation;
6930 legal aid; and financial counseling. In the case of a deferred loan, the
6931 contract shall require that payments on interest are due immediately
6932 but that payments on principal may be made at a later time.

6933 (b) The **[**commissioner**]** executive director may consider, without
6934 limitation, the following criteria in determining which project shall be
6935 eligible for assistance under this section: (1) Whether the project has
6936 been approved by local planning and zoning commissions, (2) the
6937 amount of resources which have been committed to the project by the
6938 private sector and the municipality in which the project would be
6939 located, (3) the extent to which resources of existing social services
6940 agencies are planned to be utilized, (4) the extent to which both

6941 privacy and community living are planned for residents of the project,
6942 (5) whether the project is capable of operating without ongoing state
6943 subsidies, and (6) the proximity of the project to schools, potential
6944 employers, stores and transportation, medical, child care and
6945 recreational facilities.

6946 Sec. 171. Section 8-387 of the general statutes is repealed and the
6947 following is substituted in lieu thereof (*Effective July 1, 2011*):

6948 (a) There is established a fund to be known as the "Housing
6949 Infrastructure Fund". The fund shall contain any moneys required by
6950 law to be deposited therein and shall be held separate and apart from
6951 all other moneys, funds and accounts. Any balance remaining in the
6952 fund at the end of any fiscal year shall be carried forward in the fund
6953 for the fiscal year next succeeding. The fund may be used to make
6954 grants-in-aid, loans or deferred loans authorized by subsection (b) of
6955 this section.

6956 (b) The **[**state, acting by and in the discretion of the Commissioner of
6957 Economic and Community Development**]** executive director of the
6958 Connecticut Economic Development Corporation, in consultation with
6959 the Secretary of the Office of Policy and Management, may enter into a
6960 contract to provide **[**state**]** financial assistance in the form of a grant-in-
6961 aid, loan, deferred loan or combination thereof to municipalities
6962 located within the planning regions in which the pilot program is
6963 established, upon the approval of the regional fair housing compact as
6964 provided in section 8-386. In the case of a deferred loan, the contract
6965 shall require that payments on interest are due immediately but that
6966 payments on principal may be made at a later time. Notwithstanding
6967 the provisions of subsection (d) of section 4-86, funds appropriated to
6968 any state agency for payment to local governments for purposes
6969 related to or necessary for the development of housing in the regions,
6970 including but not limited to the purposes contained in this subsection,
6971 other than those for which distribution is governed by statutory
6972 formula, may be made available for the pilot program authorized

6973 under section 8-386 upon the recommendation of the Governor and
6974 approval of the Finance Advisory Committee. The grants-in-aid, loans,
6975 deferred loans or combinations thereof authorized under this
6976 subsection and any additional funds made available for the pilot
6977 program as provided in this subsection shall be used by the
6978 municipalities in said regions for the purpose of planning, construction
6979 or renovation of housing and for any of the following when necessary
6980 to support the development of housing within such municipalities in
6981 accordance with the regional fair housing compact: (1) Sanitary sewer
6982 lines, including interceptors, laterals and pumping stations; (2) natural
6983 gas, electric, telephone and telecommunications pipes, wires, conduits
6984 and other facilities and waterlines and water supply facilities, except
6985 for any such pipes, wires, conduits, waterlines or facilities which a
6986 public service company, as defined in section 16-1, a water company,
6987 as defined in section 25-32a, or a municipal utility is required to install
6988 pursuant to any provision of the general statutes, or any special act, a
6989 regulation or order of the Department of Public Utility Control or a
6990 certificate of public convenience and necessity; (3) storm drainage
6991 facilities, including facilities to control flooding; (4) public roadways
6992 and related appurtenances; (5) community septic systems approved by
6993 the Department of Environmental Protection, provided administrative
6994 costs directly related to such construction or renovation shall not
6995 exceed five per cent of the total grant or loan from the **[**department**]**
6996 <u>authority</u>. Such grants-in-aid, loans, deferred loans or combinations
6997 thereof shall be awarded in such amounts and upon such conditions as
6998 the **[**commissioner**]** <u>executive director</u>, in consultation with the
6999 secretary, may prescribe by **[**regulation**]** <u>procedure,</u> except that no
7000 grant-in-aid, loan, or deferred loan or combination thereof shall be
7001 made to any municipality that has not approved a housing compact
7002 prepared under section 8-386.

7003 Sec. 172. Section 8-401 of the general statutes is repealed and the
7004 following is substituted in lieu thereof (*Effective July 1, 2011*):

7005 Upon preliminary approval by the State Bond Commission

7006 pursuant to the provisions of section 3-20, the state, acting by and
7007 through the [Commissioner of Economic and Community
7008 Development] executive director of the Connecticut Economic
7009 Development Corporation, may [enter into a contract with the
7010 authority to] provide for state financial assistance in the form of
7011 grants-in-aid or deferred loans to housing projects financed by the
7012 authority through the means of a loan secured by a first mortgage;
7013 provided, any such financial assistance to be funded with proceeds of
7014 bonds authorized by public or special acts effective on or after July 1,
7015 1995, shall be provided as set forth in this section. Commencing
7016 October 1, 1995, upon preliminary approval of the State Bond
7017 Commission pursuant to the provisions of section 3-20, the state, acting
7018 by and through the [department] authority may [provide a grant-in-
7019 aid to the authority for purposes of permitting the authority to] extend
7020 state financial assistance to a developer or mortgagor of the authority
7021 in the form of grants-in-aid or deferred loans to housing projects
7022 financed by the authority through means of a loan secured by a first
7023 mortgage. Such grants or deferred loans made to a developer under
7024 this section shall be for construction or rehabilitation of developments
7025 containing rental units. The total amount of such grants or deferred
7026 loans awarded to a single project shall not exceed an amount equal to
7027 one-half of the cost of the project divided by the number of rental units
7028 in the project multiplied by the number of low-income units in the
7029 project. The total number of low-income units in any project receiving
7030 financial assistance under this section shall be not less than twenty per
7031 cent and, for projects receiving assistance prior to October 1, 1995, and
7032 for projects receiving assistance from the proceeds of bonds authorized
7033 by public or special acts effective prior to July 1, 1995, shall not be
7034 more than forty per cent of the total number of rental units in the
7035 project. No project receiving financial assistance under this section
7036 shall contain less than twenty-five rental units. Any grant or deferred
7037 loan awarded under this section shall be used to reduce the cost of the
7038 project. Loan repayments shall be paid to the State Treasurer and
7039 deposited in the General Fund.

7040 Sec. 173. Section 8-402 of the general statutes is repealed and the
7041 following is substituted in lieu thereof (*Effective July 1, 2011*):

7042 The state, acting by and through the **[**Department of Economic and
7043 Community Development**]** executive director of the Connecticut
7044 Economic Development Corporation, may enter into a contract with
7045 the **[**authority,**]** developer **[**,**]** or mortgagor of the authority **[**and the
7046 authority may enter into a contract with a developer or mortgagor of
7047 the authority**]** to provide state financial assistance in the form of rental
7048 subsidy certificates for each low-income unit in the project. Any
7049 commitment to provide such subsidy shall be an obligation of the
7050 **[**state or the**]** authority, as the case may be, for a period of not less than
7051 fifteen years, and the amount of such subsidy shall be equal to the
7052 difference between the amount of rent plus an allowance for heat and
7053 utilities not included in the rent approved by the **[**commissioner or the**]**
7054 authority, **[**as the case may be,**]** and thirty per cent of the annual
7055 aggregate family income of the tenant residing in the low-income unit
7056 for each such unit on an annual basis. The rent charged for a low-
7057 income unit may not be increased without the approval of the
7058 **[**commissioner or the**]** authority. **[**, as the case may be.**]** The annual
7059 aggregate family income of a tenant for the year prior to the occupancy
7060 of a low-income unit by the tenant shall not exceed fifty per cent of the
7061 area median income, adjusted for family size, as determined by the
7062 **[**commissioner or**]** the authority. **[**, as the case may be.**]** If such annual
7063 aggregate family income after occupancy exceeds seventy per cent of
7064 the area median income, adjusted for family size, the unit occupied by
7065 the tenant will no longer be considered a low-income unit and the next
7066 available unit will be rented to a tenant with an aggregate family
7067 income of less than fifty per cent of the area median income, adjusted
7068 for family size. No tenant residing in a project will receive financial
7069 assistance through a rental subsidy certificate under this section if the
7070 aggregate family income of the tenant in the prior year exceeds sixty
7071 per cent of the area median income, adjusted for family size.

7072 Sec. 174. Section 8-403 of the general statutes is repealed and the

7073 following is substituted in lieu thereof (*Effective July 1, 2011*):

7074 Upon preliminary approval by the State Bond Commission
7075 pursuant to the provisions of section 3-20, the state, acting by and
7076 through the **[**Department of Economic and Community Development
7077 may enter into a contract with the**]** authority, **[**to**]** may provide state
7078 financial assistance to a mortgagor of the authority in the form of a
7079 loan secured by a second mortgage for any housing project for which
7080 the authority has provided financial assistance in the form of a loan
7081 secured by a first mortgage; provided any such financial assistance to
7082 be funded with proceeds of bonds authorized by public or special acts
7083 effective on or after July 1, 1995, shall be provided as follows:
7084 Commencing October 1, 1995, upon preliminary approval of the State
7085 Bond Commission pursuant to the provisions of section 3-20, the state,
7086 acting by and through the **[**Department of Economic and Community
7087 Development**]** authority, may provide a grant-in-aid to **[**the authority,
7088 for purposes of permitting the authority to extend state financial
7089 assistance to**]** the developer or mortgagor of the authority in the form
7090 of a loan secured by a second mortgage for any housing project for
7091 which the authority has provided financial assistance in the form of a
7092 loan secured by a first mortgage. Such loan shall be made for the
7093 purpose of providing additional financing for the project. Any loan
7094 made under this section shall bear interest payable quarterly on the
7095 first days of January, April, July and October for the preceding
7096 calendar quarter, or at such other times as are determined by the
7097 authority at a rate determined by the State Bond Commission under
7098 subsection (t) of section 3-20 and shall be repayable in such
7099 installments as may be determined by the **[**commissioner or the**]**
7100 authority, **[**as the case may be,**]** within fifty years from the date of
7101 completion of the project. Loan repayments shall be paid to the State
7102 Treasurer and deposited in the General Fund.

7103 Sec. 175. Section 8-404 of the general statutes is repealed and the
7104 following is substituted in lieu thereof (*Effective July 1, 2011*):

7105 Any contract for financial assistance awarded under sections 8-400
7106 to 8-405, inclusive, which is funded with proceeds of bonds of the state
7107 authorized by public or special acts effective prior to July 1, 1995, or
7108 which is funded prior to October 1, 1995, shall, and any other contract
7109 may contain the requirement that the **[**state or the**]** authority **[**, as the
7110 case may be,**]** shall receive, in exchange for any such assistance, a
7111 financial participation in the project. Such financial participation shall
7112 be in a proportion which shall not be less than the proportion that the
7113 number of low-income units in the project bears to the total rental
7114 units in the project. Any sale of the project, any interest in the project
7115 or any of its units shall require the approval of the **[**Commissioner of
7116 Economic and Community Development or the**]** authority **[**, as the case
7117 may be,**]** and shall be made upon such terms and conditions as the
7118 **[**commissioner or the**]** authority **[**, as the case may be,**]** may approve.

7119 Sec. 176. Subsection (a) of section 10-20d of the general statutes is
7120 repealed and the following is substituted in lieu thereof (*Effective July*
7121 *1, 2011*):

7122 (a) The Commissioner of Education, in consultation with the Labor
7123 Commissioner and the **[**Commissioners of Economic and Community
7124 Development and**]** <u>Commissioner of</u> Higher Education, shall, within
7125 the limits of available appropriations, provide grants to postsecondary
7126 institutions, regional workforce development boards, regional
7127 educational service centers and other appropriate agencies and
7128 organizations to support the development of educators administering
7129 programs leading to a Connecticut career certificate pursuant to
7130 section 10-20a.

7131 Sec. 177. Subdivision (3) of subsection (a) of section 10-416 of the
7132 general statutes is repealed and the following is substituted in lieu
7133 thereof (*Effective July 1, 2011*):

7134 (3) "Nonprofit corporation" means a nonprofit corporation
7135 incorporated pursuant to chapter 602 or any predecessor statutes
7136 thereto, having as one of its purposes the construction, rehabilitation,

7137 ownership or operation of housing and having articles of incorporation
7138 approved by the **[**Commissioner of Economic and Community
7139 Development**]** the executive director of the Connecticut Economic
7140 Development Corporation in accordance with **[**regulations**]** procedures
7141 adopted pursuant to section 8-79a or 8-84;

7142 Sec. 178. Subsections (e) and (f) of section 10-416b of the general
7143 statutes are repealed and the following is substituted in lieu thereof
7144 (*Effective July 1, 2011*):

7145 (e) Prior to beginning any rehabilitation work on a certified historic
7146 structure, the owner shall submit (1) (A) a rehabilitation plan to the
7147 commission for a determination of whether or not such rehabilitation
7148 work meets the standards developed under the provisions of
7149 subsections (b) to (d), inclusive, of this section, and (B) if such
7150 rehabilitation work is planned to be undertaken in phases, a complete
7151 description of each such phase, with anticipated schedules for
7152 completion, (2) an estimate of the qualified rehabilitation expenditures,
7153 and (3) for projects pursuant to subdivision (2) of subsection (f) of this
7154 section, (A) the number of units of affordable housing, as defined in
7155 section 8-39a, to be created, (B) the proposed rents or sale prices of
7156 such units, and (C) the median income for the municipality where the
7157 project is located. In the case of a project pursuant to subdivision (2) of
7158 subsection (f) of this section the owner shall submit a copy of data
7159 required under subdivision (3) of this subsection to the **[**Department of
7160 Economic and Community Development**]** Connecticut Economic
7161 Development Corporation.

7162 (f) If the commission certifies that the rehabilitation plan conforms
7163 to the standards developed under the provisions of subsections (b) to
7164 (d), inclusive, of this section, the commission shall reserve for the
7165 benefit of the owner an allocation for a tax credit equivalent to (1)
7166 twenty-five per cent of the projected qualified rehabilitation
7167 expenditures, or (2) for rehabilitation plans submitted pursuant to
7168 subsection (e) of this section on or after June 14, 2007, thirty per cent of

7169 the projected qualified rehabilitation expenditures if (A) at least twenty
7170 per cent of the units are rental units and qualify as affordable housing,
7171 as defined in section 8-39a, or (B) at least ten per cent of the units are
7172 individual homeownership units and qualify as affordable housing, as
7173 defined in section 8-39a. No tax credit shall be allocated for the
7174 purposes of this subdivision unless an applicant has submitted to the
7175 commission a certificate from the **[**Department of Economic and
7176 Community Development**]** Connecticut Economic Development
7177 Corporation pursuant to subsections (l) and (m) of this section
7178 confirming that the project complies with affordable housing
7179 requirements under section 8-39a.

7180 Sec. 179. Subdivision (2) of subsection (a) of section 10a-11b of the
7181 general statutes is repealed and the following is substituted in lieu
7182 thereof (*Effective July 1, 2011*):

7183 (2) The following persons shall serve as ex-officio nonvoting
7184 members on the commission: (A) The Commissioners of Higher
7185 Education **[**,**]** and Education **[**and Economic and Community
7186 Development,**]** and the Labor Commissioner, or their designees; (B) the
7187 chairpersons of the boards of trustees and the chief executive officers
7188 of each constituent unit of the state system of higher education, or their
7189 designees; (C) the chairperson of the board and president of the
7190 Connecticut Conference of Independent Colleges, or their designees;
7191 (D) the director of the Office of Workforce Competitiveness, or the
7192 director's designee; (E) the chairpersons and ranking members of the
7193 joint standing committee of the General Assembly having cognizance
7194 of matters relating to higher education and employment advancement;
7195 and (F) the Secretary of the Office of Policy and Management, or the
7196 secretary's designee.

7197 Sec. 180. Section 10a-12a of the general statutes is repealed and the
7198 following is substituted in lieu thereof (*Effective July 1, 2011*):

7199 There shall be a Technical Education Coordinating Council. The
7200 council shall consist of the following members: The chairpersons and

7201 ranking members of the joint standing committees of the General
7202 Assembly having cognizance of matters relating to education and
7203 commerce, or their designees; the [Commissioners] Commissioner of
7204 Higher Education [and Economic and Community Development] and
7205 the Labor Commissioner or their designees; the chief executive officers
7206 of each constituent unit of the state system of higher education, or their
7207 designees; the president of the Connecticut Conference of Independent
7208 Colleges; the superintendent of the vocational-technical school system;
7209 one member who is a teacher at a regional vocational-technical school
7210 designated by the exclusive representative of the vocational-technical
7211 school teachers' bargaining unit; two members who are parents of
7212 students enrolled in vocational-technical schools designated by the
7213 vocational-technical schools parents' association; one member
7214 representing each of the economic clusters identified pursuant to
7215 section 32-1m designated by the Commissioner of Economic and
7216 Community Development; one member designated by the Connecticut
7217 Business and Industry Association; one member designated by the
7218 Manufacturing Assistance Council; and one member designated by the
7219 Connecticut Technology Council. The cochairpersons of the joint
7220 standing committee of the General Assembly having cognizance of
7221 matters relating to education, or their designees, shall jointly convene a
7222 meeting of the council not later than October 1, 1998. The council shall
7223 meet at least six times a year to review and evaluate the coordinated
7224 delivery of technical and technological education to meet the
7225 employment needs of business and industry. The council shall also
7226 explore ways to: (1) Encourage students to pursue technical careers,
7227 including the development or expansion of alternative training
7228 methods that may improve the delivery and accessibility of vocational-
7229 technical training; (2) ensure a successful transition for students from
7230 the regional vocational-technical schools to post secondary education;
7231 and (3) improve public awareness regarding manufacturing careers.
7232 On or before January 1, 1999, and annually thereafter, the
7233 Commissioner of Education shall report, in accordance with section 11-
7234 4a, to the joint standing committees of the General Assembly having

7235 cognizance of matters relating to education and commerce on the
7236 activities of the council in the prior year.

7237 Sec. 181. Subdivision (2) of subsection (a) of section 10a-19i of the
7238 general statutes is repealed and the following is substituted in lieu
7239 thereof (*Effective July 1, 2011*):

7240 (2) "Job relating to green technology" means a job in which green
7241 technology is employed and may include the occupation codes
7242 identified as green jobs by the United States Bureau of Labor Statistics
7243 and those codes identified by the Labor Department **[**and the
7244 Department of Economic and Community Development**]** for such
7245 purposes;

7246 Sec. 182. Subdivision (2) of section 10a-55d of the general statutes is
7247 repealed and the following is substituted in lieu thereof (*Effective July*
7248 *1, 2011*):

7249 (2) "Green jobs" means jobs in which green technology is employed
7250 and may include the occupation codes identified as green jobs by the
7251 United States Bureau of Labor Statistics and any codes identified as
7252 green jobs by the Labor Department. **[**and the Department of Economic
7253 and Community Development.**]**

7254 Sec. 183. Section 10a-72c of the general statutes is repealed and the
7255 following is substituted in lieu thereof (*Effective July 1, 2011*):

7256 There is established a council to advise the Board of Trustees of the
7257 Community-Technical Colleges in the performance of its statutory
7258 functions relating to technical and technological education. The council
7259 shall consist of: (1) The **[**Commissioner of Economic and Community
7260 Development and the**]** Labor Commissioner, (2) one technical or
7261 technological education faculty member from each of the community-
7262 technical colleges appointed by the chief executive officer of each such
7263 institution, (3) one technical or technological education student from
7264 each of the community-technical colleges elected by the student body

7265 of each such institution.

7266 Sec. 184. Section 10a-103 of the general statutes is repealed and the
7267 following is substituted in lieu thereof (*Effective July 1, 2011*):

7268 There shall continue to be a Board of Trustees for The University of
7269 Connecticut to consist of twenty-one persons, twelve to be appointed
7270 by the Governor, who shall reflect the state's geographic, racial and
7271 ethnic diversity; two to be elected by the university alumni; two to be
7272 elected by the students enrolled at the institutions under the
7273 jurisdiction of said board; and five members ex officio. On or before
7274 July 1, 1983, the Governor shall appoint members to the board as
7275 follows: Four members for a term of two years from said date; four
7276 members for a term of four years from said date; and four members for
7277 a term of six years from said date. Thereafter, the Governor shall
7278 appoint trustees of said university to succeed those appointees whose
7279 terms expire, and each trustee so appointed shall hold office for a
7280 period of six years from the first day of July in the year of his or her
7281 appointment, provided two of the trustees appointed for terms
7282 commencing July 1, 1995, and their successors shall be alumni of the
7283 university, one of the trustees appointed for a term commencing July 1,
7284 1997, and his or her successors shall be such alumni and one of the
7285 members appointed for a term commencing July 1, 1999, and his or her
7286 successors shall be such alumni. The Commissioner of Agriculture, the
7287 Commissioner of Education **[**, the Commissioner of Economic and
7288 Community Development**]** and the chairperson of The University of
7289 Connecticut Health Center Board of Directors shall be, ex officio,
7290 members of the board of trustees. The Governor shall be, ex officio,
7291 president of said board. The graduates of all of the schools and
7292 colleges of said university shall, prior to September first in the odd-
7293 numbered years, elect one trustee, who shall be a graduate of the
7294 institution and who shall hold office for four years from the first day of
7295 September succeeding his or her election. Not less than two or more
7296 than four nominations for each such election shall be made by the
7297 alumni association of said university, provided no person who has

7298 served as an alumni trustee for the two full consecutive terms
7299 immediately prior to the term for which such election is to be held
7300 shall be nominated for any such election. Such election shall be
7301 conducted by mail prior to September first under the supervision of a
7302 canvassing board consisting of three members, one appointed by the
7303 board of trustees, one by the board of directors of the alumni
7304 association of the university and one by the president of the university.
7305 No ballot in such election shall be opened until the date by which
7306 ballots must be returned to the canvassing board. In such election, all
7307 graduates shall be entitled to vote by signed ballots which have been
7308 circulated to them by mail and which shall be returned by mail.
7309 Vacancies occurring by death or resignation of either of such alumni
7310 trustees shall be filled for the unexpired portion of the term by special
7311 election, if such unexpired term is for more than eighteen months.
7312 When the unexpired term is eighteen months or less, such vacancy
7313 shall be filled by appointment by the board of directors of said alumni
7314 association. On or before November 1, 1975, the students of The
7315 University of Connecticut shall, in such manner as the board of
7316 trustees of said university shall determine, elect two trustees, each of
7317 whom shall be enrolled as a full-time student of said university at the
7318 time of his or her election. One such member shall be elected for a term
7319 of one year from November 1, 1975, and one for a term of two years
7320 from said date. Prior to July first, annually, such students shall, in
7321 accordance with this section and in such manner as the board shall
7322 determine, elect one member of said board, who shall be so enrolled at
7323 said university at the time of his or her election and who shall serve for
7324 a term of two years from July first in the year of his or her election. The
7325 student member elected to fill the term expiring on June 30, 2003, and
7326 such elected member's successors shall be enrolled as full-time
7327 undergraduate students at a school or college of the university and
7328 shall be elected by the undergraduate students of the schools and
7329 colleges of the university. The student member elected to fill the term
7330 expiring on June 30, 2004, and such elected member's successors shall
7331 be enrolled as a full-time student in the School of Law, the School of

7332 Medicine, the School of Dentistry, the School of Social Work, or as a
7333 graduate student of a school or college of the university, and shall be
7334 elected by the students of the School of Law, the School of Medicine,
7335 the School of Dentistry, the School of Social Work and the graduate
7336 students of the schools and colleges of the university. Any vacancies in
7337 the elected membership of said board shall, except as otherwise
7338 provided in this section, be filled by special election for the balance of
7339 the unexpired term.

7340 Sec. 185. Subdivisions (59) and (60) of section 12-81 of the general
7341 statutes are repealed and the following is substituted in lieu thereof
7342 (*Effective July 1, 2011*):

7343 (59) (a) Any manufacturing facility, as defined in section 32-9p,
7344 acquired, constructed, substantially renovated or expanded on or after
7345 July 1, 1978, in a distressed municipality, as defined in said section or
7346 in a targeted investment community, as defined in section 32-222, or in
7347 an enterprise zone designated pursuant to section 32-70 and for which
7348 an eligibility certificate has been issued by the **[**Department of
7349 Economic and Community Development**]** Connecticut Economic
7350 Development Corporation, and any manufacturing plant designated
7351 by the **[**Commissioner of Economic and Community Development**]**
7352 executive director of the Connecticut Economic Development
7353 Corporation under subsection (a) of section 32-75c as follows: To the
7354 extent of eighty per cent of its valuation for purposes of assessment in
7355 each of the five full assessment years following the assessment year in
7356 which the acquisition, construction, renovation or expansion of the
7357 manufacturing facility is completed, except that a manufacturing
7358 facility having a standard industrial classification code of 2833 or 2834
7359 and having at least one thousand full-time employees, as defined in
7360 subsection (f) of section 32-9j, shall be eligible to have the assessment
7361 period extended for five additional years upon approval of the
7362 **[**commissioner**]** executive director, in accordance with all applicable
7363 **[**regulations**]** procedures, provided such full-time employees have not
7364 been relocated from another facility in the state operated by the same

7365 eligible applicant;

7366 (b) Any service facility, as defined in section 32-9p, acquired,
7367 constructed, substantially renovated or expanded on or after July 1,
7368 1996, and for which an eligibility certificate has been issued by the
7369 **[**Department of Economic and Community Development**]** Connecticut
7370 Economic Development Corporation, as follows: (i) In the case of an
7371 investment of twenty million dollars or more but not more than thirty-
7372 nine million dollars in the service facility, to the extent of forty per cent
7373 of its valuation for purposes of assessment in each of the five full
7374 assessment years following the assessment year in which the
7375 acquisition, construction, renovation or expansion of the service
7376 facility is completed; (ii) in the case of an investment of more than
7377 thirty-nine million dollars but not more than fifty-nine million dollars
7378 in the service facility, to the extent of fifty per cent of its valuation for
7379 purposes of assessment in each of the five full assessment years
7380 following the assessment year in which the acquisition, construction,
7381 renovation or expansion of the service facility is completed; (iii) in the
7382 case of an investment of more than fifty-nine million dollars but not
7383 more than seventy-nine million dollars in the service facility, to the
7384 extent of sixty per cent of its valuation for purposes of assessment in
7385 each of the five full assessment years following the assessment year in
7386 which the acquisition, construction, renovation or expansion of the
7387 service facility is completed; (iv) in the case of an investment of more
7388 than seventy-nine million dollars but not more than ninety million
7389 dollars in the service facility, to the extent of seventy per cent of its
7390 valuation for purposes of assessment in each of the five full assessment
7391 years following the assessment year in which the acquisition,
7392 construction, renovation or expansion of the service facility is
7393 completed; or (v) in the case of an investment of more than ninety
7394 million dollars in the service facility, to the extent of eighty per cent of
7395 its valuation for purposes of assessment in each of the five full
7396 assessment years following the assessment year in which the
7397 acquisition, construction, renovation or expansion of the service
7398 facility is completed, except that any financial institution, as defined in

7399 subsection (b) of section 32-236, having at least four thousand qualified
7400 employees, as determined in accordance with an agreement pursuant
7401 to subsection (c) of section 32-236, shall be eligible to have the
7402 assessment period extended for five additional years upon approval of
7403 the [commissioner] executive director, in accordance with all
7404 applicable [regulations] procedures, provided such full-time
7405 employees have not been relocated from another facility in the state
7406 operated by the same eligible applicant. In no event shall the definition
7407 of qualified employee be more favorable to the employer than the
7408 definition provided in section 32-236;

7409 (c) The completion date of a manufacturing facility, manufacturing
7410 plant or a service facility will be determined by the [Department of
7411 Economic and Community Development] Connecticut Economic
7412 Development Corporation taking into account the issuance of
7413 occupancy certificates and such other factors as it deems relevant. In
7414 the case of a manufacturing facility, manufacturing plant or a service
7415 facility which consists of a constructed, renovated or expanded portion
7416 of an existing plant, the assessed valuation of the facility or
7417 manufacturing plant is the difference between the assessed valuation
7418 of the plant prior to its being improved and the assessed valuation of
7419 the plant upon completion of the improvements. In the case of a
7420 manufacturing facility, manufacturing plant or a service facility which
7421 consists of an acquired portion of an existing plant, the assessed
7422 valuation of the facility or manufacturing plant is the assessed
7423 valuation of the portion acquired. This exemption shall be applicable
7424 during each such assessment year regardless of any change in the
7425 ownership or occupancy of the facility or manufacturing plant. If
7426 during any such assessment year, however, any facility for which an
7427 eligibility certificate has been issued ceases to qualify as a
7428 manufacturing facility, manufacturing plant or a service facility, the
7429 entitlement to the exemption allowed by this subdivision shall
7430 terminate for the assessment year following the date on which the
7431 qualification ceases, and there shall not be a pro rata application of the
7432 exemption. Any person who desires to claim the exemption provided

7433 in this subdivision shall file annually with the assessor or board of
7434 assessors in the distressed municipality, targeted investment
7435 community or enterprise zone designated pursuant to section 32-70 in
7436 which the manufacturing facility or service facility is located, on or
7437 before the first day of November, written application claiming such
7438 exemption on a form prescribed by the Secretary of the Office of Policy
7439 and Management. Failure to file such application in this manner and
7440 form within the time limit prescribed shall constitute a waiver of the
7441 right to such exemption for such assessment year, unless an extension
7442 of time is allowed pursuant to section 12-81k, and upon payment of the
7443 required fee for late filing;

7444 (60) (a) (1) Machinery and equipment which represents an addition
7445 to the assessment or grand list of the municipality in which this
7446 exemption is claimed and is installed in any manufacturing facility, as
7447 defined in section 32-9p, which facility is or has been constructed, or
7448 substantially renovated or expanded on or after July 1, 1978, in a
7449 distressed municipality or targeted investment community or
7450 enterprise zone designated pursuant to section 32-70 and for which an
7451 eligibility certificate has been issued by the **[**Department of Economic
7452 and Community Development**]** Connecticut Economic Development
7453 Corporation, concurrently with and directly attributable to such
7454 construction, renovation or expansion, (2) machinery and equipment
7455 which represents an addition to the assessment or grand list of the
7456 municipality in which this exemption is claimed and is installed, or
7457 machinery and equipment existing, in any manufacturing facility, as
7458 defined in section 32-9p, which facility is or has been acquired on or
7459 after July 1, 1978, in a distressed municipality, targeted investment
7460 community or enterprise zone designated pursuant to section 32-70
7461 and for which an eligibility certificate has been issued by the
7462 **[**Department of Economic and Community Development**]** Connecticut
7463 Economic Development Corporation, and (3) machinery and
7464 equipment acquired and installed on or after October 1, 1986, in a
7465 manufacturing facility that is or has at one time been certified as
7466 eligible for the exemption under this subparagraph in accordance with

7467 section 32-9r, and which continues to be used for manufacturing
7468 purposes, provided such machinery and equipment is installed in
7469 conjunction with an expansion program that satisfies the requirements
7470 for a manufacturing facility, as defined in section 32-9p, and is
7471 contiguous to and represents an increase in square feet of floor space
7472 of not less than fifty per cent of the floor space in the certified
7473 manufacturing facility, as follows: To the extent of eighty per cent of its
7474 valuation for purposes of assessment in each of the five full assessment
7475 years for which the manufacturing facility in which it is installed
7476 qualifies for an exemption under subdivision (59) of this section,
7477 except that a facility having a code classification 2833 or 2834 in the
7478 Standard Industrial Code Classification Manual, United States Office
7479 of Management and Budget, 1987 edition, wherein at least one
7480 thousand new full-time employees, as defined in subsection (f) of
7481 section 32-9j, are employed, shall be eligible to have the assessment
7482 period under this subdivision extended for five additional years upon
7483 approval of the **[**commissioner**]** executive director, provided the
7484 **[**commissioner**]** executive director approves an extension of the
7485 assessment period under subdivision (59) of this section for said
7486 facility;

7487 Sec. 186. Subdivisions (59) and (60) of section 12-81 of the general
7488 statutes, as amended by sections 2 and 3 of public act 10-98, are
7489 repealed and the following is substituted in lieu thereof (*Effective*
7490 *October 1, 2011*):

7491 (59) (a) Any manufacturing facility, as defined in section 32-9p,
7492 acquired, constructed, substantially renovated or expanded on or after
7493 July 1, 1978, in a distressed municipality, as defined in said section, in
7494 a targeted investment community, as defined in section 32-222, in an
7495 enterprise zone designated pursuant to section 32-70 or in an airport
7496 development zone established pursuant to section 32-75d and for
7497 which an eligibility certificate has been issued by the **[**Department of
7498 Economic and Community Development**]** Connecticut Economic
7499 Development Corporation, and any manufacturing plant designated

7500 by the [Commissioner of Economic and Community Development]
7501 executive director of the Connecticut Economic Development
7502 Corporation under subsection (a) of section 32-75c as follows: To the
7503 extent of eighty per cent of its valuation for purposes of assessment in
7504 each of the five full assessment years following the assessment year in
7505 which the acquisition, construction, renovation or expansion of the
7506 manufacturing facility is completed, except that a manufacturing
7507 facility having a standard industrial classification code of 2833 or 2834
7508 and having at least one thousand full-time employees, as defined in
7509 subsection (f) of section 32-9j, shall be eligible to have the assessment
7510 period extended for five additional years upon approval of the
7511 [commissioner] executive director, in accordance with all applicable
7512 [regulations] procedures, provided such full-time employees have not
7513 been relocated from another facility in the state operated by the same
7514 eligible applicant;

7515 (b) Any service facility, as defined in section 32-9p, acquired,
7516 constructed, substantially renovated or expanded on or after July 1,
7517 1996, and for which an eligibility certificate has been issued by the
7518 [Department of Economic and Community Development] Connecticut
7519 Economic Development Corporation, as follows: (i) In the case of an
7520 investment of twenty million dollars or more but not more than thirty-
7521 nine million dollars in the service facility, to the extent of forty per cent
7522 of its valuation for purposes of assessment in each of the five full
7523 assessment years following the assessment year in which the
7524 acquisition, construction, renovation or expansion of the service
7525 facility is completed; (ii) in the case of an investment of more than
7526 thirty-nine million dollars but not more than fifty-nine million dollars
7527 in the service facility, to the extent of fifty per cent of its valuation for
7528 purposes of assessment in each of the five full assessment years
7529 following the assessment year in which the acquisition, construction,
7530 renovation or expansion of the service facility is completed; (iii) in the
7531 case of an investment of more than fifty-nine million dollars but not
7532 more than seventy-nine million dollars in the service facility, to the
7533 extent of sixty per cent of its valuation for purposes of assessment in

7534 each of the five full assessment years following the assessment year in
7535 which the acquisition, construction, renovation or expansion of the
7536 service facility is completed; (iv) in the case of an investment of more
7537 than seventy-nine million dollars but not more than ninety million
7538 dollars in the service facility, to the extent of seventy per cent of its
7539 valuation for purposes of assessment in each of the five full assessment
7540 years following the assessment year in which the acquisition,
7541 construction, renovation or expansion of the service facility is
7542 completed; or (v) in the case of an investment of more than ninety
7543 million dollars in the service facility, to the extent of eighty per cent of
7544 its valuation for purposes of assessment in each of the five full
7545 assessment years following the assessment year in which the
7546 acquisition, construction, renovation or expansion of the service
7547 facility is completed, except that any financial institution, as defined in
7548 section 12-217u, having at least four thousand qualified employees, as
7549 determined in accordance with an agreement pursuant to subdivision
7550 (3) of subsection (n) of section 12-217u, shall be eligible to have the
7551 assessment period extended for five additional years upon approval of
7552 the **[**commissioner**]** executive director, in accordance with all
7553 applicable **[**regulations**]** procedures, provided such full-time
7554 employees have not been relocated from another facility in the state
7555 operated by the same eligible applicant. In no event shall the definition
7556 of qualified employee be more favorable to the employer than the
7557 definition provided in section 12-217u;

7558 (c) The completion date of a manufacturing facility, manufacturing
7559 plant or a service facility will be determined by the **[**Department of
7560 Economic and Community Development**]** Connecticut Economic
7561 Development Corporation taking into account the issuance of
7562 occupancy certificates and such other factors as it deems relevant. In
7563 the case of a manufacturing facility, manufacturing plant or a service
7564 facility which consists of a constructed, renovated or expanded portion
7565 of an existing plant, the assessed valuation of the facility or
7566 manufacturing plant is the difference between the assessed valuation
7567 of the plant prior to its being improved and the assessed valuation of

7568 the plant upon completion of the improvements. In the case of a
7569 manufacturing facility, manufacturing plant or a service facility which
7570 consists of an acquired portion of an existing plant, the assessed
7571 valuation of the facility or manufacturing plant is the assessed
7572 valuation of the portion acquired. This exemption shall be applicable
7573 during each such assessment year regardless of any change in the
7574 ownership or occupancy of the facility or manufacturing plant. If
7575 during any such assessment year, however, any facility for which an
7576 eligibility certificate has been issued ceases to qualify as a
7577 manufacturing facility, manufacturing plant or a service facility, the
7578 entitlement to the exemption allowed by this subdivision shall
7579 terminate for the assessment year following the date on which the
7580 qualification ceases, and there shall not be a pro rata application of the
7581 exemption. Any person who desires to claim the exemption provided
7582 in this subdivision shall file annually with the assessor or board of
7583 assessors in the distressed municipality, targeted investment
7584 community, enterprise zone designated pursuant to section 32-70 or in
7585 the town within the airport development zone established pursuant to
7586 section 32-75d in which the manufacturing facility or service facility is
7587 located, on or before the first day of November, written application
7588 claiming such exemption on a form prescribed by the Secretary of the
7589 Office of Policy and Management. Failure to file such application in
7590 this manner and form within the time limit prescribed shall constitute
7591 a waiver of the right to such exemption for such assessment year,
7592 unless an extension of time is allowed pursuant to section 12-81k, and
7593 upon payment of the required fee for late filing;

7594 (60) (a) (1) Machinery and equipment which represents an addition
7595 to the assessment or grand list of the municipality in which this
7596 exemption is claimed and is installed in any manufacturing facility, as
7597 defined in section 32-9p, which facility is or has been constructed, or
7598 substantially renovated or expanded on or after July 1, 1978, in a
7599 distressed municipality, targeted investment community, enterprise
7600 zone designated pursuant to section 32-70 or in an airport
7601 development zone established pursuant to section 32-75d and for

7602 which an eligibility certificate has been issued by the [Department of
7603 Economic and Community Development] Connecticut Economic
7604 Development Corporation, concurrently with and directly attributable
7605 to such construction, renovation or expansion, (2) machinery and
7606 equipment which represents an addition to the assessment or grand
7607 list of the municipality in which this exemption is claimed and is
7608 installed, or machinery and equipment existing, in any manufacturing
7609 facility, as defined in section 32-9p, which facility is or has been
7610 acquired on or after July 1, 1978, in a distressed municipality, targeted
7611 investment community, enterprise zone designated pursuant to section
7612 32-70 or in an airport development zone established pursuant to
7613 section 32-75d and for which an eligibility certificate has been issued
7614 by the [Department of Economic and Community Development]
7615 Connecticut Economic Development Corporation, and (3) machinery
7616 and equipment acquired and installed on or after October 1, 1986, in a
7617 manufacturing facility that is or has at one time been certified as
7618 eligible for the exemption under this subparagraph in accordance with
7619 section 32-9r, and which continues to be used for manufacturing
7620 purposes, provided such machinery and equipment is installed in
7621 conjunction with an expansion program that satisfies the requirements
7622 for a manufacturing facility, as defined in section 32-9p, and is
7623 contiguous to and represents an increase in square feet of floor space
7624 of not less than fifty per cent of the floor space in the certified
7625 manufacturing facility, as follows: To the extent of eighty per cent of its
7626 valuation for purposes of assessment in each of the five full assessment
7627 years for which the manufacturing facility in which it is installed
7628 qualifies for an exemption under subdivision (59) of this section,
7629 except that a facility having a code classification 2833 or 2834 in the
7630 Standard Industrial Code Classification Manual, United States Office
7631 of Management and Budget, 1987 edition, wherein at least one
7632 thousand new full-time employees, as defined in subsection (f) of
7633 section 32-9j, are employed, shall be eligible to have the assessment
7634 period under this subdivision extended for five additional years upon
7635 approval of the [commissioner] executive director, provided the

7636 [commissioner] executive director approves an extension of the
7637 assessment period under subdivision (59) of this section for said
7638 facility;

7639 (b) (1) Machinery and equipment which represents an addition to
7640 the assessment or grand list of the municipality in which this
7641 exemption is claimed and is installed in any service facility, as defined
7642 in section 32-9p, which facility is or has been constructed, or
7643 substantially renovated or expanded on or after July 1, 1996, and for
7644 which an eligibility certificate has been issued by the [Department of
7645 Economic and Community Development] Connecticut Economic
7646 Development Corporation, concurrently with and directly attributable
7647 to such construction, renovation or expansion, (2) machinery and
7648 equipment which represents an addition to the assessment or grand
7649 list of the municipality in which this exemption is claimed and is
7650 installed, or machinery and equipment existing, in any service facility,
7651 as defined in section 32-9p, which facility is or has been acquired on or
7652 after July 1, 1996, and for which an eligibility certificate has been
7653 issued by the [department] authority, and (3) machinery and
7654 equipment acquired and installed on or after July 1, 1996, in a service
7655 facility that is or has at one time been certified as eligible for the
7656 exemption under this subparagraph in accordance with section 32-9r
7657 and which continues to be used for service purposes, provided such
7658 machinery and equipment is installed in conjunction with an
7659 expansion program that satisfies the requirements for a service facility,
7660 as defined in section 32-9p, and is contiguous to and represents an
7661 increase in square feet of floor space of not less than fifty per cent of
7662 the floor space in the certified service facility, as follows: (i) In the case
7663 of an investment of twenty million dollars or more but not more than
7664 thirty-nine million dollars in the service facility, to the extent of forty
7665 per cent of its valuation for purposes of assessment in each of the five
7666 full assessment years for which the service facility in which it is
7667 installed qualifies for an exemption under subdivision (59) of this
7668 section; (ii) in the case of an investment of more than thirty-nine
7669 million dollars but not more than fifty-nine million dollars in the

7670 service facility, to the extent of fifty per cent of its valuation for
7671 purposes of assessment in each of the five full assessment years for
7672 which the service facility in which it is installed qualifies for an
7673 exemption under subdivision (59) of this section; (iii) in the case of an
7674 investment of more than fifty-nine million dollars but not more than
7675 seventy-nine million dollars in the service facility, to the extent of sixty
7676 per cent of its valuation for purposes of assessment in each of the five
7677 full assessment years for which the service facility in which it is
7678 installed qualifies for an exemption under subdivision (59) of this
7679 section; (iv) in the case of an investment of more than seventy-nine
7680 million dollars but not more than ninety million dollars in the service
7681 facility, to the extent of seventy per cent of its valuation for purposes of
7682 assessment in each of the five full assessment years for which the
7683 service facility in which it is installed qualifies for an exemption under
7684 subdivision (59) of this section; or (v) in the case of an investment of
7685 more than ninety million dollars in the service facility, to the extent of
7686 eighty per cent of its valuation for purposes of assessment in each of
7687 the five full assessment years for which the service facility in which it
7688 is installed qualifies for an exemption under subdivision (59) of this
7689 section, except that any financial institution, as defined in section 12-
7690 217u, having at least four thousand qualified employees, as
7691 determined in accordance with an agreement pursuant to subdivision
7692 (3) of subsection (n) of section 12-217u, <u>as amended by this act,</u> shall be
7693 eligible to have the assessment period extended for five additional
7694 years upon approval of the commissioner, in accordance with all
7695 applicable regulations, provided such full-time employees have not
7696 been relocated from another facility in the state operated by the same
7697 eligible applicant. In no event shall the definition of qualified
7698 employee be more favorable to the employer than the definition
7699 provided in section 12-217u<u>, as amended by this act</u>;

7700 (c) This exemption shall terminate for the assessment year next
7701 following if the manufacturing facility or service facility in which such
7702 machinery and equipment is installed no longer qualifies for an
7703 exemption under said subdivision (59), and there shall not be a pro

7704 rata application of the exemption of such machinery and equipment in
7705 the assessment year of such termination. Any person who desires to
7706 claim the exemption provided in this subdivision shall file annually
7707 with the assessor or board of assessors in the distressed municipality,
7708 targeted investment community, enterprise zone designated pursuant
7709 to section 32-70 or the town in the airport development zone
7710 established pursuant to section 32-75d in which the manufacturing
7711 facility or service facility is located, on or before the first day of
7712 November, written application claiming such exemption on a form
7713 prescribed by the Secretary of the Office of Policy and Management.
7714 Failure to file such application in this manner and form within the time
7715 limit prescribed shall constitute a waiver of the right to such
7716 exemption for such assessment year, unless an extension of time is
7717 allowed pursuant to section 12-81k, and upon payment of the required
7718 fee for late filing. This exemption shall not apply to rolling stock.

7719 Sec. 187. Subdivision (70) of section 12-81 of the general statutes is
7720 repealed and the following is substituted in lieu thereof (*Effective July*
7721 *1, 2011*):

7722 (70) (A) New machinery and equipment used directly in the
7723 manufacturing of goods or products and acquired through purchase
7724 by any business organization or any affiliate of such business
7725 organization as part of a technological upgrading of the manufacturing
7726 process at a location in a distressed municipality, targeted investment
7727 community, as defined in section 32-222, or enterprise zone designated
7728 pursuant to section 32-70, and for which an eligibility certificate has
7729 been issued by the **[**Department of Economic and Community
7730 Development**]** Connecticut Economic Development Corporation,
7731 which business organization (i) is engaged in the manufacturing,
7732 processing or assembling of raw materials, parts or manufactured
7733 products, (ii) has been in continuous operation in the state for a period
7734 not less than five years prior to claiming the exemption provided in
7735 this subdivision, (iii) had gross receipts in an amount less than twenty
7736 million dollars in the year prior to claiming the exemption provided in

7737 this subdivision, including receipts of any affiliates of the business
7738 organization, and (iv) has incurred costs in acquiring such machinery
7739 and equipment not less than the greater of (I) two hundred thousand
7740 dollars, or (II) two hundred per cent of the business organization's and
7741 affiliate's average expenditure for the acquisition of machinery and
7742 equipment used directly in the manufacturing of goods or products at
7743 the location in the distressed municipality, targeted investment
7744 community or enterprise zone designated pursuant to section 32-70
7745 during the three years prior to claiming the exemption provided in this
7746 subdivision, as follows: To the extent of fifty per cent of its valuation
7747 for purposes of assessment in each of the five full assessment years
7748 following the assessment year in which such machinery and
7749 equipment is acquired;

7750 (B) Any person who desires to claim the exemption provided in this
7751 subdivision shall file annually with the assessor or board of assessors
7752 in the distressed municipality, targeted investment community or
7753 enterprise zone designated pursuant to section 32-70 in which the
7754 business organization is located, on or before the first day of
7755 November, written application claiming such exemption on a form
7756 prescribed by the Secretary of the Office of Policy and Management.
7757 Failure to file such application in this manner and form within the time
7758 limit prescribed shall constitute a waiver of the right to such
7759 exemption for such assessment year, unless an extension of time is
7760 allowed pursuant to section 12-81k, and upon payment of the required
7761 fee for late filing. No person shall be eligible to receive the exemption
7762 provided in this subdivision if such exemption is sought for machinery
7763 and equipment located in a manufacturing facility, as defined in
7764 subsection (d) of section 32-9p, currently receiving assistance under
7765 subdivisions (59) and (60) of this section, and no person shall receive
7766 such exemption for eligible machinery or equipment at each location in
7767 a distressed municipality, targeted investment community or
7768 enterprise zone designated pursuant to section 32-70 more than once in
7769 any continuous five-year period;

7770 (C) The state and the municipality and district shall hold a security
7771 interest, as defined in subdivision (35) of subsection (b) of section 42a-
7772 1-201, in any machinery or equipment which is exempt from taxation
7773 pursuant to this subdivision, in an amount equal to the tax revenue
7774 reimbursed or lost, as the case may be, which shall be subordinate to
7775 any purchase money security interest, as defined in section 42a-9-103a.
7776 Such security interest shall be enforceable against the taxpayer for a
7777 period of five years after the last assessment year in which such
7778 exemption was received in any case in which the business organization
7779 ceases all business operations or moves its business operations entirely
7780 out of this state. Any assessor who has granted an exemption under
7781 this subdivision shall provide written notification to the secretary of
7782 the cessation of such operations or the move of such operations
7783 entirely out of this state. Such notification may be made at any time
7784 after the October first of the last assessment year in which such
7785 exemption is granted and before the September thirtieth that is five
7786 years after the conclusion of said assessment year. Upon receiving such
7787 notification and complying with the provisions of section 12-35a, the
7788 state shall have a lien upon the machinery or equipment situated in
7789 this state and owned by the person that ceased all business operations
7790 or moved such operations entirely out of this state. Notwithstanding
7791 the provisions of section 12-35a, the total amount of the reimbursement
7792 made by the state for the property tax exemptions granted to the
7793 person under the provisions of this subdivision, shall be deemed to be
7794 the amount of the tax which such person failed to pay.
7795 Notwithstanding said section 12-35a, the information required to be
7796 included in the notice of lien for said tax shall be as follows: (i) The
7797 owner of the property upon which the lien is claimed, (ii) the business
7798 address or residence address of such owner, (iii) the specific property
7799 claimed to be subject to such lien, (iv) the location of such property at
7800 the time it was last made tax-exempt pursuant to this subdivision, (v)
7801 the total amount of the reimbursement made by the state for the
7802 property tax exemptions granted to such owner under the provisions
7803 of this subdivision, and (vi) the tax period or periods for which such

7804 lien is claimed. If more than one agency of the state perfects such a
7805 notice of lien on the same day, the priority of such liens shall be
7806 determined by the time of day such liens were perfected, and if
7807 perfected at the same time, the lien for the highest amount shall have
7808 priority. In addition to the other remedies provided in this subdivision,
7809 the Attorney General, upon request of the secretary, may bring a civil
7810 action in a court of competent jurisdiction to recover the amount of tax
7811 revenue reimbursed by the state from any person who received an
7812 exemption under this subdivision;

7813 Sec. 188. Subsection (c) of section 12-81r of the general statutes is
7814 repealed and the following is substituted in lieu thereof (*Effective July*
7815 *1, 2011*):

7816 (c) A municipality shall notify the Commissioner of Environmental
7817 Protection **[**, the Commissioner of Economic and Community
7818 Development**]** and the Secretary of the Office of Policy and
7819 Management not later than thirty days after granting any abatement or
7820 forgiveness of taxes or any fixed assessment under subsection (a) of
7821 this section. Such notice shall provide the owner or purchaser's name,
7822 as the case may be, and the address of the property.

7823 Sec. 189. Subsection (f) of section 12-217e of the general statutes, as
7824 amended by section 4 of public act 10-98, is repealed and the following
7825 is substituted in lieu thereof (*Effective October 1, 2011*):

7826 (f) The **[**Commissioner of Economic and Community Development**]**
7827 executive director of the Connecticut Economic Development
7828 Corporation shall, upon request, provide a copy of the applicable
7829 eligibility certificate to the Commissioner of Revenue Services.

7830 Sec. 190. Section 12-217u of the general statutes is repealed and the
7831 following is substituted in lieu thereof (*Effective July 1, 2011*):

7832 (a) For purposes of this section:

7833 (1) **[**"Commissioner" means the Commissioner of Economic and

7834 Community Development] "Executive director" means the executive
7835 director of the Connecticut Economic Development Corporation;

7836 (2) "Company" means any corporation, partnership, trust,
7837 association, unincorporated organization or similar organization;

7838 (3) "Compensation is paid within this state" if (A) the individual's
7839 service is performed entirely within the state; or (B) the individual's
7840 service is performed both within and without the state, but the service
7841 performed without the state is incidental to the individual's service
7842 within the state;

7843 (4) "Control" with respect to a corporation means ownership of
7844 stock possessing at least fifty per cent of the total combined voting
7845 power of all classes of stock entitled to vote. "Control" with respect to a
7846 partnership, association or similar unincorporated organization means
7847 ownership of at least fifty per cent of the capital or profits interest in
7848 such partnership or association. "Control" with respect to a trust,
7849 means ownership of at least fifty per cent of the beneficial interest in
7850 the principal or income of such trust. Ownership shall be determined
7851 as provided in Section 267(c) of the Internal Revenue Code of 1986, as
7852 in effect on October 14, 1994, other than paragraph (3) of such section;

7853 (5) "Financial institution" means any bank, holding company or out-
7854 of-state bank, as those terms are defined in section 36a-2, or out-of-
7855 state holding company, as that term is defined in section 36a-410,
7856 which directly or indirectly establishes an office in Connecticut and is
7857 subject to the supervision of or regulation by the Banking
7858 Commissioner pursuant to title 36a or by one or more federal banking
7859 agencies pursuant to applicable federal law. "Financial institution" also
7860 means any establishment described in major group 61 or 62 in the
7861 Standard Industrial Classification Manual, United States Office of
7862 Management and Budget, 1987 edition, or in Subsector 522 or 523 in
7863 the North American Industrial Classification System, United States
7864 Manual, United States Office of Management and Budget, 1997 edition,
7865 as engaged primarily in the extending of credit in the form of loans or

7866 the underwriting, purchase, sale or brokerage of securities and other
7867 financial contracts on their own account or for the account of others,
7868 and exchanges, exchange clearinghouses and other services allied with
7869 the exchange of securities and commodities or a holding company
7870 controlling any such establishment;

7871 (6) "Related person" means a corporation, limited liability company,
7872 partnership, trust, association, unincorporated organization or similar
7873 organization that is controlled by the financial institution;

7874 (7) "Tax" means the corporation business tax imposed by this
7875 chapter.

7876 (b) In any income year commencing prior to January 1, 2014, there
7877 shall be allowed a credit against the tax imposed on a financial
7878 institution not to exceed fifty per cent of the amount of such tax,
7879 provided the aggregate amount of the credit that may be taken under
7880 this subsection shall in no event exceed one hundred twenty million
7881 dollars over the period for which it is allowed and provided further
7882 the total amount of credit allowed in any qualified income year shall
7883 not exceed the aggregate amount as determined in accordance with the
7884 employment requirements for such year under subsection (c) of this
7885 section, reduced by the amount of credit previously allowed, but in no
7886 event shall the amount be below zero. The credit shall be allowed in
7887 the initial qualified year and in each of the nine consecutive income
7888 years thereafter which is a subsequent qualified year.

7889 (c) For purposes of this section, (1) the initial qualified year is the
7890 income year with respect to which the financial institution first meets
7891 all of the following criteria: (A) It has constructed a new facility in
7892 Connecticut of at least nine hundred thousand gross square feet for the
7893 purpose of carrying on, directly or indirectly, the business of the
7894 financial institution; (B) it has obtained a temporary or permanent
7895 certificate of occupancy for such facility; (C) it has employed, during
7896 the income year for which the credit is claimed, an average of at least
7897 (i) one thousand two hundred qualified employees to claim a thirty per

7898 cent tax credit, which shall not exceed seventy-two million dollars in
7899 the aggregate over the period of initial and subsequent qualified years
7900 for which the credit under subsection (b) is allowed, (ii) one thousand
7901 six hundred qualified employees to claim a forty per cent tax credit,
7902 which shall not exceed ninety-six million dollars in the aggregate over
7903 the period of initial and subsequent qualified years for which the credit
7904 under subsection (b) is allowed, and (iii) two thousand qualified
7905 employees to claim a fifty per cent tax credit, which shall not exceed
7906 one hundred twenty million dollars in the aggregate over the period of
7907 initial and subsequent qualified years for which the credit under
7908 subsection (b) is allowed; and (D) it has been issued an initial
7909 certificate of eligibility by the **[**commissioner**]** executive director under
7910 subsection (g) of this section; and (2) a subsequent qualified year is an
7911 income year, following an initial qualified year, with respect to which
7912 the financial institution employs an average of at least (A) one
7913 thousand two hundred qualified employees to claim a thirty per cent
7914 tax credit, which shall not exceed seventy-two million dollars in the
7915 aggregate over the period of initial and subsequent qualified years for
7916 which the credit under subsection (b) is allowed, (B) one thousand six
7917 hundred qualified employees to claim a forty per cent tax credit, which
7918 shall not exceed ninety-six million dollars in the aggregate over the
7919 period of initial and subsequent qualified years for which the credit
7920 under subsection (b) is allowed, and (C) two thousand qualified
7921 employees to claim a fifty per cent tax credit, which shall not exceed
7922 one hundred twenty million dollars in the aggregate over the period of
7923 initial and subsequent qualified years for which the credit under
7924 subsection (b) is allowed, and has been issued an annual certificate of
7925 eligibility by the **[**commissioner**]** executive director under subsection
7926 (g) of this section.

7927 (d) For purposes of this section, (1) a qualified employee is an
7928 individual whose compensation is paid within this state and (A) is
7929 employed directly by the financial institution or a related person and
7930 who works an average of at least thirty-five hours per week for at least
7931 eight consecutive weeks for such financial institution or related person,

7932 (B) is an independent contractor of the financial institution or of a
7933 related person and who works an average of at least thirty-five hours
7934 per week for at least eight consecutive weeks for such financial
7935 institution or related person, or (C) is an employee or principal of a
7936 company other than the financial institution or a related person if (i)
7937 such individual works an average of at least thirty-five hours per week
7938 for at least eight consecutive weeks providing services to the financial
7939 institution or a related person, and (ii) such company derives not less
7940 than eighty per cent of its gross revenues from the financial institution,
7941 one or more related persons or a combination thereof. A qualified
7942 employee shall not include any individual who would have satisfied
7943 the criteria of a qualified employee prior to the date that a proposal by
7944 the financial institution to create new positions in this state was
7945 approved by the **[**commissioner**]** executive director; and (2)
7946 notwithstanding the provisions of subdivision (1) of this subsection, an
7947 individual is not a qualified employee if (A) the prior employer of such
7948 individual was a company other than the financial institution or a
7949 related person, (B) compensation was paid in this state to such
7950 individual by such employer, (C) the individual was employed for an
7951 average of at least thirty-five hours per week and had been employed
7952 by such employer for at least eight consecutive weeks, and (D) either
7953 (i) the individual is employed directly by the financial institution or a
7954 related person in which the prior employer had an ownership interest
7955 equal to ten per cent or more of the voting rights of the financial
7956 institution or related person at the time such individual became
7957 employed by the financial institution or related person, unless the
7958 position previously held by such individual with the prior employer
7959 has been filled by the prior employer; (ii) the individual is employed
7960 directly by the financial institution or a related person which had an
7961 ownership interest equal to ten per cent or more of the voting rights of
7962 the prior employer at the time such individual became employed by
7963 the financial institution or related person, unless the position
7964 previously held by such individual with the prior employer has been
7965 filled by the prior employer; or (iii) the prior employer of such

7966 individual was a company which was acquired directly or indirectly
7967 by, or merged or consolidated with, the financial institution or a
7968 related person and the individual was employed by that company at
7969 the date of such acquisition, merger or consolidation.

7970 (e) For each income year in which the credit is claimed, the average
7971 number of qualified employees shall be the sum of (1) the average of
7972 the number of qualified employees reported in the quarterly Federal
7973 Insurance Contributions Act tax returns of the financial institution or a
7974 related person; (2) the average of the number of qualified employees
7975 who are included in the quarterly reports described in subsection (g) of
7976 this section; and (3) the average of the number of qualified employees
7977 reported in the quarterly Federal Insurance Contributions Act tax
7978 returns of the company as described in subparagraph (C) of
7979 subdivision (1) of subsection (d) of this section. If the number of
7980 qualified employees in any income year fails to equal or exceed the
7981 number necessary to qualify under subsection (b) or (f) of this section,
7982 as the case may be, the financial institution may compute an average
7983 which includes the first quarter of the next succeeding income year
7984 with the four quarters of the subject income year and, if such new
7985 average equals or exceeds the criteria set forth in subsection (c) or (f) of
7986 this section, as the case may be, such financial institution shall be
7987 deemed to have met the employment criteria necessary to qualify
7988 under subsection (b) or (f) of this section, as the case may be. If two
7989 otherwise unrelated financial institutions have a related person in
7990 common, the employees of such related person may be considered in
7991 determining the average number of employees for only one of the
7992 financial institutions.

7993 (f) (1) In any income year commencing prior to January 1, 2014,
7994 there shall be allowed a credit against the tax imposed on a financial
7995 institution for an additional five-year period if the financial institution
7996 (A) employs an average of at least three thousand qualified employees
7997 in the tenth income year after the initial qualified year and during each
7998 subsequent income year for which the credit is claimed; and (B) has

7999 been issued a certificate by the [commissioner] executive director
8000 under subsection (g) of this section. The credit allowed under this
8001 subsection may be claimed each year for five consecutive income years
8002 beginning with the tenth income year after the initial qualified year.

8003 (2) The amount of the credit allowed by this subsection shall equal
8004 twenty-five per cent of the tax imposed on a financial institution
8005 provided the aggregate amount of the credit that may be taken under
8006 this subsection and subsection (b) of this section may not exceed one
8007 hundred forty-five million dollars.

8008 (g) Upon application from a financial institution, the [commissioner]
8009 executive director shall issue an initial certificate of eligibility for the
8010 credit allowed under subsection (b) of this section after it has been
8011 established that the applicant satisfies the new facility construction,
8012 certificate of occupancy and relevant employment requirements of this
8013 section and, after consultation with the Commissioner of Revenue
8014 Services and the Banking Commissioner, that the applicant is a
8015 financial institution. If the [commissioner] executive director
8016 determines that all appropriate requirements are met, the
8017 [commissioner] executive director shall issue an annual certificate of
8018 eligibility for the credit allowed under subsection (b) or (f) of this
8019 section for each income year for which an application for a credit
8020 under either of said subsections is made. The [commissioner] executive
8021 director shall require the financial institution to submit quarterly
8022 reports of the number of individuals to whom the financial institution
8023 or a related person made payments of six hundred dollars or more
8024 which must be reported as provided by Section 6041 of the Internal
8025 Revenue Code of 1986, or any subsequent corresponding internal
8026 revenue code of the United States, as from time to time amended, for
8027 each income year for which the credit is claimed and to submit such
8028 other information as may be necessary to determine whether all
8029 appropriate requirements have been met and that the applicant
8030 continues to be a financial institution. Such reports shall also include
8031 the number of individuals who are principals and who qualify as

8032 qualified employees under subparagraph (C) of subdivision (1) of
8033 subsection (d) of this section.

8034 (h) The sale, merger, acquisition, bankruptcy or other reorganization
8035 by or of a financial institution may not create new eligibility for the
8036 credit allowed under subsection (b) or (f) of this section in a succeeding
8037 company. Any successor to the financial institution which is a financial
8038 institution may qualify under subsection (b) or (f) of this section if
8039 either the original financial institution or such successor satisfies the
8040 new facility construction and certificate of occupancy requirements
8041 and such successor qualifies under subsection (b) or (f) of this section
8042 on an annual basis, provided the total credits available to the successor
8043 financial institution, when added to all credits taken by the original
8044 financial institution, shall not exceed the applicable limits under
8045 subsection (b) or (f) of this section, or both, as the case may be.

8046 (i) The **[**commissioner**]** executive director may accept and approve
8047 proposals to create new positions as described in subsection (d) of this
8048 section. The **[**commissioner**]** executive director shall prescribe the form
8049 of such proposals.

8050 (j) The **[**commissioner**]** executive director shall, upon request,
8051 provide a copy of the certificate of eligibility to the Commissioner of
8052 Revenue Services.

8053 (k) No taxpayer claiming the credit under this section is eligible for
8054 the credit allowed under section 12-217w.

8055 (l) (1) In the case of a financial institution included in a combined
8056 return under section 12-223a, a credit allowed under subsection (b) or
8057 (f) of this section may be taken against the tax of the combined group.
8058 (2) The credit allowed to a financial institution under subsection (b) or
8059 (f) of this section may be taken by any corporation which is eligible to
8060 elect to file a combined return with a group with which the financial
8061 institution is eligible to file a combined return, provided the aggregate
8062 credit taken by all such corporations in any income year shall not

8063 exceed the aggregate credit for which such group would have been
8064 eligible if it had filed a combined return.

8065 (m) The credits allowed under this section shall be claimed prior to
8066 any other credits allowed against the corporation business tax.

8067 (n) (1) No taxpayer which has received financial assistance from the
8068 state under section 32-236 may claim the credit under subsection (b) of
8069 this section. The total amount of credit allowed under subsection (f) of
8070 this section to such a taxpayer shall not exceed, in the aggregate,
8071 twenty-five million dollars.

8072 (2) Notwithstanding the provisions of subsection (c) of this section,
8073 for purposes of any credit allowed under subsection (f) of this section
8074 to a taxpayer which has received financial assistance under section 32-
8075 236, the initial qualified year shall be the income year in which the
8076 **[**Commissioner of Economic and Community Development**]** executive
8077 director executes an agreement with such financial institution to
8078 provide financial assistance pursuant to section 32-236.

8079 (3) For purposes of determining the number and specification of
8080 qualified employees under subsection (d) of this section, and the
8081 number and specification of new employees under section 12-217e,
8082 with respect to any taxpayer which has received financial assistance
8083 under section 32-236, the dates, numbers and specifications shall be the
8084 dates, numbers and specifications provided in an agreement executed
8085 by the **[**Commissioner of Economic and Community Development**]**
8086 executive director with such financial institution to provide financial
8087 assistance pursuant to section 32-236. In no event shall the definition of
8088 qualified employee be more favorable to the employer than the
8089 definition provided in this section.

8090 Sec. 191. Subsection (a) of section 12-217z of the general statutes is
8091 repealed and the following is substituted in lieu thereof (*Effective July*
8092 *1, 2011*):

8093 (a) There is established a Business Tax Credit and Tax Policy Review
8094 Committee which shall be comprised of the following members: (1)
8095 The chairpersons and ranking members of the joint standing
8096 committee of the General Assembly having cognizance of matters
8097 relating to finance, revenue and bonding, or their designees; (2) one
8098 member appointed by each of the following: The Governor, the
8099 president pro tempore of the Senate, the speaker of the House of
8100 Representatives, the majority leader of the Senate, the majority leader
8101 of the House of Representatives, the minority leader of the House of
8102 Representatives and the minority leader of the Senate; and (3) the
8103 **[**Commissioners**]** Commissioner of Revenue Services **[**and Economic
8104 and Community Development**]** and the Labor Commissioner, or their
8105 designees.

8106 Sec. 192. Section 12-217jj of the general statutes is repealed and the
8107 following is substituted in lieu thereof (*Effective July 1, 2011*):

8108 (a) As used in this section:

8109 (1) "Commissioner" means the Commissioner of Revenue Services.

8110 (2) **[**"Department" means the Department of Economic and
8111 Community Development**]** "Authority" means the Connecticut
8112 Economic Development Corporation.

8113 (3) (A) "Qualified production" means entertainment content created
8114 in whole or in part within the state, including motion pictures;
8115 documentaries; long-form, specials, mini-series, series, sound
8116 recordings, videos and music videos and interstitials television
8117 programming; interactive television; interactive games; videogames;
8118 commercials; any format of digital media, including an interactive web
8119 site, created for distribution or exhibition to the general public; and
8120 any trailer, pilot, video teaser or demo created primarily to stimulate
8121 the sale, marketing, promotion or exploitation of future investment in
8122 either a product or a qualified production via any means and media in
8123 any digital media format, film or videotape, provided such program

8124 meets all the underlying criteria of a qualified production.

8125 (B) "Qualified production" shall not include any ongoing television
8126 program created primarily as news, weather or financial market
8127 reports, a production featuring current events, sporting events, an
8128 awards show or other gala event, a production whose sole purpose is
8129 fundraising, a long-form production that primarily markets a product
8130 or service, a production used for corporate training or in-house
8131 corporate advertising or other similar productions, or any production
8132 for which records are required to be maintained under 18 USC 2257
8133 with respect to sexually explicit content.

8134 (4) "Eligible production company" means a corporation, partnership,
8135 limited liability company, or other business entity engaged in the
8136 business of producing qualified productions on a one-time or ongoing
8137 basis, and qualified by the Secretary of the State to engage in business
8138 in the state.

8139 (5) "Production expenses or costs" means all expenditures clearly
8140 and demonstrably incurred in the state in the preproduction,
8141 production or postproduction costs of a qualified production,
8142 including:

8143 (A) Expenditures incurred in the state in the form of either
8144 compensation or purchases including production work, production
8145 equipment not eligible for the infrastructure tax credit provided in
8146 section 12-217kk, production software, postproduction work,
8147 postproduction equipment, postproduction software, set design, set
8148 construction, props, lighting, wardrobe, makeup, makeup accessories,
8149 special effects, visual effects, audio effects, film processing, music,
8150 sound mixing, editing, location fees, soundstages and any and all other
8151 costs or services directly incurred in connection with a state-certified
8152 qualified production;

8153 (B) Expenditures for distribution, including preproduction,
8154 production or postproduction costs relating to the creation of trailers,

8155 marketing videos, commercials, point-of-purchase videos and any and
8156 all content created on film or digital media, including the duplication
8157 of films, videos, CDs, DVDs and any and all digital files now in
8158 existence and those yet to be created for mass consumer consumption;
8159 the purchase, by a company in the state, of any and all equipment
8160 relating to the duplication or mass market distribution of any content
8161 created or produced in the state by any digital media format which is
8162 now in use and those formats yet to be created for mass consumer
8163 consumption; and

8164 (C) "Production expenses or costs" does not include the following:
8165 (i) On and after January 1, 2008, compensation in excess of fifteen
8166 million dollars paid to any individual or entity representing an
8167 individual, for services provided in the production of a qualified
8168 production and on or after January 1, 2010, compensation subject to
8169 Connecticut personal income tax in excess of twenty million dollars
8170 paid in the aggregate to any individuals or entities representing
8171 individuals, for star talent provided in the production of a qualified
8172 production; (ii) media buys, promotional events or gifts or public
8173 relations associated with the promotion or marketing of any qualified
8174 production; (iii) deferred, leveraged or profit participation costs
8175 relating to any and all personnel associated with any and all aspects of
8176 the production, including, but not limited to, producer fees, director
8177 fees, talent fees and writer fees; (iv) costs relating to the transfer of the
8178 production tax credits; (v) any amounts paid to persons or businesses
8179 as a result of their participation in profits from the exploitation of the
8180 qualified production; and (vi) any expenses or costs relating to an
8181 independent certification, as required by subsection (g) of this section,
8182 or as the **[**department**]** authority may otherwise require, pertaining to
8183 the amount of production expenses or costs set forth by an eligible
8184 production company in its application for a production tax credit.

8185 (6) "Sound recording" means a recording of music, poetry or
8186 spoken-word performance, but does not include the audio portions of
8187 dialogue or words spoken and recorded as part of a motion picture,

8188 video, theatrical production, television news coverage or athletic event.

8189 (7) "State-certified qualified production" means a qualified
8190 production produced by an eligible production company that (A) is in
8191 compliance with regulations adopted pursuant to subsection (k) of this
8192 section, (B) is authorized to conduct business in this state, and (C) has
8193 been approved by the **[**department**]** authority as qualifying for a
8194 production tax credit under this section.

8195 (8) "Interactive web site" means a web site, the production costs of
8196 which (A) exceed five hundred thousand dollars per income year, and
8197 (B) is primarily (i) interactive games or end user applications, or (ii)
8198 animation, simulation, sound, graphics, story lines or video created or
8199 repurposed for distribution over the Internet. An interactive web site
8200 does not include a web site primarily used for institutional, private,
8201 industrial, retail or wholesale marketing or promotional purposes, or
8202 which contains obscene content.

8203 (9) "Post-certification remedy" means the recapture, disallowance,
8204 recovery, reduction, repayment, forfeiture, decertification or any other
8205 remedy that would have the effect of reducing or otherwise limiting
8206 the use of a tax credit provided by this section.

8207 (10) "Compensation" means base salary or wages and does not
8208 include bonus pay, stock options, restricted stock units or similar
8209 arrangements.

8210 (b) The **[**Department of Economic and Community Development**]**
8211 Connecticut Economic Development Corporation shall administer a
8212 system of tax credit vouchers within the resources, requirements and
8213 purposes of this section for eligible production companies producing a
8214 state-certified qualified production in the state.

8215 (1) For income years commencing on or after January 1, 2006, but
8216 prior to January 1, 2010, any eligible production company incurring
8217 production expenses or costs in excess of fifty thousand dollars shall be

8218 eligible for a credit against the tax imposed under chapter 207 or this
8219 chapter equal to thirty per cent of such production expenses or costs.

8220 (2) For income years commencing on or after January 1, 2010, (A)
8221 any eligible production company incurring production expenses or
8222 costs of not less than one hundred thousand dollars, but not more than
8223 five hundred thousand dollars, shall be eligible for a credit against the
8224 tax imposed under chapter 207 or this chapter equal to ten per cent of
8225 such production expenses or costs, (B) any such company incurring
8226 such expenses or costs of more than five hundred thousand dollars,
8227 but not more than one million dollars, shall be eligible for a credit
8228 against the tax imposed under chapter 207 or this chapter equal to
8229 fifteen per cent of such production expenses or costs, and (C) any such
8230 company incurring such expenses or costs of more than one million
8231 dollars shall be eligible for a credit against the tax imposed under
8232 chapter 207 or this chapter equal to thirty per cent of such production
8233 expenses or costs.

8234 (c) No eligible production company incurring an amount of
8235 production expenses or costs that qualifies for such credit shall be
8236 eligible for such credit unless on or after January 1, 2010, such
8237 company conducts (1) not less than twenty-five per cent of principal
8238 photography days within the state, or (2) expends not less than fifty
8239 per cent of postproduction costs within the state, or (3) expends not
8240 less than one million dollars of postproduction costs within the state.

8241 (d) (1) For income years commencing on or after January 1, 2009, but
8242 prior to January 1, 2010, fifty per cent of production expenses or costs
8243 shall be counted toward such credit when incurred outside the state
8244 and used within the state, and one hundred per cent of such expenses
8245 or costs shall be counted toward such credit when incurred within the
8246 state and used within the state.

8247 (2) For income years commencing on or after January 1, 2010, no
8248 expenses or costs incurred outside the state and used within the state
8249 shall be eligible for a credit, and one hundred per cent of such

8250 expenses or costs shall be counted toward such credit when incurred
8251 within the state and used within the state.

8252 (e) On and after July 1, 2006, and for income years commencing on
8253 or after January 1, 2006, any credit allowed pursuant to this subsection
8254 may be sold, assigned or otherwise transferred, in whole or in part, to
8255 one or more taxpayers, provided no credit, after issuance, may be sold,
8256 assigned or otherwise transferred, in whole or in part, more than three
8257 times.

8258 (f) On and after July 1, 2006, and for income years commencing on
8259 or after January 1, 2006, all or part of any such credit allowed under
8260 this subsection shall be claimed against the tax imposed under chapter
8261 207 or this chapter for the income year in which the production
8262 expenses or costs were incurred, or in the three immediately
8263 succeeding income years. Any production tax credit allowed under
8264 this subsection shall be nonrefundable.

8265 (g) (1) An eligible production company shall apply to the
8266 **[**department**]** authority for a tax credit voucher on an annual basis, but
8267 not later than ninety days after the first production expenses or costs
8268 are incurred in the production of a qualified production, and shall
8269 provide with such application such information as the **[**department**]**
8270 authority may require to determine such company's eligibility to claim
8271 a credit under this section. No production expenses or costs may be
8272 listed more than once for purposes of the tax credit voucher pursuant
8273 to this section, or pursuant to section 12-217kk or 12-217*ll*, and if a
8274 production expense or cost has been included in a claim for a credit,
8275 such production expense or cost may not be included in any
8276 subsequent claim for a credit.

8277 (2) Not later than ninety days after the end of the annual period, or
8278 after the last production expenses or costs are incurred in the
8279 production of a qualified production, an eligible production company
8280 shall apply to the **[**department**]** authority for a production tax credit
8281 voucher, and shall provide with such application such information and

8282 independent certification as the [department] authority may require
8283 pertaining to the amount of such company's production expenses or
8284 costs. Such independent certification shall be provided by an audit
8285 professional chosen from a list compiled by the [department]
8286 authority. If the [department] authority determines that such company
8287 is eligible to be issued a production tax credit voucher, the
8288 [department] authority shall enter on the voucher the amount of
8289 production expenses or costs that has been established to the
8290 satisfaction of the [department] authority and the amount of such
8291 company's credit under this section. The [department] authority shall
8292 provide a copy of such voucher to the commissioner, upon request.

8293 (3) The [department] authority shall charge a reasonable
8294 administrative fee sufficient to cover the [department's] authority's
8295 costs to analyze applications submitted under this section.

8296 (h) If an eligible production company sells, assigns or otherwise
8297 transfers a credit under this section to another taxpayer, the transferor
8298 and transferee shall jointly submit written notification of such transfer
8299 to the [department] authority not later than thirty days after such
8300 transfer. If such transferee sells, assigns or otherwise transfers a credit
8301 under this section to a subsequent transferee, such transferee and such
8302 subsequent transferee shall jointly submit written notification of such
8303 transfer to the [department] authority not later than thirty days after
8304 such transfer. The notification after each transfer shall include the
8305 credit voucher number, the date of transfer, the amount of such credit
8306 transferred, the tax credit balance before and after the transfer, the tax
8307 identification numbers for both the transferor and the transferee, and
8308 any other information required by the [department] authority. Failure
8309 to comply with this subsection will result in a disallowance of the tax
8310 credit until there is full compliance on the part of the transferor and
8311 the transferee, and for a second or third transfer, on the part of all
8312 subsequent transferors and transferees. The [department] authority
8313 shall provide a copy of the notification of assignment to the
8314 commissioner upon request.

8315 (i) Any eligible production company that submits information to the
8316 [department] authority that it knows to be fraudulent or false shall, in
8317 addition to any other penalties provided by law, be liable for a penalty
8318 equal to the amount of such company's credit entered on the
8319 production tax credit certificate issued under this section.

8320 (j) No tax credits transferred pursuant to this section shall be subject
8321 to a post-certification remedy, and the [department] authority and the
8322 commissioner shall have no right, except in the case of possible
8323 material misrepresentation or fraud, to conduct any further or
8324 additional review, examination or audit of the expenditures or costs
8325 for which such tax credits were issued. The sole and exclusive remedy
8326 of the [department] authority and the commissioner shall be to seek
8327 collection of the amount of such tax credits from the entity that
8328 committed the fraud or misrepresentation.

8329 (k) The [department] commissioner, in consultation with the
8330 [commissioner] authority, shall adopt regulations, in accordance with
8331 the provisions of chapter 54, as may be necessary for the
8332 administration of this section.

8333 Sec. 193. Section 12-217kk of the general statutes is repealed and the
8334 following is substituted in lieu thereof (*Effective July 1, 2011*):

8335 (a) As used in this section:

8336 (1) "Commissioner" means the Commissioner of Revenue Services.

8337 (2) ["Department" means the Department of Economic and
8338 Community Development] "Authority" means the Connecticut
8339 Economic Development Corporation.

8340 (3) "Infrastructure project" means a capital project to provide basic
8341 buildings, facilities or installations needed for the functioning of the
8342 digital media and motion picture industry in this state.

8343 (4) "State-certified project" means an infrastructure project

8344 undertaken in this state by an entity that (A) is in compliance with
8345 regulations adopted pursuant to subsection (e) of this section, (B) is
8346 authorized to conduct business in this state, (C) is not in default on a
8347 loan made by the state or a loan guaranteed by the state, nor has ever
8348 declared bankruptcy under which an obligation of the entity to pay or
8349 repay public funds was discharged as a part of such bankruptcy, and
8350 (D) has been approved by the **[**department**]** authority as qualifying for
8351 an infrastructure tax credit under this section.

8352 (5) "Post-certification remedy" means the recapture, disallowance,
8353 recovery, reduction, repayment, forfeiture, decertification or any other
8354 remedy that would have the effect of reducing or otherwise limiting
8355 the use of a tax credit provided by this section.

8356 (b) (1) (A) For income years commencing prior to January 1, 2010,
8357 there shall be allowed a state-certified project credit against the tax
8358 imposed under chapter 207 or this chapter to any taxpayer that invests
8359 in a state-certified project. Such credit may be in the following
8360 amounts: (i) For state-certified projects costing greater than fifteen
8361 thousand dollars and less than one hundred fifty thousand dollars,
8362 each taxpayer may be allowed a tax credit of ten per cent of the
8363 investment made by such taxpayer; (ii) for state-certified projects
8364 costing one hundred fifty thousand dollars or more, but less than one
8365 million dollars, each taxpayer may be allowed a tax credit of fifteen per
8366 cent of the investment made by such taxpayer; and (iii) for state-
8367 certified projects costing one million dollars or more, each taxpayer
8368 may be allowed a tax credit of twenty per cent of the investment made
8369 by such taxpayer.

8370 (B) For income years commencing on or after January 1, 2010, there
8371 shall be allowed a state-certified project credit against the tax imposed
8372 under chapter 207 or this chapter to any taxpayer that invests three
8373 million dollars or more in a state-certified project in an amount equal
8374 to twenty per cent of the investment made by such taxpayer.

8375 (2) Eligible expenditures pursuant to this section shall include the

8376 following: All expenditures for a capital project to provide buildings,
8377 facilities or installations, whether a capital lease or purchase, together
8378 with necessary equipment for a film, video, television, digital
8379 production facility or digital animation production facility; project
8380 development, including design, professional consulting fees and
8381 transaction costs; development, preproduction, production, post-
8382 production and distribution equipment and system access; and fixtures
8383 and other equipment.

8384 (3) Any credit allowed pursuant to this section may be sold,
8385 assigned or otherwise transferred, in whole or in part, to one or more
8386 taxpayers, and such taxpayers may sell, assign or otherwise transfer, in
8387 whole or in part, such credit. Any taxpayer holding such credit may
8388 claim such credit only for the income year in which expenditures were
8389 made by the taxpayer for the infrastructure project.

8390 (4) Any credit allowed pursuant to this section shall be claimed
8391 against the tax imposed under chapter 207 or this chapter. If the
8392 amount of the credit allowable under this section exceeds the sum of
8393 any taxes due from a taxpayer, any such excess amount of the credit
8394 allowable under this section may be taken in any of the three
8395 immediately succeeding income years.

8396 (5) Any tax credit earned under this section shall be nonrefundable.

8397 (c) (1) An entity undertaking an infrastructure project shall apply to
8398 the **[**department**]** authority for an eligibility certificate not later than
8399 ninety days after the first expenses or costs are incurred, and shall
8400 provide with such application such information as the **[**department**]**
8401 authority may require to determine such infrastructure project's
8402 eligibility as a state-certified project.

8403 (2) Each application for an eligibility certificate shall include: (A) A
8404 detailed description of the infrastructure project; (B) a preliminary
8405 budget; (C) estimated completion date; and (D) such other information
8406 as the **[**department**]** authority may require. The **[**department**]** authority

8407 may require an independent audit of all project costs and expenditures
8408 prior to certification. If the [department] authority determines that
8409 such project is eligible to be a state-certified project, the [department]
8410 authority shall indicate the amount of costs or expenditures that has
8411 been established to the satisfaction of the [department] authority, and
8412 issue to such entity a tax credit certification letter for investors
8413 indicating the amount of tax credits available under this section. The
8414 [department] authority shall provide a copy of such letter to the
8415 commissioner, upon request.

8416 (3) Prior to the issuance of a state-certified project tax credit voucher
8417 to a taxpayer based upon the tax credit certification letter issued
8418 pursuant to subdivision (2) of this subdivision, the entity undertaking
8419 such infrastructure project shall provide the [department] authority
8420 with a description of the progress on such project and an estimated
8421 completion date. The [department] authority may require an
8422 independent audit of all project costs and expenditures prior to
8423 issuance of such tax credit voucher to a taxpayer. No such tax credit
8424 voucher may be issued prior to such time as such state-certified project
8425 is shown to be one hundred per cent complete.

8426 (4) The [department] authority shall charge a reasonable
8427 administrative fee sufficient to cover the [department's] authority's
8428 costs to analyze applications submitted under this section.

8429 (d) If a taxpayer sells, assigns or otherwise transfers a credit under
8430 this section to another taxpayer, the transferor and transferee shall
8431 jointly submit written notification of such transfer to the [department]
8432 authority not later than thirty days after such transfer. The notification
8433 shall include the credit certificate number, the date of transfer, the
8434 amount of such credit transferred, the tax credit balance before and
8435 after the transfer, the tax identification numbers for both the transferor
8436 and the transferee and any other information required by the
8437 commissioner. After the initial issuance of a tax credit, such credit may
8438 be sold, assigned or otherwise transferred not more than three times.

8439 Failure to comply with this subsection will result in a disallowance of
8440 the tax credit until there is full compliance on both the part of the
8441 transferor and the transferee, and all subsequent transferors and
8442 transferees. The **[**department**]** authority shall provide a copy of the
8443 notification of assignment to the commissioner upon request.

8444 (e) No tax credits transferred pursuant to this section shall be
8445 subject to a post-certification remedy, and the **[**department**]** authority
8446 and the commissioner shall have no right, except in the case of possible
8447 material misrepresentation or fraud, to conduct any further or
8448 additional review, examination or audit of the expenditures or costs
8449 for which such tax credits were issued. The sole and exclusive remedy
8450 of the **[**department**]** authority and the commissioner shall be to seek
8451 collection of the amount of such tax credits from the entity that
8452 committed the fraud or misrepresentation.

8453 (f) The **[**department**]** commissioner, in consultation with the
8454 **[**commissioner**]** authority, shall adopt regulations, in accordance with
8455 the provisions of chapter 54, as may be necessary for the
8456 administration of this section.

8457 Sec. 194. Section 12-217*ll* of the general statutes is repealed and the
8458 following is substituted in lieu thereof (*Effective July 1, 2011*):

8459 (a) As used in this section:

8460 (1) "Commissioner" means the Commissioner of Revenue Services.

8461 (2) **[**"Department" means the Department of Economic and
8462 Community Development**]** "Authority" means the Connecticut
8463 Economic Development Corporation.

8464 (3) "Digital animation production company" means a corporation,
8465 partnership, limited liability company or other business entity engaged
8466 exclusively in digital animation production activity on an ongoing
8467 basis, and that is qualified by the Secretary of the State to engage in
8468 business in the state.

8469 (4) "State-certified digital animation production company" means a
8470 digital animation production company that (A) maintains studio
8471 facilities located within the state at which digital animation production
8472 activities are conducted, (B) employs at least two hundred full-time
8473 employees within the state, (C) is in compliance with regulations
8474 adopted pursuant to subsection (h) of this section, and (D) has been
8475 certified by the **[**department**]** authority.

8476 (5) "Digital animation production activity" means the creation,
8477 development and production of computer-generated animation
8478 content for distribution or exhibition to the general public, but not for
8479 the production of any material for which records are required to be
8480 maintained under 18 USC 2257 with respect to sexually explicit
8481 content.

8482 (6) "Full-time employee" means an employee required to work at
8483 least thirty-five hours or more per week, and who is not a temporary
8484 or seasonal employee.

8485 (7) "Post-certification remedy" means the recapture, disallowance,
8486 recovery, reduction, repayment, forfeiture, decertification or any other
8487 remedy that would have the effect of reducing or otherwise limiting
8488 the use of a tax credit provided by this section.

8489 (8) "Production expenses or costs" means all expenditures clearly
8490 and demonstrably incurred in the state in the development,
8491 preproduction, production or postproduction costs of a digital
8492 animation production activity, including:

8493 (A) Expenditures for optioning or purchase of any intellectual
8494 property including, but not limited to, books, scripts, music or
8495 trademarks relating to the development or purchase of a script,
8496 screenplay or format, to the extent that such expenditures are less than
8497 thirty-five per cent of the production expenses or costs incurred by a
8498 digital animation production company in any income year. Such
8499 expenses or costs shall include all expenditures generally associated

8500 with the optioning or purchase of intellectual property, including
8501 option money, agent fees and attorney fees relating to the transaction,
8502 but shall not include any and all deferrals, deferments, profit
8503 participation or recourse or nonrecourse loans which the digital
8504 animation production company may negotiate in order to obtain the
8505 rights to the intellectual property;

8506 (B) Expenditures incurred in the form of either compensation or
8507 purchases including production work, production equipment not
8508 eligible for the infrastructure tax credit provided in section 12-217kk,
8509 production software, postproduction work, postproduction
8510 equipment, postproduction software, set design, set construction,
8511 props, lighting, wardrobe, makeup, makeup accessories, special
8512 effects, visual effects, audio effects, actors, voice talent, film processing,
8513 music, sound mixing, editing, location fees, soundstages, rent, utilities,
8514 insurance, administrative support, systems support, all reasonably-
8515 related expenses in connection with digital animation production
8516 activity, and any and all other costs or services directly incurred in the
8517 state in connection with a state-certified digital animation production
8518 company;

8519 (C) Expenditures for distribution, including preproduction,
8520 production or postproduction costs relating to the creation of trailers,
8521 marketing videos, short films, commercials, point-of-purchase videos
8522 and any and all content created on film or digital media, including the
8523 duplication of films, videos, CDs, DVDs and any and all digital files
8524 now in existence and those yet to be created for mass consumer
8525 consumption; the purchase, by a company in the state, of any and all
8526 equipment relating to the duplication or mass market distribution of
8527 any content created or produced in the state by any digital media
8528 format which is now in use and those formats yet to be created for
8529 mass consumer consumption; and

8530 (D) "Production expenses or costs" does not include the following:
8531 (i) Compensation in excess of fifteen million dollars paid to any

8532 individual or entity representing an individual, for services provided
8533 in a digital animation production activity and, on or after January 1,
8534 2010, compensation subject to Connecticut personal income tax in
8535 excess of twenty million dollars paid in the aggregate to any
8536 individuals or entities representing individuals, for star talent
8537 provided in a digital animation production activity; (ii) media buys,
8538 promotional events or gifts or public relations associated with the
8539 promotion or marketing of any digital animation production activity;
8540 (iii) deferred, leveraged or profit participation costs relating to any and
8541 all personnel associated with any and all aspects of the production,
8542 including, but not limited to, producer fees, director fees, talent fees
8543 and writer fees; (iv) costs relating to the transfer of the digital
8544 animation tax credits; (v) any amounts paid to persons or businesses as
8545 a result of their participation in profits from the exploitation of the
8546 digital animation production activity; and (vi) any expenses or costs
8547 relating to an independent certification, as required by subsection (c)
8548 of this section, or as the **[**department**]** authority may otherwise require,
8549 pertaining to the amount of production expenses or costs set forth by a
8550 state-certified digital animation company in its application for a digital
8551 animation tax credit.

8552 (b) (1) The **[**Department of Economic and Community
8553 Development**]** Connecticut Economic Development Corporation shall
8554 administer a system of tax credit vouchers within the resources,
8555 requirements and purposes of this section for digital animation
8556 production companies undertaking digital animation production
8557 activity in the state.

8558 (A) For income years commencing on or after January 1, 2007, but
8559 prior to January 1, 2010, any state-certified digital animation
8560 production company incurring production expenses or costs in excess
8561 of fifty thousand dollars shall be eligible for a credit against the tax
8562 imposed under chapter 207 or this chapter, equal to thirty per cent of
8563 such production expenses or costs.

8564 (B) For income years commencing on or after January 1, 2010, (i) any
8565 state-certified digital animation production company incurring
8566 production expenses or costs of not less than one hundred thousand
8567 dollars, but not more than five hundred thousand dollars, shall be
8568 eligible for a credit against the tax imposed under chapter 207 or this
8569 chapter equal to ten per cent of such production expenses or costs, (ii)
8570 any such company incurring such expenses or costs of more than five
8571 hundred thousand dollars, but not more than one million dollars, shall
8572 be eligible for a credit against the tax imposed under chapter 207 or
8573 this chapter equal to fifteen per cent of such production expenses or
8574 costs, and (iii) any such company incurring such expenses or costs of
8575 more than one million dollars shall be eligible for a credit against the
8576 tax imposed under chapter 207 or this chapter equal to thirty per cent
8577 of such production expenses or costs.

8578 (2) Any credit allowed pursuant to this section may be sold,
8579 assigned or otherwise transferred, in whole or in part, to one or more
8580 taxpayers, provided no credit, after issuance, may be sold, assigned or
8581 otherwise transferred, in whole or in part, more than three times.

8582 (3) All or part of any credit allowed pursuant to this section shall be
8583 claimed against the tax imposed under chapter 207 or this chapter, for
8584 the income year in which the production expenses or costs were
8585 incurred, or in the three immediately succeeding income years. Any
8586 digital animation tax credit allowed under this section shall be
8587 nonrefundable.

8588 (4) Any digital animation production company receiving a digital
8589 animation tax credit pursuant to this section shall not be eligible to
8590 apply for or receive a tax credit pursuant to section 12-217jj, as
8591 amended by this act.

8592 (c) (1) Not more frequently than twice during the income year of a
8593 state-certified digital animation production company, such company
8594 may apply to the **[**department**]** authority for a digital animation tax
8595 credit voucher, and shall provide with such application such

8596 information and independent certification as the [department]
8597 authority may require pertaining to the amount of such company's
8598 production expenses or costs incurred during the period for which
8599 such application is made. Such independent certification shall be
8600 provided by an audit professional chosen from a list compiled by the
8601 [department] authority. If the [department] authority determines that
8602 the company is eligible to be issued a tax credit voucher, the
8603 [department] authority shall enter on the voucher the amount of
8604 production expenses and costs incurred during the period for which
8605 the voucher is issued and the amount of tax credits issued pursuant to
8606 such voucher. The [department] authority shall provide a copy of such
8607 voucher to the commissioner upon request.

8608 (2) The [department] authority shall charge a reasonable
8609 administrative fee sufficient to cover the [department's] authority's
8610 costs to analyze applications submitted under this section.

8611 (d) If a state-certified digital animation production company sells,
8612 assigns or otherwise transfers a credit under this section to another
8613 taxpayer, the transferor and transferee shall jointly submit written
8614 notification of such transfer to the [department] authority not later
8615 than thirty days after such transfer. If such transferee sells, assigns or
8616 otherwise transfers a credit under this section to a subsequent
8617 transferee, such transferee and such subsequent transferee shall jointly
8618 submit written notification of such transfer to the [department]
8619 authority not later than thirty days after such transfer. The notification
8620 after each transfer shall include the credit voucher number, the date of
8621 transfer, the amount of such credit transferred, the tax credit balance
8622 before and after the transfer, the tax identification numbers for both
8623 the transferor and the transferee, and any other information required
8624 by the [department] authority. Failure to comply with this subsection
8625 will result in a disallowance of the tax credit until there is full
8626 compliance on the part of the transferor and the transferee, and for a
8627 second or third transfer, on the part of all subsequent transferors and
8628 transferees. The [department] authority shall provide a copy of the

8629 notification of assignment to the commissioner upon request.

8630 (e) Any state-certified digital animation production company that
8631 submits information to the department that it knows to be fraudulent
8632 or false shall, in addition to any other penalties provided by law, be
8633 liable for a penalty equal to the amount of such company's credit
8634 entered on the digital animation tax credit certificate issued under this
8635 section.

8636 (f) No tax credits transferred pursuant to this section shall be subject
8637 to a post-certification remedy, and the **[**department**]** authority and the
8638 commissioner shall have no right, except in the case of possible
8639 material misrepresentation or fraud, to conduct any further or
8640 additional review, examination or audit of the expenditures or costs
8641 for which such tax credits were issued. The sole and exclusive remedy
8642 of the **[**department**]** authority and the commissioner shall be to seek
8643 collection of the amount of such tax credits from the entity that
8644 committed the fraud or misrepresentation.

8645 (g) The aggregate amount of all tax credits which may be reserved
8646 by the **[**department**]** authority pursuant to this section shall not exceed
8647 fifteen million dollars in any one fiscal year.

8648 (h) The **[**department**]** commissioner, in consultation with the
8649 **[**commissioner**]** authority, shall adopt regulations, in accordance with
8650 the provisions of chapter 54, as may be necessary for the
8651 administration of this section.

8652 Sec. 195. Subdivision (5) of subsection (a) of section 12-217mm of the
8653 general statutes is repealed and the following is substituted in lieu
8654 thereof (*Effective July 1, 2011*):

8655 (5) "Enterprise zone" means an area in a municipality designated by
8656 the **[**Commissioner of Economic and Community Development**]**
8657 executive director of the Connecticut Economic Development
8658 Corporation as an enterprise zone in accordance with the provisions of

8659 section 32-70;

8660 Sec. 196. Subdivision (3) of subsection (a) of section 12-704d of the
8661 general statutes is repealed and the following is substituted in lieu
8662 thereof (*Effective July 1, 2011*):

8663 (3) "Connecticut business" means any business with its principal
8664 place of business in Connecticut that is engaged in bioscience,
8665 advanced materials, photonics, information technology, clean
8666 technology or any other emerging technology as determined by the
8667 **[**Commissioner of Economic and Community Development**]** executive
8668 director of the Connecticut Economic Development Corporation;

8669 Sec. 197. Subsections (d) and (e) of section 12-704d of the general
8670 statutes are repealed and the following is substituted in lieu thereof
8671 (*Effective July 1, 2011*):

8672 (d) (1) A Connecticut business may apply to **[**Connecticut
8673 Innovations, Incorporated,**]** the Connecticut Economic Development
8674 Corporation for approval as a Connecticut business qualified to receive
8675 cash investments eligible for a tax credit pursuant to this section. The
8676 application shall include (A) the name of the business and a copy of
8677 the organizational documents of such business, (B) a business plan,
8678 including a description of the business and the management, product,
8679 market and financial plan of the business, (C) a description of the
8680 business's innovative and proprietary technology, product or service,
8681 (D) a statement of the potential economic impact of the business,
8682 including the number, location and types of jobs expected to be
8683 created, (E) a description of the qualified securities to be issued and the
8684 amount of cash investment sought by the qualified Connecticut
8685 business, (F) a statement of the amount, timing and projected use of
8686 the proceeds to be raised from the proposed sale of qualified securities,
8687 and (G) such other information as the executive director of
8688 **[**Connecticut Innovations, Incorporated,**]** the Connecticut Economic
8689 Development Corporation may require.

8690 (2) Said executive director shall, on or before August 1, 2010, and
8691 monthly thereafter, compile a list of approved applications,
8692 categorized by the cash investments being sought by the qualified
8693 Connecticut business and type of qualified securities offered.

8694 (e) (1) Any angel investor that intends to make a cash investment in
8695 a business on such list may apply to **[**Connecticut Innovations,
8696 Incorporated,**]** the Connecticut Economic Development Corporation to
8697 reserve a tax credit in the amount indicated by such investor. The
8698 aggregate amount of all tax credits under this section that may be
8699 reserved by **[**Connecticut Innovations, Incorporated,**]** the Connecticut
8700 Economic Development Corporation shall not exceed six million
8701 dollars annually for the fiscal years commencing July 1, 2010, to July 1,
8702 2012, inclusive, and shall not exceed three million dollars in each fiscal
8703 year thereafter. **[**Connecticut Innovations, Incorporated,**]** The
8704 Connecticut Economic Development Corporation shall not reserve tax
8705 credits under this section for any investment made on or after July 1,
8706 2014.

8707 (2) The amount of the credit allowed to any investor pursuant to this
8708 section shall not exceed the amount of tax due from such investor
8709 under this chapter, other than section 12-707, with respect to such
8710 taxable year. Any tax credit that is claimed by the angel investor but
8711 not applied against the tax due under this chapter, other than the
8712 liability imposed under section 12-707, may be carried forward for the
8713 five immediately succeeding taxable years until the full credit has been
8714 applied.

8715 Sec. 198. Subsection (g) of section 12-704d of the general statutes is
8716 repealed and the following is substituted in lieu thereof (*Effective July*
8717 *1, 2011*):

8718 (g) A review of the effectiveness of the credit under this section shall
8719 be conducted by **[**Connecticut Innovations, Incorporated,**]** the
8720 Connecticut Economic Development Corporation by July 1, 2014. Such
8721 review shall be submitted to the joint standing committee of the

8722 General Assembly having cognizance of matters relating to commerce.

8723 Sec. 199. Section 13b-31c of the general statutes is repealed and the
8724 following is substituted in lieu thereof (*Effective July 1, 2011*):

8725 The Commissioner of Transportation, in consultation with the
8726 **[**Commissioners**]** Commissioner of Environmental Protection, **[**and
8727 Economic and Community Development,**]** may designate state
8728 highways or portions thereof as scenic roads. Any alteration of a scenic
8729 road shall maintain the character of such road when so designated, if
8730 practical.

8731 Sec. 200. Section 13b-31e of the general statutes is repealed and the
8732 following is substituted in lieu thereof (*Effective July 1, 2011*):

8733 The Commissioner of Transportation, in consultation with the
8734 **[**Commissioners**]** Commissioner of Environmental Protection, **[**and
8735 Economic and Community Development,**]** shall adopt regulations in
8736 accordance with the provisions of chapter 54 setting forth special
8737 maintenance and improvement standards for scenic roads which shall
8738 include provisions for widening of the right-of-way or traveled portion
8739 of the highway and for guardrails, paving, changes of grade,
8740 straightening and removal of stone walls or mature trees. In adopting
8741 such regulations the commissioner shall consider the protection of
8742 historic and natural features of scenic roads.

8743 Sec. 201. Subsection (a) of section 13b-38a of the general statutes is
8744 repealed and the following is substituted in lieu thereof (*Effective July*
8745 *1, 2011*):

8746 (a) The Department of Transportation shall assist all employers in
8747 the state who employ or provide parking facilities for one hundred or
8748 more employees in one location, in establishing a commuter, trip-to-
8749 work program. The Department of Transportation, working in
8750 coordination with the Office of Policy and Management **[**,**]** and the
8751 Department of Environmental Protection, **[**and the Department of

8752 Economic and Community Development,] shall provide to such
8753 employers information for commuting to work, which information
8754 shall include, but not be limited to, the following: (1) Schedules and
8755 types of available modes of public transportation in the employer's
8756 region; (2) maps and listings of state commuter parking lot locations;
8757 (3) estimates of cost savings to individual employees where
8758 determinable; (4) sources of available federal and state funds,
8759 including subsidies, to aid in the implementation of employee
8760 commuter, trip-to-work programs; (5) available tax incentives to
8761 employers for participation in such program; (6) lists of state, regional
8762 and local officials operating transit districts, who may assist the
8763 employer in such a program; and (7) literature, posters, pamphlets and
8764 cost savings charts. All employers in the state who employ or provide
8765 parking facilities to one hundred or more employees in one location,
8766 who wish to participate in a commuter, trip-to-work program, shall
8767 submit to the Department of Transportation on forms provided by the
8768 commissioner, the work schedules, residence addresses and usual
8769 mode of transportation of their employees. Following an employer's
8770 request for a commuter, trip-to-work program, the department, in
8771 conjunction with any other state agency having jurisdiction, shall
8772 render necessary assistance in the implementation of the program.
8773 Based upon information received from the employer and in the order
8774 received, the Department of Transportation shall furnish to such
8775 employers a proposed commuter, trip-to-work program for their
8776 employees. Said program shall include at no cost to the employer: (A)
8777 A computer matching of employees for potential carpool, vanpool and
8778 buspool services; (B) technical assistance to the employer in
8779 implementing carpools, vanpools and buspools and utilizing existing
8780 transit systems at the employer's work location.

8781 Sec. 202. Subsection (a) of section 13b-51a of the general statutes is
8782 repealed and the following is substituted in lieu thereof (*Effective July*
8783 *1, 2011*):

8784 (a) There shall be in the Department of Transportation a Connecticut

8785 Maritime Commission which shall consist of [fifteen] fourteen
8786 members, as follows: (1) The Commissioners of Transportation [,
8787 Economic and Community Development] and Environmental
8788 Protection, the Secretary of the Office of Policy and Management and
8789 the chairman of the Transportation Strategy Board, established
8790 pursuant to section 13b-57e, or their respective designees; (2) four
8791 members appointed by the Governor; and (3) one member each
8792 appointed by the president pro tempore of the Senate, the speaker of
8793 the House of Representatives, the majority leader of the Senate, the
8794 minority leader of the Senate, the majority leader of the House of
8795 Representatives and the minority leader of the House of
8796 Representatives. All appointed members shall serve for terms
8797 coterminous with their appointing authority and until their successor
8798 is appointed and has qualified. Vacancies on said commission shall be
8799 filled for the remainder of the term in the same manner as original
8800 appointments.

8801 Sec. 203. Subdivision (2) of subsection (b) of section 13b-57d of the
8802 general statutes is repealed and the following is substituted in lieu
8803 thereof (*Effective July 1, 2011*):

8804 (2) "Economic development plan" means a comprehensive plan
8805 describing (A) existing economic development projects, and (B)
8806 proposed economic development projects for which a letter of
8807 commitment has been issued by the [Department of Economic and
8808 Community Development] Connecticut Economic Development
8809 Corporation; and

8810 Sec. 204. Subdivision (3) of subsection (a) of section 13b-57e of the
8811 general statutes is repealed and the following is substituted in lieu
8812 thereof (*Effective July 1, 2011*):

8813 (3) The Commissioners of Transportation, Environmental Protection
8814 [, Economic and Community Development] and Public Safety, and the
8815 Secretary of the Office of Policy and Management, or their respective
8816 designees.

8817 Sec. 205. Subsection (f) of section 13b-57e of the general statutes is
8818 repealed and the following is substituted in lieu thereof (*Effective July*
8819 *1, 2011*):

8820 (f) The Secretary of the Office of Policy and Management shall be
8821 responsible for staff support for the board. The secretary may utilize
8822 the staff of said office and, in consultation with the responsible agency
8823 head, the Department of Transportation **[**, the Department of Economic
8824 and Community Development,**]** or any other state agency for that
8825 purpose. Within available appropriations, the board may hire
8826 consultants with approval by the secretary, and such consultants shall
8827 be procured through the Office of Policy and Management or the
8828 Department of Transportation, as determined by the secretary.

8829 Sec. 206. Subsection (j) of section 13b-57g of the general statutes is
8830 repealed and the following is substituted in lieu thereof (*Effective July*
8831 *1, 2011*):

8832 (j) Not later than January 1, 2007, and quadrennially thereafter, the
8833 board shall review and, if necessary, revise the strategy adopted
8834 pursuant to subsection (a) of this section. A report describing any
8835 revisions and the reasons for such revisions shall be submitted to the
8836 Governor and, pursuant to section 11-4a, the General Assembly. Such
8837 report shall include a prioritized list of projects which the board, in
8838 consultation with the commissioner, determines are necessary to
8839 implement the recommended strategy, including the estimated capital
8840 and operating costs and time frame of such projects, and completion
8841 schedule for all projects. Not later than January 31, 2007, and
8842 quadrennially thereafter, the joint standing committees of the General
8843 Assembly having cognizance of matters relating to transportation,
8844 finance, revenue and bonding and planning and development and the
8845 chairpersons and ranking members of the joint standing committee
8846 having cognizance of matters relating to commerce shall meet with the
8847 **[**Commissioners**]** Commissioner of Transportation, **[**and Economic and
8848 Community Development,**]** the Secretary of the Office of Policy and

8849 Management, the chairperson of the Transportation Strategy Board
8850 and such other persons as they deem appropriate to consider the
8851 report required by this subsection.

8852 Sec. 207. Section 13b-79s of the general statutes is repealed and the
8853 following is substituted in lieu thereof (*Effective July 1, 2011*):

8854 The Secretary of the Office of Policy and Management shall (1) in
8855 consultation with the Commissioners of Transportation **[**, Economic
8856 and Community Development**]** and Environmental Protection, ensure
8857 the coordination of state and regional transportation planning with
8858 other state planning efforts, including, but not limited to, economic
8859 development and housing plans; (2) coordinate interagency policy and
8860 initiatives concerning transportation; (3) in consultation with the
8861 Commissioner of Transportation, evaluate transportation initiatives
8862 and proposed expenditures; and (4) coordinate staff and consultant
8863 services for the Transportation Strategy Board.

8864 Sec. 208. Subsection (b) of section 13b-79z of the general statutes is
8865 repealed and the following is substituted in lieu thereof (*Effective July*
8866 *1, 2011*):

8867 (b) During the month of December of each year, the joint standing
8868 committees of the General Assembly having cognizance of matters
8869 relating to transportation, finance, revenue and bonding and planning
8870 and development shall meet with the **[**Commissioners**]** Commissioner
8871 of Transportation **[**and Economic and Community Development**]** and
8872 the Secretary of the Office of Policy and Management and such other
8873 persons as they deem appropriate to consider the report required by
8874 subsection (a) of this section.

8875 Sec. 209. Subsection (b) of section 14-11c of the general statutes is
8876 repealed and the following is substituted in lieu thereof (*Effective July*
8877 *1, 2011*):

8878 (b) The Motor Carrier Advisory Council shall consist of the

8879 following voting members: The Commissioners of Transportation,
8880 Motor Vehicles, Public Safety, Revenue Services **[**, Economic and
8881 Community Development**]** and Environmental Protection, or their
8882 designees, and any other commissioner of a state agency, or such
8883 commissioner's designee, invited to participate. The Commissioner of
8884 Motor Vehicles or the commissioner's designee shall organize and
8885 serve as chairperson of the council. The council shall only make
8886 recommendations or take actions by a unanimous vote of all members
8887 present and voting. The council may make recommendations as the
8888 council deems appropriate to the United States Congress, the Governor
8889 or the General Assembly.

8890 Sec. 210. Subsection (b) of section 15-101mm of the general statutes
8891 is repealed and the following is substituted in lieu thereof (*Effective July*
8892 *1, 2011*):

8893 (b) The Bradley Board of Directors shall consist of **[**seven**]** <u>six</u>
8894 members, appointed as follows: The Commissioner of Transportation<u>,</u>
8895 **[**and the Commissioner of Economic and Community Development,
8896 each**]** serving ex-officio, a representative appointed by the speaker of
8897 the House of Representatives from the Connecticut Transportation
8898 Strategy Board, created by section 13b-57e, a representative appointed
8899 by the minority leader of the House of Representatives from among
8900 the members of the Bradley International Community Advisory Board,
8901 as created by section 15-101pp and three private sector members
8902 appointed as follows: (A) The Governor shall appoint one member,
8903 who shall be the chairperson, and whose first term shall expire on June
8904 30, 2005, (B) the president pro tempore of the Senate shall appoint one
8905 member whose first term shall expire on June 30, 2005, (C) the minority
8906 leader of the Senate shall appoint one member whose first term shall
8907 expire on June 30, 2005. The term of office of each successor shall be
8908 four years.

8909 Sec. 211. Subsection (d) of section 16-19e of the general statutes is
8910 repealed and the following is substituted in lieu thereof (*Effective July*

8911 *1, 2011*):

8912 (d) The Commissioner of Environmental Protection, **[**the
8913 Commissioner of Economic and Community Development,**]** the
8914 Connecticut Siting Council and the Office of Policy and Management
8915 shall be made parties to each proceeding on a rate amendment
8916 proposed by a gas, electric or electric distribution company based
8917 upon an alleged need for increased revenues to finance an expansion
8918 of capital equipment and facilities, and shall participate in such
8919 proceedings to the extent necessary.

8920 Sec. 212. Subsection (h) of section 16-50j of the general statutes is
8921 repealed and the following is substituted in lieu thereof (*Effective July*
8922 *1, 2011*):

8923 (h) Prior to commencing any hearing pursuant to section 16-50m,
8924 the council shall consult with and solicit written comments from the
8925 Department of Environmental Protection, the Department of Public
8926 Health, the Council on Environmental Quality, the Department of
8927 Agriculture, the Department of Public Utility Control, the Office of
8928 Policy and Management **[**, the Department of Economic and
8929 Community Development**]** and the Department of Transportation. In
8930 addition, the Department of Environmental Protection shall have the
8931 continuing responsibility to investigate and report to the council on all
8932 applications which prior to October 1, 1973, were within the
8933 jurisdiction of said Department of Environmental Protection with
8934 respect to the granting of a permit. Copies of such comments shall be
8935 made available to all parties prior to the commencement of the
8936 hearing. Subsequent to the commencement of the hearing, said
8937 departments and council may file additional written comments with
8938 the council within such period of time as the council designates. All
8939 such written comments shall be made part of the record provided by
8940 section 16-50o. Said departments and council shall not enter any
8941 contract or agreement with any party to the proceedings or hearings
8942 described in this section or section 16-50p, that requires said

8943 departments or council to withhold or retract comments, refrain from
8944 participating in or withdraw from said proceedings or hearings.

8945 Sec. 213. Subsection (a) of section 16-261a of the general statutes is
8946 repealed and the following is substituted in lieu thereof (*Effective July*
8947 *1, 2011*):

8948 (a) There is established an interagency task force to study electric
8949 and magnetic fields. The task force shall determine the appropriate
8950 role of the state in addressing the potential problems associated with
8951 electric and magnetic fields and may make recommendations to the
8952 General Assembly regarding any legislation which it deems
8953 appropriate. The task force shall consist of (1) the Commissioner of
8954 Public Health or his designee; (2) the Commissioner of Environmental
8955 Protection or his designee; (3) **[**the Commissioner of Economic and
8956 Community Development or his designee; (4)**]** the Secretary of the
8957 Office of Policy and Management or his designee; **[**(5)**]** (4) the
8958 chairperson of the Public Utilities Control Authority or his designee;
8959 and **[**(6)**]** (5) the chairman of the Connecticut Siting Council or his
8960 designee.

8961 Sec. 214. Subsection (b) of section 16a-14a of the general statutes is
8962 repealed and the following is substituted in lieu thereof (*Effective July*
8963 *1, 2011*):

8964 (b) The secretary shall adopt regulations in accordance with chapter
8965 54 **[**, in consultation with the Commissioner of Economic and
8966 Community Development,**]** to govern the operation of any such grant
8967 program and to define small businesses, or specific categories thereof,
8968 which are eligible for such grants. Priority shall be accorded to the
8969 development of small scale technology applicable to residential
8970 dwellings and municipal facilities.

8971 Sec. 215. Section 16a-35c of the general statutes is repealed and the
8972 following is substituted in lieu thereof (*Effective July 1, 2011*):

8973 (a) As used in this section and sections 16a-35d to 16a-35g, inclusive:

8974 (1) "Funding" includes any form of assurance, guarantee, grant
8975 payment, credit, tax credit or other assistance, including a loan, loan
8976 guarantee, or reduction in the principal obligation of or rate of interest
8977 payable on a loan or a portion of a loan;

8978 (2) "Growth-related project" means any project which includes (A)
8979 the acquisition of real property when the acquisition costs are in excess
8980 of one hundred thousand dollars, except the acquisition of open space
8981 for the purposes of conservation or preservation; (B) the development
8982 or improvement of real property when the development costs are in
8983 excess of one hundred thousand dollars; (C) the acquisition of public
8984 transportation equipment or facilities when the acquisition costs are in
8985 excess of one hundred thousand dollars; or (D) the authorization of
8986 each state grant, any application for which is not pending on July 1,
8987 2006, for an amount in excess of one hundred thousand dollars, for the
8988 acquisition or development or improvement of real property or for the
8989 acquisition of public transportation equipment or facilities, except the
8990 following: (i) Projects for maintenance, repair, additions or renovations
8991 to existing facilities, acquisition of land for telecommunications towers
8992 whose primary purpose is public safety, parks, conservation and open
8993 space, and acquisition of agricultural, conservation and historic
8994 easements; (ii) funding by the **[**Department of Economic and
8995 Community Development**]** Connecticut Economic Development
8996 Corporation for any project financed with federal funds used to
8997 purchase or rehabilitate existing single or multi-family housing or
8998 projects financed with the proceeds of revenue bonds if the
8999 **[**Commissioner of Economic and Community Development**]** executive
9000 director of the Connecticut Economic Development Corporation
9001 determines that application of this section and sections 16a-35d and
9002 16a-35e (I) conflicts with any provision of federal or state law
9003 applicable to the issuance or tax-exempt status of the bonds or any
9004 provision of any trust agreement between the **[**Department of
9005 Economic and Community Development**]** Connecticut Economic

9006 Development Corporation and any trustee, or (II) would otherwise
9007 prohibit financing of an existing project or financing provided to cure
9008 or prevent any default under existing financing; (iii) projects that the
9009 [Commissioner of Economic and Community Development] executive
9010 director of the Connecticut Economic Development Corporation
9011 determines promote fair housing choice and racial and economic
9012 integration as described in section 8-37cc; (iv) projects at an existing
9013 facility needed to comply with state environmental or health laws or
9014 regulations adopted thereunder; (v) school construction projects
9015 funded by the Department of Education under chapter 173; (vi)
9016 libraries; (vii) municipally owned property or public buildings used
9017 for government purposes; and (viii) any other project, funding or other
9018 state assistance not included under subparagraphs (A) to (D),
9019 inclusive, of this subdivision.

9020 (3) "Priority funding area" means the area of the state designated
9021 under subsection (b) of this section.

9022 (b) The Secretary of the Office of Policy and Management, in
9023 consultation with the Commissioners of [Economic and Community
9024 Development,] Environmental Protection, Public Works, Agriculture,
9025 Transportation, the executive director of the Connecticut Economic
9026 Development Corporation, the chairman of the Transportation
9027 Strategy Board, the regional planning agencies in the state and any
9028 other persons or entities the secretary deems necessary shall develop
9029 recommendations for delineation of the boundaries of priority funding
9030 areas in the state and for revisions thereafter. In making such
9031 recommendations the secretary shall consider areas designated as
9032 regional centers, growth areas, neighborhood conservation areas and
9033 rural community centers on the state plan of conservation and
9034 development, redevelopment areas, distressed municipalities, as
9035 defined in section 32-9p; targeted investment communities, as defined
9036 in section 32-222; public investment communities, as defined in section
9037 7-545, enterprise zones, designated by the [Commissioner of Economic
9038 and Community Development] executive director of the Connecticut

9039 Economic Development Corporation under section 32-70, as amended
9040 by this act, corridor management areas identified in the state plan of
9041 conservation and development and the principles of the
9042 Transportation Strategy Board approved under section 13b-57h. The
9043 secretary shall submit the recommendations to the Continuing
9044 Legislative Committee on State Planning and Development established
9045 pursuant to section 4-60d for review when the state plan of
9046 conservation and development is submitted to such committee in
9047 accordance with section 16a-29. The committee shall report its
9048 recommendations to the General Assembly at the time said state plan
9049 is submitted to the General Assembly under section 16a-30. The
9050 boundaries shall become effective upon approval of the General
9051 Assembly.

9052 Sec. 216. Section 16a-35h of the general statutes is repealed and the
9053 following is substituted in lieu thereof (*Effective July 1, 2011*):

9054 The [Commissioners] Commissioner of Environmental Protection
9055 [and Economic and Community Development] shall, in consultation
9056 with the Secretary of the Office of Policy and Management and the
9057 executive director of the Connecticut Economic Development
9058 Corporation, establish a pilot program to identify and evaluate
9059 brownfield sites in priority funding areas designated pursuant to
9060 section 16a-35c. Said [commissioners] commissioner and executive
9061 director will work with state and local agencies as a coordinated team
9062 to identify all necessary permits and approvals for development,
9063 conduct outreach to solicit development proposals, and coordinate to
9064 review all requests for funding and permit approvals.

9065 Sec. 217. Subsections (f) and (g) of section 16a-38 of the general
9066 statutes are repealed and the following is substituted in lieu thereof
9067 (*Effective July 1, 2011*):

9068 (f) The [Commissioner of Economic and Community Development]
9069 executive director of the Connecticut Economic Development
9070 Corporation and the Secretary of the Office of Policy and Management

9071 shall jointly establish and publish energy performance standards for
9072 buildings constructed as part of state-owned and state-financed
9073 housing projects and establish standards for life-cycle cost analyses for
9074 such projects. In establishing such standards, the **[**commissioner**]**
9075 executive director and secretary shall consider (1) the coordination,
9076 positioning and solar orientation of the project on its situs, (2) the
9077 amount of glazing, degree of sun shading and direction of exposure,
9078 (3) the levels of insulation incorporated into the design, (4) the variable
9079 occupancy and operating conditions of the facility, (5) all architectural
9080 features which affect energy consumption, and (6) the design and
9081 location of all heating, cooling, hot water and electrical systems.

9082 (g) Notwithstanding any provision in this section concerning the
9083 review of life-cycle cost analyses by the Commissioner of Public
9084 Works, a life-cycle cost analysis of a major capital project prepared for
9085 the Department of Housing shall be reviewed by the **[**Commissioner of
9086 Economic and Community Development**]** executive director of the
9087 Connecticut Economic Development Corporation and the Secretary of
9088 the Office of Policy and Management to determine if such analysis is in
9089 compliance with the life-cycle cost analyses standards established for
9090 such project under subsection (f) of this section.

9091 Sec. 218. Subsection (a) of section 16a-41 of the general statutes is
9092 repealed and the following is substituted in lieu thereof (*Effective July*
9093 *1, 2011*):

9094 (a) Any public or private agency or organization administering an
9095 energy assistance program which is funded or administered, in whole
9096 or in part, by the state shall take simultaneous applications from
9097 applicants for all energy assistance programs and energy conservation
9098 loan, grant, audit or service programs which that agency or
9099 organization administers and for which an applicant may be eligible
9100 and shall provide the applicants with written summaries of all such
9101 programs administered by other agencies and organizations and for
9102 which an applicant may be eligible. Any public or private agency or

9103 organization administering an energy conservation loan, grant, audit
9104 or service program or renewable resources loan, grant or service
9105 program which is funded or administered, in whole or in part, by the
9106 state shall provide applicants with written summaries of all other such
9107 programs in the state for which an applicant may be eligible. The
9108 Department of Social Services, in consultation with the **[**Department of
9109 Economic and Community Development and the**]** Department of
9110 Public Utility Control, shall adopt regulations in accordance with the
9111 provisions of chapter 54 to carry out the purposes of this subsection.
9112 Such regulations shall, without limitation, set forth requirements for
9113 the form and content of the summaries. The Department of Social
9114 Services shall be responsible for collecting and disseminating
9115 information on all such programs in the state to agencies and
9116 organizations administering the programs.

9117 Sec. 219. Subsection (a) of section 17a-3 of the general statutes is
9118 repealed and the following is substituted in lieu thereof (*Effective July*
9119 *1, 2011*):

9120 (a) The department shall plan, create, develop, operate or arrange
9121 for, administer and evaluate a comprehensive and integrated
9122 state-wide program of services, including preventive services, for
9123 children and youths whose behavior does not conform to the law or to
9124 acceptable community standards, or who are mentally ill, including
9125 deaf and hearing impaired children and youths who are mentally ill,
9126 emotionally disturbed, substance abusers, delinquent, abused,
9127 neglected or uncared for, including all children and youths who are or
9128 may be committed to it by any court, and all children and youths
9129 voluntarily admitted to, or remaining voluntarily under the
9130 supervision of, the commissioner for services of any kind. Services
9131 shall not be denied to any such child or youth solely because of other
9132 complicating or multiple disabilities. The department shall work in
9133 cooperation with other child-serving agencies and organizations to
9134 provide or arrange for preventive programs, including, but not limited
9135 to, teenage pregnancy and youth suicide prevention, for children and

9136 youths and their families. The program shall provide services and
9137 placements that are clinically indicated and appropriate to the needs of
9138 the child or youth. In furtherance of this purpose, the department
9139 shall: (1) Maintain the Connecticut Juvenile Training School and other
9140 appropriate facilities exclusively for delinquents; (2) develop a
9141 comprehensive program for prevention of problems of children and
9142 youths and provide a flexible, innovative and effective program for the
9143 placement, care and treatment of children and youths committed by
9144 any court to the department, transferred to the department by other
9145 departments, or voluntarily admitted to the department; (3) provide
9146 appropriate services to families of children and youths as needed to
9147 achieve the purposes of sections 17a-1 to 17a-26, inclusive, 17a-28 to
9148 17a-49, inclusive, and 17a-51; (4) establish incentive paid work
9149 programs for children and youths under the care of the department
9150 and the rates to be paid such children and youths for work done in
9151 such programs and may provide allowances to children and youths in
9152 the custody of the department; (5) be responsible to collect, interpret
9153 and publish statistics relating to children and youths within the
9154 department; (6) conduct studies of any program, service or facility
9155 developed, operated, contracted for or supported by the department in
9156 order to evaluate its effectiveness; (7) establish staff development and
9157 other training and educational programs designed to improve the
9158 quality of departmental services and programs, provided no social
9159 worker trainee shall be assigned a case load prior to completing
9160 training, and may establish educational or training programs for
9161 children, youths, parents or other interested persons on any matter
9162 related to the promotion of the well-being of children, or the
9163 prevention of mental illness, emotional disturbance, delinquency and
9164 other disabilities in children and youths; (8) develop and implement
9165 aftercare and follow-up services appropriate to the needs of any child
9166 or youth under the care of the department; (9) establish a case audit
9167 unit to monitor each area office's compliance with regulations and
9168 procedures; (10) develop and maintain a database listing available
9169 community service programs funded by the department; (11) provide

9170 outreach and assistance to persons caring for children whose parents
9171 are unable to do so by informing such persons of programs and
9172 benefits for which they may be eligible; and (12) collect data sufficient
9173 to identify the housing needs of children served by the department
9174 and share such data with the **[**Department of Economic and
9175 Community Development**]** Connecticut Economic Development
9176 Corporation.

9177 Sec. 220. Subsection (b) of section 17a-485a of the general statutes is
9178 repealed and the following is substituted in lieu thereof (*Effective July*
9179 *1, 2011*):

9180 (b) The Commissioners of Mental Health and Addiction Services,
9181 Children and Families, **[**Economic and Community Development,**]**
9182 Education, Correction, Public Health and Social Services, the Secretary
9183 of the Office of Policy and Management and the Chief Court
9184 Administrator shall provide such information, including, but not
9185 limited to, information regarding needs assessments, program reviews
9186 and program revenues and expenses, and make such
9187 recommendations for expenditures from the account established under
9188 section 17a-485, as may be requested by the board.

9189 Sec. 221. Subsection (a) of section 17a-485b of the general statutes is
9190 repealed and the following is substituted in lieu thereof (*Effective July*
9191 *1, 2011*):

9192 (a) There is established a Community Mental Health Strategy Board.
9193 The voting members of the board shall be appointed as follows: (1)
9194 Two members by the Governor; (2) two members by the president pro
9195 tempore of the Senate; (3) two members by the speaker of the House of
9196 Representatives; (4) one member by the majority leader of the Senate;
9197 (5) one member by the majority leader of the House of Representatives;
9198 (6) two members by the minority leader of the Senate; (7) two members
9199 by the minority leader of the House of Representatives; (8) the
9200 Commissioner of Children and Families; and (9) the Commissioner of
9201 Mental Health and Addiction Services, who shall serve as chairperson.

9202 The Secretary of the Office of Policy and Management, the Chief Court
9203 Administrator and the Commissioners of **[**Economic and Community
9204 Development,**]** Education, Correction, Public Health and Social
9205 Services, or their designees, shall serve as nonvoting ex-officio
9206 members of the board. Board members shall serve without
9207 compensation but shall be reimbursed for their necessary expenses. All
9208 initial appointments to the board shall be made not later than
9209 September 1, 2001. The Commissioner of Mental Health and Addiction
9210 Services shall convene the first meeting of the board not later than
9211 September 15, 2001.

9212 Sec. 222. Subsection (c) of section 17b-337 of the general statutes is
9213 repealed and the following is substituted in lieu thereof (*Effective July*
9214 *1, 2011*):

9215 (c) The Long-Term Care Planning Committee shall consist of: (1)
9216 The chairpersons and ranking members of the joint standing and select
9217 committees of the General Assembly having cognizance of matters
9218 relating to human services, public health, elderly services and
9219 long-term care; (2) the Commissioner of Social Services, or the
9220 commissioner's designee; (3) one member of the Office of Policy and
9221 Management appointed by the Secretary of the Office of Policy and
9222 Management; (4) one member from the Department of Social Services
9223 appointed by the Commissioner of Social Services; (5) two members
9224 from the Department of Public Health appointed by the Commissioner
9225 of Public Health, one of whom is from the Office of Health Care Access
9226 division of the department; (6) **[**one member from the Department of
9227 Economic and Community Development appointed by the
9228 Commissioner of Economic and Community Development; (7)**]** one
9229 member from the Department of Developmental Services appointed by
9230 the Commissioner of Developmental Services; **[**(8)**]** (7) one member
9231 from the Department of Mental Health and Addiction Services
9232 appointed by the Commissioner of Mental Health and Addiction
9233 Services; **[**(9)**]** (8) one member from the Department of Transportation
9234 appointed by the Commissioner of Transportation; **[**(10)**]** (9) one

9235 member from the Department of Children and Families appointed by
9236 the Commissioner of Children and Families; and **[**(11)**]** (10) the
9237 executive director of the Office of Protection and Advocacy for Persons
9238 with Disabilities or the executive director's designee. The committee
9239 shall convene no later than ninety days after June 4, 1998. Any vacancy
9240 shall be filled by the appointing authority. The chairperson shall be
9241 elected from among the members of the committee. The committee
9242 shall seek the advice and participation of any person, organization or
9243 state or federal agency it deems necessary to carry out the provisions
9244 of this section.

9245 Sec. 223. Section 17b-733 of the general statutes is repealed and the
9246 following is substituted in lieu thereof (*Effective July 1, 2011*):

9247 The Department of Social Services shall be the lead agency for child
9248 day care services in Connecticut. The department shall: (1) Identify,
9249 annually, existing child day care services and maintain an inventory of
9250 all available services; (2) provide technical assistance to corporations
9251 and private agencies in the development and expansion of child day
9252 care services for families at all income levels, including families of their
9253 employees and clients; (3) study and identify funding sources available
9254 for child day care including federal funds and tax benefits; (4) study
9255 the cost and availability of liability insurance for child day care
9256 providers; (5) provide, in conjunction with the Departments of
9257 Education and Higher Education, ongoing training for child day care
9258 providers including preparing videotaped workshops and distributing
9259 them to cable stations for broadcast on public access stations, and seek
9260 private donations to fund such training; (6) encourage child day care
9261 services to obtain accreditation; (7) develop a range of financing
9262 options for child care services, including the use of a tax-exempt bond
9263 program, a loan guarantee program and establishing a direct revolving
9264 loan program; (8) promote the colocation of child day care and school
9265 readiness programs pursuant to section 4b-31; (9) establish a
9266 performance-based evaluation system; (10) develop for
9267 recommendation to the Governor and the General Assembly measures

9268 to provide incentives for the private sector to develop and support
9269 expanded child day care services; (11) provide, within available funds
9270 and in conjunction with the temporary family assistance program as
9271 defined in section 17b-680, child day care to public assistance
9272 recipients; (12) develop and implement, with the assistance of the
9273 Child Day Care Council and the Departments of Public Health, Social
9274 Services, Education, Higher Education, Children and Families,
9275 **[**Economic and Community Development**]** and Consumer Protection, a
9276 state-wide coordinated child day care and early childhood education
9277 training system (A) for child day care centers, group day care homes
9278 and family day care homes that provide child day care services, and
9279 (B) that makes available to such providers and their staff, within
9280 available appropriations, scholarship assistance, career counseling and
9281 training, advancement in career ladders, as defined in section 4-124bb,
9282 through seamless articulation of levels of training, program
9283 accreditation support and other initiatives recommended by the
9284 Departments of Social Services, Education and Higher Education; (13)
9285 plan and implement a unit cost reimbursement system for state-
9286 funded child day care services such that, on and after January 1, 2008,
9287 any increase in reimbursement shall be based on a requirement that
9288 such centers meet the staff qualifications, as defined in subsection (b)
9289 of section 10-16p; (14) develop, within available funds, initiatives to
9290 increase compensation paid to child day care providers for educational
9291 opportunities, including, but not limited to, (A) incentives for
9292 educational advancement paid to persons employed by child day care
9293 centers receiving state or federal funds, and (B) support for the
9294 establishment and implementation by the Labor Commissioner of
9295 apprenticeship programs for child day care workers pursuant to
9296 sections 31-22m to 31-22q, inclusive, which programs shall be jointly
9297 administered by labor and management trustees; (15) evaluate the
9298 effectiveness of any initiatives developed pursuant to subdivision (14)
9299 of this section in improving staff retention rates and the quality of
9300 education and care provided to children; and (16) report annually to
9301 the Governor and the General Assembly on the status of child day care

9302 in Connecticut. Such report shall include (A) an itemization of the
9303 allocation of state and federal funds for child care programs; (B) the
9304 number of children served under each program so funded; (C) the
9305 number and type of such programs, providers and support personnel;
9306 (D) state activities to encourage partnership between the public and
9307 private sectors; (E) average payments issued by the state for both part-
9308 time and full-time child care; (F) range of family income and
9309 percentages served within each range by such programs; and (G) age
9310 range of children served.

9311 Sec. 224. Subdivision (3) of subsection (f) of section 21-70 of the
9312 general statutes is repealed and the following is substituted in lieu
9313 thereof (*Effective July 1, 2011*):

9314 (3) Except as otherwise provided in subdivision (5) of this
9315 subsection, within one hundred twenty days after the notice provided
9316 for in subdivision (2) of this subsection has been mailed, any
9317 association representing twenty-five per cent or more of the units in
9318 the park, including an association formed after the issuance of the
9319 notice, may notify the owner of the park that it is interested in
9320 purchasing the mobile manufactured home park. A copy of such notice
9321 may be filed on the land records of the town in which the mobile
9322 manufactured home park is located. If such notice is given, except as
9323 otherwise provided in subdivision (5) of this subsection, the
9324 association shall have three hundred sixty-five days after the notice
9325 required in subdivision (2) of this subsection has been given to
9326 purchase the park through negotiation or the method set forth in
9327 subdivision (4) of this subsection. Upon the request of the association,
9328 the **[**Department of Economic and Community Development**]**
9329 Connecticut Economic Development Corporation shall assist the
9330 association in developing financing for the purchase of the park.

9331 Sec. 225. Subsection (a) of section 22-11e of the general statutes is
9332 repealed and the following is substituted in lieu thereof (*Effective July*
9333 *1, 2011*):

9334 (a) There shall be an Interagency Aquaculture Coordinating
9335 Committee comprised of the Departments of Agriculture **[**,**]** and
9336 Environmental Protection **[**, and Economic and Community
9337 Development**]** to provide for the development and enhancement of
9338 aquaculture in this state. The Commissioner of Agriculture shall serve
9339 as chairperson of said committee and shall convene the committee as
9340 often as he deems necessary.

9341 Sec. 226. Subsection (a) of section 22-26c of the general statutes is
9342 repealed and the following is substituted in lieu thereof (*Effective July*
9343 *1, 2011*):

9344 (a) There shall be a Connecticut Farm Wine Development Council
9345 which shall be within the Department of Agriculture for
9346 administrative purposes only. Said council shall consist of **[**thirteen**]**
9347 twelve members as follows: The **[**Commissioners**]** Commissioner of
9348 Agriculture, **[**and Economic and Community Development,**]** the dean
9349 of the College of Agriculture and Natural Resources of The University
9350 of Connecticut and the directors of the Storrs Agricultural Experiment
9351 Station and the Connecticut Agricultural Experiment Station, or their
9352 respective designees; and eight members engaged in the wine
9353 production industry in this state, appointed as follows: Two members
9354 appointed by the Governor, and one member each appointed by the
9355 president pro tempore of the Senate, the speaker of the House of
9356 Representatives and the majority and minority leaders of the House of
9357 Representatives and the Senate.

9358 Sec. 227. Subsection (a) of section 22-26cc of the general statutes is
9359 repealed and the following is substituted in lieu thereof (*Effective July*
9360 *1, 2011*):

9361 (a) There is established within the Department of Agriculture a
9362 program to solicit, from owners of agricultural land, offers to sell the
9363 development rights to such land and to inform the public of the
9364 purposes, goals and provisions of this chapter. The commissioner, with
9365 the approval of the State Properties Review Board, shall have the

9366 power to acquire or accept as a gift, on behalf of the state, the
9367 development rights of any agricultural land, if offered by the owner.
9368 Notice of the offer shall be filed in the land records wherein the
9369 agricultural land is situated. If ownership of any land for which
9370 development rights have been offered is transferred, the offer shall be
9371 effective until the subsequent owner revokes the offer in writing. The
9372 state conservation and development plan established pursuant to
9373 section 16a-24 shall be applied as an advisory document to the
9374 acquisition of development rights of any agricultural lands. The factors
9375 to be considered by the commissioner in deciding whether or not to
9376 acquire such rights shall include, but not be limited to, the following:
9377 (1) The probability that the land will be sold for nonagricultural
9378 purposes; (2) the current productivity of such land and the likelihood
9379 of continued productivity; (3) the suitability of the land as to soil
9380 classification and other criteria for agricultural use; (4) the degree to
9381 which such acquisition would contribute to the preservation of the
9382 agricultural potential of the state; (5) any encumbrances on such land;
9383 (6) the cost of acquiring such rights; and (7) the degree to which such
9384 acquisition would mitigate damage due to flood hazards. Ownership
9385 by a nonprofit organization authorized to hold land for conservation
9386 and preservation purposes of land which prior to such ownership
9387 qualified for the program established pursuant to this section shall not
9388 be deemed to diminish the probability that the land will be sold for
9389 nonagricultural purposes. After a preliminary evaluation of such
9390 factors by the Commissioner of Agriculture, he shall obtain and review
9391 one or more fee appraisals of the property selected in order to
9392 determine the value of the development rights of such property. The
9393 commissioner shall notify the Department of Transportation, **[**the
9394 Department of Economic and Community Development,**]** the
9395 Department of Environmental Protection and the Office of Policy and
9396 Management that such property is being appraised. Any appraisal of
9397 the value of such land obtained by the owner and performed in a
9398 manner approved by the commissioner shall be considered by the
9399 commissioner in making such determination. The value of

9400 development rights for all purposes of this section shall be the
9401 difference between the value of the property for its highest and best
9402 use and its value for agricultural purposes as determined by the
9403 commissioner. The use or presence of pollutants or chemicals in the
9404 soil shall not be deemed to diminish the agricultural value of the land
9405 or to prohibit the commissioner from acquiring the development rights
9406 to such land. The commissioner may purchase development rights for
9407 a lesser amount provided he complies with all factors for acquisition
9408 specified in this subsection and in any implementing regulations. In
9409 determining the value of the property for its highest and best use,
9410 consideration shall be given but not limited to sales of comparable
9411 properties in the general area, use of which was unrestricted at the
9412 time of sale.

9413 Sec. 228. Subsection (a) of section 22-26jj of the general statutes is
9414 repealed and the following is substituted in lieu thereof (*Effective July*
9415 *1, 2011*):

9416 (a) The Commissioner of Agriculture, with the approval of the State
9417 Properties Review Board, may acquire by purchase or accept as a gift,
9418 on behalf of the state, the fee simple title of any agricultural real
9419 property and any personal property related to such real property,
9420 including, but not limited to, machinery, equipment, fixtures and
9421 livestock. The state conservation and development plan established
9422 pursuant to chapter 297 shall be used as an advisory document in
9423 connection with acquisition of such property. The commissioner, in
9424 deciding whether or not to acquire such property, shall consider all of
9425 the factors stated in section 22-26cc and shall further consider the
9426 likelihood of subsequent sale of such property by the department for
9427 agricultural purposes, subject to the state's retention of development
9428 rights. After a preliminary evaluation of such factors, the
9429 Commissioner of Agriculture shall obtain and review one or more fee
9430 appraisals of the property in order to determine the value of such
9431 property. Each such appraisal shall include an itemization of (1) the
9432 total value of the land, (2) the value of the land as agricultural land, (3)

9433 the value of the development rights of the land, and (4) the value of
9434 any related personal property proposed to be included in any sale. The
9435 commissioner shall give notice of any such appraisal to the
9436 Departments of Transportation **[**, Economic and Community
9437 Development**]** and Environmental Protection and the Office of Policy
9438 and Management. Any such appraisal may be obtained by the owner
9439 of the property and, if performed in a manner approved by the
9440 commissioner, shall be considered by the commissioner in making
9441 such determination. The commissioner may purchase such property
9442 for a lesser price than any price suggested by any such appraisal
9443 provided all considerations for acquisition specified in this subsection
9444 are taken into account. In determining the value of the property,
9445 consideration shall be given to sales of comparable properties in the
9446 general vicinity.

9447 Sec. 229. Subsection (a) of section 22-54s of the general statutes is
9448 repealed and the following is substituted in lieu thereof (*Effective July*
9449 *1, 2011*):

9450 (a) Notwithstanding the provisions of section 4-9a, on or before the
9451 fifteenth day of the month after the issuance of a market order the
9452 commissioner shall appoint an Apple Marketing Board consisting of
9453 six apple producers **[**,**]** <u>and</u> a member of the general public<u>.</u> **[**and the
9454 Commissioner of Economic and Community Development, or his
9455 designee, who shall be a nonvoting member of the board.**]** The
9456 members who are apple producers shall be appointed from
9457 nominations submitted by the Connecticut Pomological Society or any
9458 apple producer. Three of the apple producers shall be from the area
9459 west of the Connecticut River and three shall be from the area east of
9460 said river. The commissioner shall also appoint three alternate
9461 members of the commission, one from the area west of the Connecticut
9462 River, one from the area east of said river and one who is a member of
9463 the general public. Alternates may attend all meetings of the board. If a
9464 regular member of the board from an area is absent, the chairperson
9465 may designate the alternate from such area to act. The members shall

9466 serve terms of three years, provided of the members first appointed,
9467 two members, one from each district, shall serve for a term of one year;
9468 two members, one from each district shall serve for a term of two
9469 years, and two members, one from each district, shall serve for a term
9470 of three years. The alternates and the member representing the general
9471 public shall be appointed for terms of three years. Members of the
9472 board shall receive no compensation for their services but shall be
9473 reimbursed for necessary expenses in the performance of their duties.
9474 Such expenses shall be paid from money collected by the
9475 commissioner in accordance with the provisions of section 22-54r. At
9476 its first meeting the board shall elect a chairperson and such other
9477 officers as it deems necessary. Four members who are apple producers
9478 and the member representing the general public shall constitute a
9479 quorum.

9480 Sec. 230. Section 22-63 of the general statutes is repealed and the
9481 following is substituted in lieu thereof (*Effective July 1, 2011*):

9482 There shall continue to be a Marketing Authority within the
9483 Department of Agriculture. The authority shall continue to have and
9484 exercise the powers and duties authorized for it by this chapter. Such
9485 authority shall consist of eleven members. The authority shall be
9486 composed of one public member from each congressional district of
9487 the state, two at-large public members **[**,**]** <u>and</u> the Commissioner of
9488 Agriculture or his designee<u>.</u> **[**, and the Commissioner of Economic and
9489 Community Development or his designee.**]** The Governor shall
9490 appoint three members of the authority and the president pro tempore
9491 of the Senate, the Senate minority leader, the speaker of the House of
9492 Representatives and the minority leader of the House of
9493 Representatives shall each appoint one member. In addition, the
9494 Governor shall appoint two members of the authority who shall be
9495 tenants of the Hartford market facility. Any vacancy in the
9496 membership of said authority shall be filled by appointment for the
9497 unexpired portion of the term. The name of the authority shall be
9498 "Connecticut Marketing Authority". The members of the authority

9499 shall serve without compensation, but their necessary expenses
9500 incurred in the performance of their duties shall be paid by the state.
9501 Any member absent from three consecutive meetings shall be deemed
9502 to have resigned. Notwithstanding any provision of the general
9503 statutes, the terms of all appointed members of the authority serving
9504 before and on January 1, 2004, shall expire on said date. Not later than
9505 January 1, 2004, new members shall be appointed to the authority in
9506 accordance with the provisions of this section and such members shall
9507 begin serving on said date and shall complete the terms of their
9508 predecessors.

9509 Sec. 231. Section 22-455 of the general statutes is repealed and the
9510 following is substituted in lieu thereof (*Effective July 1, 2011*):

9511 There is established a Connecticut Seafood Advisory Council to
9512 assist in the promotion of Connecticut seafood products and examine
9513 market opportunities. The advisory council shall consist of one
9514 freshwater fish producer appointed by the Governor, two finfish,
9515 shellfish or lobster harvesters or representatives of harvester
9516 organizations appointed one each by the speaker and majority leader
9517 of the House of Representatives, two finfish, shellfish or lobster
9518 processors or representatives of processor organizations appointed one
9519 each by the minority leaders of the Senate and House of
9520 Representatives, one retailer serving restaurants or representing a
9521 restaurant organization appointed by the president pro tempore of the
9522 Senate, one member at-large appointed by the majority leader of the
9523 Senate, and **[**four**]** <u>three</u> nonvoting members one of whom shall
9524 represent the Department of Environmental Protection, **[**one the
9525 Department of Economic and Community Development and**]** one the
9526 Department of Agriculture and one the Sea Grant Program at The
9527 University of Connecticut. The advisory council shall be within the
9528 Department of Agriculture.

9529 Sec. 232. Section 22a-6r of the general statutes is repealed and the
9530 following is substituted in lieu thereof (*Effective July 1, 2011*):

9531 On or before July 1, 1997, and annually thereafter, the commissioner
9532 shall submit to the Governor and the joint standing committees of the
9533 General Assembly having cognizance of matters relating to
9534 environment **[**and the Department of Economic and Community
9535 Development**]** and economic development a report on the permitting
9536 efforts of the Department of Environmental Protection in the preceding
9537 state fiscal year. Such report shall include, but not be limited to: An
9538 identification of revenues received from permit application fees and
9539 any revenues derived from the processing of such applications as set
9540 forth in this chapter and the department's appropriation from the
9541 General Fund for permitting activities; the number and amount of
9542 permit applications received; the number of permit decisions issued
9543 and the number of permits pending; the number and amount of permit
9544 application fees refunded; the number of permit applications requiring
9545 alternative timely action schedules pursuant to section 22a-6q; and a
9546 summary of the significant improvements the department has made in
9547 its permitting programs.

9548 Sec. 233. Section 22a-27s of the general statutes is repealed and the
9549 following is substituted in lieu thereof (*Effective July 1, 2011*):

9550 (a) There is established the Face of Connecticut Steering Committee,
9551 which shall be within the Department of Environmental Protection for
9552 administrative purposes only. Such committee shall direct the
9553 expenditure of any funds deposited in the Face of Connecticut account
9554 created under section 22a-27t. The committee shall consist of the
9555 Commissioner of Environmental Protection, **[**the Commissioner of
9556 Economic and Community Development, or the commissioner's
9557 designee,**]** the Commissioner of Agriculture, the executive director of
9558 the Connecticut Commission on Culture and Tourism, the Secretary of
9559 the Office of Policy and Management and ten members as follows: (1)
9560 A representative of a local organization involved in historic
9561 preservation, appointed by the speaker of the House of
9562 Representatives; (2) a representative of a nonprofit organization
9563 involved in farmland preservation, appointed by the president pro

9564 tempore of the Senate; (3) a representative of a local or regional
9565 nonprofit organization involved in the preservation of open space,
9566 appointed by the majority leader of the House of Representatives; (4) a
9567 representative of a water company actively involved in land
9568 preservation, appointed by the majority leader of the Senate; (5) a
9569 representative of the agricultural industry, appointed by the minority
9570 leader of the House of Representatives; (6) a representative of a state-
9571 wide nonprofit involved in the preservation of open space, appointed
9572 by the minority leader of the Senate; (7) a representative of a state-wide
9573 nonprofit organization involved in historic preservation, appointed by
9574 the Governor; (8) a representative of an organization involved with
9575 community redevelopment, appointed by the Governor; (9) a
9576 representative of the legislative Brownfields Task Force, appointed by
9577 the speaker of the House of Representatives; and (10) a representative
9578 of the environmental law section of the Connecticut Bar Association
9579 who is involved with brownfields remediation, appointed by the
9580 president pro tempore of the Senate.

9581 (b) All initial appointments to the committee shall be made not later
9582 than September 1, 2008. The term of each appointed member of the
9583 steering committee shall be coterminous with the term of the
9584 appointing authority or until a successor is chosen, whichever is later.
9585 The Commissioner of Environmental Protection shall serve as the
9586 chairperson of the committee for the two years following the
9587 appointment of the committee, followed **[**first by the Commissioner of
9588 Agriculture for two years and**]** subsequently by the executive director
9589 of the Connecticut Commission on Culture and Tourism for two years.
9590 **[**and subsequently by the Commissioner of Economic and Community
9591 Development or said commissioner's designee for two years.**]** Such
9592 rotation shall repeat every two years thereafter in the order specified in
9593 this subsection, except that if there is a vacancy in one of said
9594 positions, one of the other commissioners or the executive director
9595 may serve as chairperson until the vacancy is filled.

9596 (c) The committee shall meet quarterly.

9597 Sec. 234. Subsection (e) of section 22a-119 of the general statutes is
9598 repealed and the following is substituted in lieu thereof (*Effective July*
9599 *1, 2011*):

9600 (e) Prior to commencing any hearing pursuant to this section the
9601 council shall consult with and solicit written comments from the
9602 Departments of Environmental Protection, Public Health, Public
9603 Utility Control, **[**Economic and Community Development,**]** Public
9604 Safety and Transportation, the Office of Policy and Management and
9605 the Council on Environmental Quality. Copies of comments submitted
9606 by such agencies shall be available to all parties prior to
9607 commencement of the public hearing. Agencies consulted may file
9608 additional comments within thirty days of the conclusion of the
9609 hearing and such additional comments shall be a part of the record.

9610 Sec. 235. Section 22a-172 of the general statutes is repealed and the
9611 following is substituted in lieu thereof (*Effective July 1, 2011*):

9612 The Commissioner of Transportation **[**and the Commissioner of
9613 Economic and Community Development**]** shall consult with the
9614 commissioner on plans for the location of highways and for industrial
9615 development with respect to the effect of such plans on the incidence
9616 of air pollution in the state.

9617 Sec. 236. Subsection (c) of section 22a-241 of the general statutes is
9618 repealed and the following is substituted in lieu thereof (*Effective July*
9619 *1, 2011*):

9620 (c) There is established an advisory council to advise the
9621 Commissioner of Environmental Protection on implementation of the
9622 municipal solid waste recycling program. The advisory council may
9623 study any issue related to recycling, including composting and
9624 packaging. In any such study the advisory council may consult with
9625 persons with specific information related to the study. If it deems it
9626 appropriate, the advisory council shall recommend a list of materials
9627 that should be banned in the state. The advisory council shall consist

9628 of: The Secretary of the Office of Policy and Management, or his
9629 designee; [the Commissioner of Economic and Community
9630 Development, or his designee;] the Commissioner of Administrative
9631 Services, or his designee; the Commissioner of Transportation, or his
9632 designee; the chairman of the Connecticut Resources Recovery
9633 Authority, or his designee; one person appointed by the Connecticut
9634 Conference of Municipalities; one person appointed by the Council of
9635 Small Towns; one person representing a municipality having a
9636 population of not more than ten thousand to be appointed by the
9637 minority leader of the Senate, one person representing a municipality
9638 having a population of more than ten thousand but not more than fifty
9639 thousand to be appointed by the minority leader of the House of
9640 Representatives, one person representing a municipality having a
9641 population of more than fifty thousand but not more than one
9642 hundred thousand to be appointed by the president pro tempore of the
9643 Senate, one person representing a municipality having a population of
9644 more than one hundred thousand to be appointed by the speaker of
9645 the House of Representatives; two members of the public, one of
9646 whom shall be appointed by the majority leader of the House of
9647 Representatives and one of whom shall be appointed by the majority
9648 leader of the Senate; two persons representing recycling industries, one
9649 of whom shall be appointed by the speaker of the House of
9650 Representatives and one by the minority leader of the House of
9651 Representatives; two persons representing the packaging industry, one
9652 of whom shall be appointed by the speaker of the House of
9653 Representatives and one of whom shall be appointed by the president
9654 pro tempore of the Senate; a trash hauler to be appointed by the
9655 speaker of the House of Representatives; one person representing an
9656 industry using recycled material, to be appointed by the president pro
9657 tempore of the Senate; one person representing an environmental
9658 organization to be appointed by the speaker of the House of
9659 Representatives; one person representing business and industry to be
9660 appointed by the minority leader of the House of Representatives, and
9661 a regional recycling coordinator to be appointed by the minority leader

9662 of the Senate, the cochairmen and ranking members of the joint
9663 standing committee of the General Assembly having cognizance of
9664 matters relating to the environment and four members of the General
9665 Assembly to be appointed as follows: One by the speaker of the House
9666 of Representatives, one by the president pro tempore of the Senate, one
9667 by the minority leader of the House of Representatives and one by the
9668 majority leader of the House of Representatives. The members of the
9669 task force shall elect a chairman, who shall be one of the members
9670 appointed by the speaker of the House of Representatives or by the
9671 president pro tempore of the Senate.

9672 Sec. 237. Subsection (d) of section 22a-371 of the general statutes is
9673 repealed and the following is substituted in lieu thereof (*Effective July*
9674 *1, 2011*):

9675 (d) Upon notifying the applicant in accordance with subsection (c)
9676 of this section that the application is complete, the commissioner shall
9677 immediately provide notice of the application and a concise
9678 description of the proposed diversion to the Governor, the Attorney
9679 General, the speaker of the House of Representatives, the president pro
9680 tempore of the Senate, the Secretary of the Office of Policy and
9681 Management, the **[**Commissioners**]** Commissioner of Public Health,
9682 **[**and Economic and Community Development,**]** the chairperson of the
9683 Public Utilities Control Authority, chief executive officer and chairmen
9684 of the conservation commission and wetlands agency of the
9685 municipality or municipalities in which the proposed diversion will
9686 take place or have effect, and to any person who has requested notice
9687 of such activities.

9688 Sec. 238. Subsection (a) of section 23-10i of the general statutes is
9689 repealed and the following is substituted in lieu thereof (*Effective July*
9690 *1, 2011*):

9691 (a) The Commissioner of Environmental Protection, in consultation
9692 with the **[**Commissioner of Economic and Community Development
9693 and the**]** State Historic Commission, shall develop criteria and

9694 guidelines for the designation of heritage parks consisting of sites in a
9695 region linked by a common social, historical or economic theme.
9696 Thereafter, in accordance with such criteria and guidelines, the
9697 Commissioner of Environmental Protection may designate the
9698 boundaries, name and theme of any such park, as well as any physical
9699 sites to be included. Any designation shall be consistent with the plan
9700 for development of outdoor recreation and other natural resources
9701 authorized under section 22a-21 and shall be made after consideration
9702 of the significance of the heritage of the sites to be included and the
9703 economic benefit to the state from such designation. Sites designated
9704 for inclusion in a heritage park shall not be required to be contiguous
9705 to one another and need not be owned by the state.

9706 Sec. 239. Subsections (g) and (h) of section 25-68d of the general
9707 statutes are repealed and the following is substituted in lieu thereof
9708 (*Effective July 1, 2011*):

9709 (g) The provisions of this section shall not apply to any proposal by
9710 the Department of Transportation or the **[**Department of Economic and
9711 Community Development**]** Connecticut Economic Development
9712 Corporation for a project within a drainage basin of less than one
9713 square mile.

9714 (h) The provisions of subsections (a) to (d), inclusive, and (f) and (g)
9715 of this section shall not apply to the following critical activities above
9716 the one-hundred-year flood elevation that involve state funded
9717 housing reconstruction, rehabilitation or renovation, provided the state
9718 agency that provides funding for such activity certifies that it complies
9719 with the provisions of the National Flood Insurance Program and the
9720 requirements of this subsection: (1) Projects involving the renovation
9721 or rehabilitation of existing housing on the **[**Department of Economic
9722 and Community Development's**]** Connecticut Economic Development
9723 Corporation's most recent affordable housing appeals list; (2)
9724 construction of minor structures to an existing building for the
9725 purpose of providing handicapped accessibility pursuant to the State

9726 Building Code; (3) construction of open decks attached to residential
9727 structures, properly anchored in accordance with the State Building
9728 Code; (4) the demolition and reconstruction of existing housing for
9729 persons and families of low and moderate income, provided there is
9730 no increase in the number of dwelling units and (A) such
9731 reconstruction is limited to the footprint of the existing foundation of
9732 the building or buildings used for such purpose, or which could be
9733 used for such purpose subsequent to reconstruction, or (B) such
9734 reconstruction is on a parcel of land where the elevation of such land is
9735 above the one-hundred-year flood elevation, provided there is no
9736 placement of fill within an adopted Federal Emergency Management
9737 Agency flood zone.

9738 Sec. 240. Subsection (c) of section 25-102qq of the general statutes is
9739 repealed and the following is substituted in lieu thereof (*Effective July*
9740 *1, 2011*):

9741 (c) If the commissioner undertakes to establish such a program, he
9742 shall establish a River Protection Advisory Committee to assist him in
9743 developing the river protection program. **[**The committee shall consist
9744 of the following members whose terms shall expire on October 1, 1992:
9745 (1) The Commissioners of Public Health, Transportation, Economic
9746 and Community Development and Agriculture, the Secretary of the
9747 Office of Policy and Management, the director of the Connecticut
9748 Commission on Culture and Tourism, and the State Archaeologist, or
9749 their designees; and (2) two members representing the business
9750 community, two members representing public service companies,
9751 seven members representing environmental and recreational
9752 organizations, four members representing river protection
9753 organizations, one member representing municipalities with a river or
9754 river segment within their borders, two members representing
9755 regional planning agencies, three members representing related
9756 professional practices and one member representing the public, which
9757 members shall be appointed by the commissioner.**]** On and after
9758 October 1, 1992, the committee's membership shall consist of: (1) The

9759 Commissioners of Public Health, Transportation **[**, Economic and
9760 Community Development**]** and Agriculture, the Secretary of the Office
9761 of Policy and Management, the director of the Connecticut
9762 Commission on Culture and Tourism, and the State Archaeologist, or
9763 their designees; and (2) one member representing the business
9764 community, and one member representing a related professional
9765 practice appointed by the Governor; one member representing an
9766 environmental or recreational organization, one member representing
9767 a river protection organization and one member representing a related
9768 professional practice appointed by the president pro tempore of the
9769 Senate; one member representing an environmental or recreational
9770 organization, one member representing a river protection organization
9771 and one member representing a related professional practice
9772 appointed by the speaker of the House of Representatives; one
9773 member representing an environmental or recreational organization,
9774 one member representing a municipality with a river or river segment
9775 within its borders and one member representing the business
9776 community appointed by the majority leader of the Senate; two
9777 members representing an environmental or recreational organization,
9778 one member representing a river protection organization and one
9779 member representing a public service company appointed by the
9780 minority leader of the Senate; one member representing an
9781 environmental or recreational organization, one member representing
9782 a public service company and one member representing a regional
9783 planning agency appointed by the majority leader of the House of
9784 Representatives; one member representing an environmental or
9785 recreational organization, one member representing a river protection
9786 organization, one member of the public and one member representing
9787 a regional planning agency appointed by the minority leader of the
9788 House of Representatives.

9789 Sec. 241. Section 31-3c of the general statutes is repealed and the
9790 following is substituted in lieu thereof (*Effective July 1, 2011*):

9791 The Labor Commissioner, with the approval of the **[**Commissioners**]**

9792 Commissioner of [Economic and Community Development and]
9793 Education, shall establish a customized job training program for
9794 preemployment and postemployment job training for the purpose of
9795 meeting the labor requirements of manufacturing or economic base
9796 businesses, as defined in subsection (l) of section 32-222, and shall
9797 implement such job training program. Such job training program shall
9798 include training designed to increase the basic skills of employees,
9799 including, but not limited to, training in written and oral
9800 communication, mathematics or science, or training in technical and
9801 technological skills. The Labor Commissioner shall use funds
9802 appropriated to the Labor Department for vocational and manpower
9803 training in carrying out such job training program, except that not
9804 more than four per cent of such funds may be used to pay the cost of
9805 its administration. Upon receipt of a request for job training pursuant
9806 to this section, the Labor Commissioner shall notify the chancellor of
9807 the regional community-technical colleges, or his designee, of such
9808 request. The chancellor, or his designee, shall determine if a training
9809 program exists or can be designed at a regional community-technical
9810 college to meet such training need and shall notify the Labor
9811 Commissioner of such determination. The Labor Commissioner shall
9812 to the extent possible make arrangements for the participation of the
9813 regional community-technical colleges, the Connecticut State
9814 University System, other institutions of higher education, other
9815 postsecondary institutions, adult education programs, opportunities
9816 industrialization centers and state regional vocational-technical schools
9817 in implementing the program. Nothing in this section shall preclude
9818 the Labor Commissioner from considering or choosing other providers
9819 to meet such training need. Nothing in this section shall preclude an
9820 employer from considering or choosing other providers to meet the
9821 training needs of such employer, provided the Labor Commissioner
9822 approves such employer's use of such other providers. For the period
9823 from July 1, 1996, to June 30, 1999, the Labor Commissioner, or his
9824 designee, the chancellor of the community-technical colleges and the
9825 chairpersons of the joint standing committee of the General Assembly

9826 having cognizance of matters relating to education shall meet
9827 semiannually to review actions taken pursuant to this section and
9828 section 32-6j.

9829 Sec. 242. Subdivision (3) of subsection (b) of section 31-3w of the
9830 general statutes is repealed and the following is substituted in lieu
9831 thereof (*Effective July 1, 2011*):

9832 (3) Consult with the **[**Commissioner of Economic and Community
9833 Development**]** executive director of the Connecticut Economic
9834 Development Corporation to ensure coordination of service delivery to
9835 employers;

9836 Sec. 243. Subdivision (2) of subsection (a) of section 31-11cc of the
9837 general statutes is repealed and the following is substituted in lieu
9838 thereof (*Effective July 1, 2011*):

9839 (2) The ex-officio nonvoting members shall consist of the following
9840 members, or their designees: The Commissioners of Correction,
9841 Education, Higher Education **[**, Economic and Community
9842 Development**]** and Social Services, the Labor Commissioner, the
9843 director of the Office of Workforce Competitiveness, the Secretary of
9844 the Office of Policy and Management, the chancellor of the regional
9845 community-technical colleges and the State Librarian.

9846 Sec. 244. Subsection (b) of section 31-11dd of the general statutes is
9847 repealed and the following is substituted in lieu thereof (*Effective July*
9848 *1, 2011*):

9849 (b) The Office of Workforce Competitiveness, in accordance with
9850 subsection (c) of section 4-124w, may request other state agencies,
9851 including, but not limited to, the Departments of Education, Higher
9852 Education **[**, Economic and Community Development**]** and Social
9853 Services, the Labor Department, and the Board of Trustees of the
9854 Community-Technical Colleges to provide information, reports and
9855 other assistance to the board in carrying out its duties, pursuant to

9856 subsection (a) of this section and sections 31-11cc and 31-11ee, and to
9857 the Connecticut Employment and Training Commission in carrying
9858 out its duties pursuant to subsection (d) of this section.

9859 Sec. 245. Subsection (b) of section 31-362g of the general statutes is
9860 repealed and the following is substituted in lieu thereof (*Effective July*
9861 *1, 2011*):

9862 (b) Each defense contractor which (1) performs one or more defense
9863 contracts in this state, the combined value of which exceeds one
9864 million dollars in any one year, and (2) after October 1, 1994, is the
9865 recipient of state assistance or other funds from the **[**Department of
9866 Economic and Community Development**]** Connecticut Economic
9867 Development Corporation shall establish an alternative use committee.
9868 The committee shall consist of representatives of employees and
9869 employers. The employees of such contractor who are represented by a
9870 collective bargaining organization shall be represented on such
9871 committee by a representative of such organization. The employees of
9872 such contractor who are not represented by a collective bargaining
9873 organization shall designate a person to serve as their representative.
9874 The committee may invite representatives of the community to
9875 participate in committee meetings. The committee shall prepare a plan
9876 to reduce or eliminate the dependence of the contractor on defense
9877 contracts. The plan shall include: (A) Alternative products that are
9878 feasible to produce and marketable; and (B) retraining resources
9879 needed to produce such products in order to avoid dislocation of the
9880 current workforce. The Labor Commissioner shall adopt regulations
9881 pursuant to chapter 54 to administer the establishment and
9882 composition of alternate use committees and the committee's duty to
9883 establish plans pursuant to this subsection.

9884 Sec. 246. Subsection (a) of section 31-386 of the general statutes is
9885 repealed and the following is substituted in lieu thereof (*Effective July*
9886 *1, 2011*):

9887 When used in this chapter, unless the context otherwise requires:

9888 (a) [("Commissioners" means the Commissioner of Economic and
9889 Community Development and the] "Commissioner" means the Labor
9890 Commissioner;

9891 Sec. 247. Section 31-389 of the general statutes is repealed and the
9892 following is substituted in lieu thereof (*Effective July 1, 2011*):

9893 (a) The state, acting by and in the discretion of the [commissioners]
9894 Labor Commissioner and the executive director of the Connecticut
9895 Economic Development Corporation, and with the approval of the
9896 Secretary of the Office of Policy and Management, may enter into a
9897 contract with an eligible municipality for state financial assistance for
9898 any eligible emergency municipal public works employment project in
9899 the form of a grant to such eligible municipality. Any such grant shall
9900 be in an amount not in excess of the cost of the project for which such
9901 grant is made, as determined and approved by the Labor
9902 Commissioner, [and the Commissioners of Economic and Community
9903 Development] the executive director of the Connecticut Economic
9904 Development Corporation and the Commissioner of Administrative
9905 Services. In accordance with any such contract, the state may make
9906 temporary advances to such municipality for the cost of such project.

9907 (b) Before entering into such contract the [commissioners] Labor
9908 Commissioner and the executive director of the Connecticut Economic
9909 Development Corporation shall have approved an application
9910 submitted by such municipality on forms provided by the
9911 [commissioners] Labor Commissioner and the executive director of the
9912 Connecticut Economic Development Corporation.

9913 (c) No such project shall be undertaken until the [commissioners]
9914 Labor Commissioner and the executive director of the Connecticut
9915 Economic Development Corporation have approved the plans,
9916 specifications and estimated costs.

9917 Sec. 248. Section 31-390 of the general statutes is repealed and the
9918 following is substituted in lieu thereof (*Effective July 1, 2011*):

9919 (a) The Labor Commissioner, the executive director of the
9920 Connecticut Economic Development Corporation and the
9921 [Commissioners of Economic and Community Development and]
9922 Commissioner of Public Works shall have the right of inspection of
9923 any such project at any time.

9924 (b) The Labor Commissioner, the executive director of the
9925 Connecticut Economic Development Corporation and the
9926 [Commissioners of Economic and Community Development and]
9927 Commissioner of Public Works and the Secretary of the Office of
9928 Policy and Management are authorized to make orders, establish
9929 guidelines and, except for the executive director, adopt regulations
9930 under the provisions of chapter 54 with respect to the implementation
9931 of this chapter.

9932 (c) At the request of the [commissioners] Labor Commissioner and
9933 the executive director of the Connecticut Economic Development
9934 Corporation, any agency or department of the executive branch shall
9935 advise and assist the [commissioners] Labor Commissioner and the
9936 executive director of the Connecticut Economic Development
9937 Corporation in the implementation of this chapter.

9938 Sec. 249. (NEW) (*Effective from passage*) (a) For the purposes of this
9939 section, (1) "state employee" means any employee in the executive,
9940 legislative or judicial branch of state government, whether in the
9941 classified or unclassified service and whether full or part-time and any
9942 employee of a quasi-public agency, (2) "salary" has the same meaning
9943 as in section 5-154 of the general statutes, (3) "pay card" means a card
9944 issued by an employer or its payroll service provider to its employee
9945 that is linked to a payroll card account and credited with the
9946 employee's wages at the close of a pay period, and (4) "pay card
9947 system" means an electronic pay arrangement where an employee's
9948 wages are credited on a recurring basis to a payroll card account
9949 directly or indirectly established by the employer on behalf of the
9950 employee that is subject to withdrawal charges and fees and where

9951 withdrawals may be made using a pay card at automated teller
9952 machines or point of sale terminals.

9953 (b) Unless otherwise requested by the employee, the Comptroller
9954 shall make any payment of salary to a state employee by electronic
9955 direct deposit to the account in a bank, Connecticut credit union or
9956 federal credit union of such state employee that will agree to accept
9957 such payment, or by pay card.

9958 Sec. 250. (NEW) (*Effective July 1, 2011*) (a) As used in this section, (1)
9959 "pay card" means a card (A) issued by the state or its payroll service
9960 provider to a recipient, and (B) linked to a payroll card account and
9961 credited with the recipient's pension payment at the close of a pay
9962 period, and (2) "pay card system" means an electronic pay
9963 arrangement where a recipient's pension payments are credited on a
9964 recurring basis to a payroll card account directly or indirectly
9965 established by the state on behalf of the recipient that is subject to
9966 withdrawal charges and fees and where withdrawals may be made
9967 using a pay card at automated teller machines or point of sale
9968 terminals.

9969 (b) Unless otherwise requested by the recipient, any pension
9970 payment made under (1) the retirement system administered by the
9971 Connecticut State Employees Retirement Commission pursuant to
9972 chapter 66 of the general statutes, (2) an alternate retirement program
9973 authorized by said commission, or (3) the Connecticut teacher's
9974 retirement system established under section 10-183c of the general
9975 statutes, shall be made by electronic direct deposit to the recipient's
9976 account in a bank, Connecticut credit union or federal credit union that
9977 will agree to accept such payment, or by pay card.

9978 Sec. 251. (NEW) (*Effective from passage*) Any compensation payable
9979 under chapter 568 of the general statutes to any employee of the state
9980 or to any dependents of any employee of the state, excluding any
9981 payments made to a provider under section 31-294d of the general
9982 statutes, shall be made by electronic direct deposit to the account in a

9983 bank, Connecticut credit union or federal credit union of such
9984 employee or such dependent that will agree to accept such deposit or
9985 by pay card, as defined in section 249 of this act.

9986 Sec. 252. Section 3-119a of the general statutes is repealed and the
9987 following is substituted in lieu thereof (*Effective from passage*):

9988 (a) The Comptroller shall develop, implement and maintain a
9989 comprehensive retirement data base system and shall regularly consult
9990 and inform the State Employees Retirement Commission concerning
9991 the system.

9992 (b) The Comptroller, in conjunction with the Commissioner of
9993 Administrative Services, shall develop, implement and maintain a
9994 state-wide time and attendance system. The system shall be integrated
9995 with the central payroll system and compatible with the development
9996 of the comprehensive retirement data base system.

9997 <u>(c) On or before July 1, 2011, each agency shall implement and</u>
9998 <u>maintain its employee time and attendance system in an electronic</u>
9999 <u>format that is compatible with the state-wide time and attendance</u>
10000 <u>system developed pursuant to subsection (b) of this section.</u>

10001 Sec. 253. (NEW) (*Effective from passage*) The state shall furnish a
10002 record of hours worked and gross earnings as described in section 31-
10003 13a of the general statutes, as amended by this act, in electronic format,
10004 to each employee, unless the employee requests to receive such record
10005 in writing.

10006 Sec. 254. Section 31-13a of the general statutes is repealed and the
10007 following is substituted in lieu thereof (*Effective from passage*):

10008 **[**With**]** <u>Except as provided in section 253 of this act, with</u> each wage
10009 payment each employer shall furnish to each employee in writing a
10010 record of hours worked, the gross earnings showing straight time and
10011 overtime as separate entries, itemized deductions and net earnings,
10012 except that the furnishing of a record of hours worked and the

10013 separation of straight time and overtime earnings shall not apply in the
10014 case of any employee with respect to whom the employer is
10015 specifically exempt from the keeping of time records and the payment
10016 of overtime under the Connecticut Minimum Wage Act or the Fair
10017 Labor Standards Act.

10018 Sec. 255. Subsection (a) of section 31-71b of the general statutes is
10019 repealed and the following is substituted in lieu thereof (*Effective from*
10020 *passage*):

10021 (a) **[**Each**]** Except as provided in section 249 of this act, each
10022 employer, by himself, his agent or representative, shall pay weekly all
10023 moneys due each employee on a regular pay day, designated in
10024 advance by the employer, in cash, by negotiable checks or, upon an
10025 employee's written request, by credit to such employee's account in
10026 any bank which has agreed with the employer to accept such wage
10027 deposits.

10028 Sec. 256. Section 2-27 of the general statutes is repealed and the
10029 following is substituted in lieu thereof (*Effective from passage*):

10030 Copies of each bill for an act reported favorably by a committee
10031 shall be printed in sufficient numbers, as determined by the clerks of
10032 the House and Senate, for use by the General Assembly. A greater
10033 number of copies of any bill shall be printed upon order of either
10034 legislative commissioner. **[**Seven copies of each printed bill shall be
10035 reserved for the use of the Secretary of the State who shall bind and
10036 distribute volumes thereof as follows: One to the State Library, one to
10037 the law library of Yale University, one to the library of The University
10038 of Connecticut and one to the law library of The University of
10039 Connecticut, one to the Wesleyan University library, one to the Library
10040 of Congress and one to the library of Quinnipiac College.**]**

10041 Sec. 257. Section 2-7 of the general statutes is repealed and the
10042 following is substituted in lieu thereof (*Effective from passage*):

10043 (a) Whenever the Governor, the members of the General Assembly
10044 or the president pro tempore of the Senate and the speaker of the
10045 House of Representatives call a special session of the General
10046 Assembly, the Secretary of the State shall give notice thereof by
10047 mailing a true copy of the call of such special session, by first class
10048 mail, **[**evidenced by a certificate of mailing,**]** to each member of the
10049 House of Representatives and of the Senate at his or her address as it
10050 appears upon the records of said secretary not less than ten nor more
10051 than fifteen days prior to the date of convening of such special session
10052 or by causing a true copy of the call to be delivered to each member by
10053 a state marshal, constable, state policeman or indifferent person at least
10054 twenty-four hours prior to the time of convening of such special
10055 session.

10056 (b) Whenever the Secretary of the State is required to reconvene the
10057 General Assembly pursuant to article third of the amendments to the
10058 Constitution of Connecticut, said secretary shall give notice thereof by
10059 mailing a true copy of the call of such reconvened session, by first class
10060 mail, **[**evidenced by a certificate of mailing,**]** to each member of the
10061 House of Representatives and of the Senate at his or her address as it
10062 appears upon the records of said secretary not less than five days prior
10063 to the date of convening of such reconvened session or by causing a
10064 true copy of the call to be delivered to each member by a state marshal,
10065 constable, state policeman or indifferent person at least twenty-four
10066 hours prior to the time of convening of such reconvened session.

10067 Sec. 258. Subsection (d) of section 16-2 of the general statutes is
10068 repealed and the following is substituted in lieu thereof (*Effective from*
10069 *passage*):

10070 (d) The commissioners of the authority shall serve full time and
10071 shall make full public disclosure of their assets, liabilities and income
10072 at the time of their appointment, and thereafter each member of the
10073 authority shall make such disclosure on or before July thirtieth of each
10074 year of such member's term, and shall file such disclosure with the

10075 [office of the Secretary of the State] Office of State Ethics. Each
10076 commissioner shall receive annually a salary equal to that established
10077 for management pay plan salary group seventy-five by the
10078 Commissioner of Administrative Services, except that the chairperson
10079 shall receive annually a salary equal to that established for
10080 management pay plan salary group seventy-seven.

10081 Sec. 259. Section 33-608 of the general statutes is repealed and the
10082 following is substituted in lieu thereof (*Effective October 1, 2011*):

10083 (a) A document shall satisfy the requirements of this section, and of
10084 any other section that adds to or varies from these requirements, to be
10085 entitled to filing by the Secretary of the State.

10086 (b) Sections 33-600 to 33-998, inclusive, as amended by this act, shall
10087 require or permit filing the document in the office of the Secretary of
10088 the State.

10089 (c) The document shall contain the information required by sections
10090 33-600 to 33-998, inclusive, as amended by this act. It may contain
10091 other information as well.

10092 (d) The document shall be typewritten or printed or, if electronically
10093 transmitted, in a format that can be retrieved or reproduced in
10094 typewritten or printed form.

10095 (e) The document shall be in the English language. A corporate
10096 name need not be in English if written in English letters or Arabic or
10097 Roman numerals, and the certificate of existence required of foreign
10098 corporations need not be in English if accompanied by a reasonably
10099 authenticated English translation.

10100 (f) The document shall be executed: (1) By the chairman of the board
10101 of directors of a domestic or foreign corporation, by its president or by
10102 another of its officers; (2) if directors have not been selected or the
10103 corporation has not been formed, by an incorporator; or (3) if the
10104 corporation is in the hands of a receiver, trustee or other court-

10105 appointed fiduciary, by that fiduciary.

10106 (g) The person executing the document shall sign it and state
10107 beneath or opposite such person's signature such person's name and
10108 the capacity in which such person signs. The document may but need
10109 not contain a corporate seal, attestation, acknowledgment or
10110 verification.

10111 (h) If the Secretary of the State has prescribed a mandatory form for
10112 the document under section 33-609, the document shall be in or on the
10113 prescribed form.

10114 (i) The document shall be delivered to the office of the Secretary of
10115 the State for filing. **[**Delivery may be made by electronic transmission if
10116 and to the extent permitted by the Secretary of the State.**]** If the
10117 document is filed in typewritten or printed form and not electronically
10118 transmitted, the Secretary of the State may require one exact or
10119 conformed copy to be delivered with the document, except as
10120 provided in sections 33-662 and 33-928.

10121 (j) When the document is delivered to the office of the Secretary of
10122 the State for filing, the correct filing fee, and any franchise tax, license
10123 fee or penalty required to be paid therewith by sections 33-600 to 33-
10124 998, inclusive, as amended by this act, or other law must be paid or
10125 provision for payment made in a manner permitted by the Secretary of
10126 the State.

10127 (k) When any document is required or permitted to be filed or
10128 recorded as provided in sections 33-600 to 33-998, inclusive, as
10129 amended by this act, the Secretary of the State may, in the Secretary of
10130 the State's discretion, for good cause, permit a photostatic or other
10131 photographic copy of such document to be filed or recorded in lieu of
10132 the original instrument. Such filing or recording shall have the same
10133 force and effect as if the original instrument had been so filed or
10134 recorded.

10135 (l) As used in this subsection, "filed document" means a document
10136 filed with the Secretary of the State under any provision of sections 33-
10137 600 to 33-998, inclusive, as amended by this act, except sections 33-920
10138 to 33-937, inclusive, as amended by this act, and section 33-953, as
10139 amended by this act, and "plan" means a plan of merger or share
10140 exchange. Whenever a provision of sections 33-600 to 33-998, inclusive,
10141 as amended by this act, permits any of the terms of a plan or filed
10142 document to be dependent on facts objectively ascertainable outside
10143 the plan or filed document, the following provisions apply:

10144 (1) The manner in which the facts will operate upon the terms of the
10145 plan or filed document shall be set forth in the plan or filed document;

10146 (2) The facts may include, but are not limited to (A) any of the
10147 following that is available in a nationally recognized news or
10148 information medium either in print or electronically: Statistical or
10149 market indices, market prices of any security or group of securities,
10150 interest rates, currency exchange rates, or similar economic or financial
10151 data, (B) a determination or action by any person or body, including
10152 the corporation or any other party to a plan or filed document, or (C)
10153 the terms of, or actions taken under, an agreement to which the
10154 corporation is a party, or any other agreement or document;

10155 (3) The following provisions of a plan or filed document may not be
10156 made dependent on facts outside the plan or filed document: (A) The
10157 name and address of any person required in a filed document; (B) the
10158 registered office of any entity required in a filed document; (C) the
10159 registered agent of any entity required in a filed document; (D) the
10160 number of authorized shares and designation of each class or series of
10161 shares; (E) the effective date of a filed document; and (F) any required
10162 statement in a filed document of the date on which the underlying
10163 transaction was approved or the manner in which such approval was
10164 given; and

10165 (4) If a provision of a filed document is made dependent on a fact
10166 ascertainable outside of the filed document, and such fact is not

10167 ascertainable by reference to a source described in subparagraph (A) of
10168 subdivision (2) of this subsection or a document that is a matter of
10169 public record, or the affected shareholders have not received notice of
10170 the fact from the corporation, then the corporation shall file with the
10171 Secretary of the State a certificate of amendment setting forth the fact
10172 promptly after the time when the fact referred to is first ascertainable
10173 or thereafter changes. Certificates of amendment under this
10174 subdivision are deemed to be authorized by the authorization of the
10175 original plan or filed document to which they relate and may be filed
10176 by the corporation without further action by the board of directors or
10177 the shareholders.

10178 (m) The Secretary of the State may require or permit the filing by
10179 electronic transmission or by employing new technology as it is
10180 developed of any document that is required by law or regulation
10181 adopted under sections 33-600 to 33-998, inclusive, as amended by this
10182 act, to be filed with the Secretary of the State.

10183 Sec. 260. Section 33-953 of the general statutes is repealed and the
10184 following is substituted in lieu thereof (*Effective October 1, 2011*):

10185 (a) Each domestic corporation, except banks, trust companies,
10186 insurance or surety companies, savings and loan associations and
10187 public service companies, as defined in section 16-1, and each foreign
10188 corporation authorized to transact business in this state, shall file an
10189 annual report with the Secretary of the State as prescribed in this
10190 section.

10191 (b) The first annual report of a domestic corporation shall be filed
10192 within thirty days after its organization meeting. **[**Subsequent**]** On and
10193 after October 1, 2011, subsequent annual reports of such domestic
10194 corporation and annual reports of each foreign corporation authorized
10195 to transact business in this state shall be filed **[**at such times as may be
10196 provided by regulations adopted by the Secretary of the State in
10197 accordance with chapter 54, provided the Secretary of the State may
10198 require any corporation to file an annual report according to reporting

10199 schedules established by the secretary so as to effect staggered filing of
10200 all such reports] by electronic transmission on or after October first
10201 and prior to January first. Upon request of a corporation, the Secretary
10202 of the State may grant an exemption from the requirement to file an
10203 annual report by electronic transmission if the corporation does not
10204 have the capability to file by electronic transmission or make payment
10205 in an authorized manner by electronic means or if other good cause is
10206 shown.

10207 (c) Each annual report shall set forth as of a date which complies
10208 with subsection (d) of this section and which is specified in such
10209 report: (1) The name of the corporation; (2) the principal office of the
10210 corporation or, in the case of a foreign corporation (A) the address of
10211 the principal office of the foreign corporation in the state under the
10212 laws of which it is incorporated, (B) the address of the executive offices
10213 of the foreign corporation, and (C) the address of the principal office of
10214 the foreign corporation in this state, if any; [and] (3) the electronic mail
10215 address, if any, of the corporation; and (4) the names and respective
10216 business and residence addresses of the directors and officers of the
10217 corporation, except that if good cause is shown, the Secretary of the
10218 State may accept business addresses in lieu of business and residence
10219 addresses of the directors and officers of the corporation. For the
10220 purposes of this subsection, a showing of good cause shall include, but
10221 not be limited to, a showing that public disclosure of the residence
10222 addresses of the corporation's directors and officers may expose the
10223 personal security of such directors and officers to significant risk.

10224 (d) The date specified in the annual report pursuant to subsection
10225 (c) of this section shall (1) not be later than the date of filing the report,
10226 and (2) not be earlier than the latest date preceding the date of filing on
10227 which any change of circumstances occurred which would affect the
10228 statements of fact required in the report.

10229 (e) Each annual report shall be accompanied by the required filing
10230 fee. The report shall be executed as set forth in section 33-608, as

10231 amended by this act. The Secretary of the State shall [mail] deliver to
10232 each domestic corporation at its principal office or electronic mail
10233 address, as shown by his records, and to each foreign corporation
10234 authorized to transact business in this state at its executive offices or
10235 electronic mail address, as last shown by his records, [a form
10236 prescribed by him for the annual report] notice that the annual report
10237 is due, but failure to receive such [form] notice shall not relieve a
10238 corporation of the requirement of filing the report as provided in this
10239 section.

10240 Sec. 261. Section 33-1004 of the general statutes is repealed and the
10241 following is substituted in lieu thereof (*Effective October 1, 2011*):

10242 (a) A document shall satisfy the requirements of this section, and of
10243 any other section that adds to or varies from these requirements, to be
10244 entitled to filing by the Secretary of the State.

10245 (b) Sections 33-1000 to 33-1290, inclusive, as amended by this act,
10246 shall require or permit filing the document in the office of the Secretary
10247 of the State.

10248 (c) The document shall contain the information required by sections
10249 33-1000 to 33-1290, inclusive, as amended by this act. It may contain
10250 other information as well.

10251 (d) The document shall be typewritten or printed or, if electronically
10252 transmitted, in a format that can be retrieved or reproduced in
10253 typewritten or printed form.

10254 (e) The document shall be in the English language. A corporate
10255 name need not be in English if written in English letters or Arabic or
10256 Roman numerals, and the certificate of existence required of foreign
10257 corporations need not be in English if accompanied by a reasonably
10258 authenticated English translation.

10259 (f) The document shall be executed: (1) By the chairman of the board
10260 of directors of a domestic or foreign corporation, by its president or by

10261 another of its officers; (2) if directors have not been selected or the
10262 corporation has not been formed, by an incorporator; or (3) if the
10263 corporation is in the hands of a receiver, trustee or other court-
10264 appointed fiduciary, by that fiduciary.

10265 (g) The person executing the document shall sign it and state
10266 beneath or opposite such person's signature such person's name and
10267 the capacity in which such person signs. The document may but need
10268 not contain a corporate seal, attestation, acknowledgment or
10269 verification.

10270 (h) If the Secretary of the State has prescribed a mandatory form for
10271 the document under section 33-1005, the document shall be in or on
10272 the prescribed form.

10273 (i) The document shall be delivered to the office of the Secretary of
10274 the State for filing. **[**Delivery may be made by electronic transmission if
10275 and to the extent permitted by the Secretary of the State.**]** If the
10276 document is filed in typewritten or printed form and not electronically
10277 transmitted, the Secretary of the State may require one exact or
10278 conformed copy to be delivered with the document, except as
10279 provided in sections 33-1052 and 33-1218.

10280 (j) When the document is delivered to the office of the Secretary of
10281 the State for filing, the correct filing fee, and any franchise tax, license
10282 fee or penalty required to be paid therewith by sections 33-1000 to 33-
10283 1290, inclusive, <u>as amended by this act,</u> or other law, must be paid or
10284 provision for payment made in a manner permitted by the Secretary of
10285 the State.

10286 (k) When any document is required or permitted to be filed or
10287 recorded as provided in sections 33-1000 to 33-1290, inclusive, <u>as</u>
10288 <u>amended by this act,</u> the Secretary of the State may<u>,</u> in the Secretary of
10289 the State's discretion, for good cause, permit a photostatic or other
10290 photographic copy of such document to be filed or recorded in lieu of
10291 the original instrument. Such filing or recording shall have the same

10292 force and effect as if the original instrument had been so filed or
10293 recorded.

10294 (l) The Secretary of the State may require or permit the filing by
10295 electronic transmission or by employing new technology as it is
10296 developed of any document that is required by law or regulation
10297 adopted under sections 33-1000 to 33-1290, inclusive, as amended by
10298 this act, to be filed with the Secretary of the State.

10299 Sec. 262. Section 33-1243 of the general statutes is repealed and the
10300 following is substituted in lieu thereof (*Effective October 1, 2011*):

10301 (a) Each domestic corporation, except banks, trust companies,
10302 insurance or surety companies, savings and loan associations, credit
10303 unions, public service companies, as defined in section 16-1, cemetery
10304 associations and incorporated church or religious corporations, and
10305 each foreign corporation authorized to conduct affairs in this state, and
10306 except corporations formed before January 1, 1961, which under the
10307 law in effect on December 31, 1960, were not required to file an annual
10308 report, shall file an annual report with the Secretary of the State as
10309 prescribed in this section.

10310 (b) The first annual report of a domestic corporation shall be filed
10311 within thirty days after its organization meeting. **[**Subsequent**]** On and
10312 after October 1, 2011, subsequent annual reports of such domestic
10313 corporation and annual reports of each foreign corporation authorized
10314 to conduct affairs in this state shall be filed **[**at such times as may be
10315 provided by regulations adopted by the Secretary of the State in
10316 accordance with chapter 54, provided the Secretary of the State may
10317 require any corporation to file an annual report according to reporting
10318 schedules established by the secretary so as to effect staggered filing of
10319 all such reports**]** by electronic transmission on or after October first
10320 and prior to January first. Upon request of a corporation, the Secretary
10321 of the State may grant an exemption from the requirement to file an
10322 annual report by electronic transmission if the corporation does not
10323 have the capability to file by electronic transmission or make payment

10324 in an authorized manner by electronic means or if other good cause is
10325 shown.

10326 (c) Each annual report shall set forth as of a date which complies
10327 with subsection (d) of this section and which is specified in such
10328 report: (1) The name of the corporation and, in the case of a foreign
10329 corporation, the state under the laws of which it is incorporated; (2) the
10330 principal office of the corporation or, in the case of a foreign
10331 corporation (A) the address of the principal office of the foreign
10332 corporation in the state under the laws of which it is incorporated, (B)
10333 the address of the executive offices of the foreign corporation, and (C)
10334 the address of the principal office of the foreign corporation in this
10335 state, if any; **[**and**]** (3) the electronic mail address, if any, of the
10336 corporation; and (4) the names and respective business and residence
10337 addresses of the directors and officers of the corporation, except that if
10338 good cause is shown, the Secretary of the State may accept business
10339 addresses in lieu of business and residence addresses of the directors
10340 and officers of the corporation. For the purposes of this subsection, a
10341 showing of good cause shall include, but not be limited to, a showing
10342 that public disclosure of the residence addresses of the corporation's
10343 directors and officers may expose the personal security of such
10344 directors and officers to significant risk.

10345 (d) The date specified in the annual report pursuant to subsection
10346 (c) of this section shall (1) not be later than the date of filing the report,
10347 and (2) not be earlier than the latest date preceding the date of filing on
10348 which any change of circumstances occurred which would affect the
10349 statements of fact required in the report.

10350 (e) Each annual report shall be accompanied by the required filing
10351 fee. The report shall be executed as set forth in section 33-1004, as
10352 amended by this act. The Secretary of the State shall **[**mail**]** deliver to
10353 each domestic corporation at its principal office or electronic mail
10354 address, as shown by his records, and to each foreign corporation
10355 authorized to conduct affairs in this state at its executive offices or

10356 electronic mail address, as last shown by his records, [a form
10357 prescribed by him for the annual report] notice that the annual report
10358 is due, but failure to receive such [form] notice shall not relieve a
10359 corporation of the requirement of filing the report as provided in this
10360 section.

10361 Sec. 263. Section 34-9 of the general statutes is repealed and the
10362 following is substituted in lieu thereof (*Effective October 1, 2011*):

10363 As used in this chapter, unless the context otherwise requires:

10364 (1) "Address" means location as described by the full street number,
10365 if any, street, city or town, state or country and not a mailing address
10366 such as a post office box.

10367 (2) "Certificate of limited partnership" means the certificate referred
10368 to in section 34-10 and the certificate as amended or restated.

10369 (3) "Consolidation" means a business combination pursuant to
10370 section 34-33b.

10371 (4) "Contribution" means any cash, property, services rendered, or a
10372 promissory note or other binding obligation to contribute cash or
10373 property or to perform services, which a partner contributes to a
10374 limited partnership in his capacity as a partner.

10375 (5) "Deliver" or "delivery" means any method of delivery used in
10376 conventional commercial practice including delivery by hand, mail,
10377 commercial delivery and electronic transmission.

10378 (6) "Document" includes anything delivered to the office of the
10379 Secretary of the State for filing under sections 34-9 to 34-38u, inclusive,
10380 as amended by this act.

10381 (7) "Electronic transmission" or "electronically transmitted" means
10382 any process of communication not directly involving the physical
10383 transfer of paper that is suitable for the retention, retrieval and

10384 reproduction of information by the recipient.

10385 [(5)] (8) "Event of withdrawal of a general partner" means an event
10386 that causes a person to cease to be a general partner as provided in
10387 section 34-28.

10388 [(6)] (9) "Foreign limited partnership" means a partnership formed
10389 under the laws of any state other than this state and having as partners
10390 one or more general partners and one or more limited partners.

10391 [(7)] (10) "General partner" means a person who has been admitted
10392 to a limited partnership as a general partner in accordance with the
10393 partnership agreement and named in the certificate of limited
10394 partnership as a general partner.

10395 [(8)] (11) "Interests" means the proprietary interests in an other
10396 entity.

10397 [(9)] (12) "Limited partner" means a person who has been admitted
10398 to a limited partnership as a limited partner in accordance with the
10399 partnership agreement.

10400 [(10)] (13) "Limited partnership" and "domestic limited partnership"
10401 means a partnership formed by two or more persons under the
10402 provisions of this chapter and having one or more general partners
10403 and one or more limited partners.

10404 [(11)] (14) "Merger" means a business combination pursuant to
10405 section 34-33a.

10406 [(12)] (15) "Organizational documents" means the basic document or
10407 documents that create, or determine the internal governance of, an
10408 other entity.

10409 [(13)] (16) "Other entity" means any association or legal entity, other
10410 than a domestic or foreign limited partnership, organized to conduct
10411 business, including, but not limited to, a corporation, general

10412 partnership, limited liability partnership, limited liability company,
10413 joint venture, joint stock company, business trust, statutory trust and
10414 real estate investment trust.

10415 [(14)] (17) "Partner" means a limited or general partner.

10416 [(15)] (18) "Partnership agreement" means any valid agreement,
10417 written or oral, of the partners as to the affairs of a limited partnership
10418 and the conduct of its business.

10419 [(16)] (19) "Partnership interest" means a partner's share of the
10420 profits and losses of a limited partnership and the right to receive
10421 distributions of partnership assets.

10422 [(17)] (20) "Party to a consolidation" means any domestic or foreign
10423 limited partnership or other entity that will consolidate under a plan of
10424 consolidation.

10425 [(18)] (21) "Party to a merger" means any domestic or foreign limited
10426 partnership or other entity that will merge under a plan of merger.

10427 [(19)] (22) "Person" means a natural person, partnership, limited
10428 partnership, foreign limited partnership, trust, estate, association,
10429 limited liability company or corporation.

10430 [(20)] (23) "Plan of merger" means a plan entered into pursuant to
10431 section 34-33a.

10432 [(21)] (24) "Plan of consolidation" means a plan entered into
10433 pursuant to section 34-33b.

10434 (25) "Sign" or "signature" includes any manual, facsimile, conformed
10435 or electronic signature.

10436 [(22)] (26) "State" means a state, territory, or possession of the United
10437 States, the District of Columbia or the Commonwealth of Puerto Rico.

10438 [(23)] (27) "Survivor" means, in a merger or consolidation, the

10439 limited partnership or other entity into which one or more other
10440 limited partnerships or other entities are merged or consolidated.

10441 Sec. 264. Section 34-10b of the general statutes is repealed and the
10442 following is substituted in lieu thereof (*Effective October 1, 2011*):

10443 (a) A signed copy of the certificate of limited partnership and of any
10444 certificates of amendment or cancellation or of any judicial decree of
10445 amendment or cancellation or of any certificate of merger or
10446 consolidation, or notice or any other document permitted or required
10447 to be filed pursuant to this chapter for a limited partnership, shall be
10448 delivered to the Secretary of the State. A person who executes a
10449 certificate as an agent or fiduciary need not exhibit evidence of his
10450 authority as a prerequisite to filing. Unless the Secretary of the State
10451 finds that any certificate does not conform to law, upon receipt of all
10452 filing fees required by law he shall:

10453 (1) Endorse on each copy the word "Filed" and the day, month and
10454 year of the filing thereof; and

10455 (2) File a signed copy in his office.

10456 (b) Upon the filing of a certificate of amendment or judicial decree
10457 of amendment in the office of the Secretary of the State, the certificate
10458 of limited partnership shall be amended as set forth therein, and upon
10459 the effective date of a certificate of cancellation, or a judicial decree
10460 thereof or a certificate of merger or consolidation which acts as a
10461 certificate of cancellation, the certificate of limited partnership is
10462 cancelled.

10463 <u>(c) When any document is required or permitted to be filed or</u>
10464 <u>recorded as provided in sections 34-9 to 34-38u, inclusive, as amended</u>
10465 <u>by this act, the Secretary of the State may, in the Secretary of the State's</u>
10466 <u>discretion, for good cause, permit a photostatic or other photographic</u>
10467 <u>copy of such document to be filed or recorded in lieu of the original</u>
10468 <u>instrument. Such filing or recording shall have the same force and</u>

10469 effect as if the original instrument had been so filed or recorded.

10470 (d) The Secretary of the State may require or permit the filing by
10471 electronic transmission or by employing new technology as it is
10472 developed of any document that is required by law or regulation
10473 adopted under sections 34-9 to 34-38u, inclusive, as amended by this
10474 act, to be filed with the Secretary of the State.

10475 Sec. 265. Section 34-13e of the general statutes is repealed and the
10476 following is substituted in lieu thereof (*Effective October 1, 2011*):

10477 (a) On and after January 1, 1996, each limited partnership shall file
10478 an annual report with the Secretary of the State that shall be due upon
10479 the anniversary of the formation of the limited partnership. On and
10480 after October 1, 2011, each limited partnership shall file an annual
10481 report by electronic transmission on or after January first and prior to
10482 January first. Upon request of a limited partnership, the Secretary of
10483 the State may grant an exemption from the requirement to file an
10484 annual report by electronic transmission if the limited partnership
10485 does not have the capability to file by electronic transmission or make
10486 payment in an authorized manner by electronic means or if other good
10487 cause is shown.

10488 (b) Each annual report shall set forth: (1) The name of the limited
10489 partnership; [and] (2) the address of the office of the limited
10490 partnership required to be maintained by section 34-13b; and (3) the
10491 electronic mail address, if any, of the limited partnership.

10492 (c) Each annual report shall be executed in accordance with section
10493 34-10a and be accompanied by the filing fee established in section 34-
10494 38n. The Secretary of the State shall [mail] deliver to each limited
10495 partnership at [its] the address of the office required to be maintained
10496 by section 34-13b or its electronic mail address, as shown by his
10497 records, [a form prescribed by him for the annual report] notice that
10498 the annual report is due, but failure to receive such [form] notice shall
10499 not relieve a limited partnership of the requirement of filing the report

10500 as provided in this section.

10501 Sec. 266. Section 34-38s of the general statutes is repealed and the
10502 following is substituted in lieu thereof (*Effective October 1, 2011*):

10503 (a) On and after January 1, 1996, each foreign limited partnership
10504 registered to transact business in this state shall file an annual report
10505 with the Secretary of the State that shall be due upon the anniversary
10506 of the registration of such foreign limited partnership pursuant to
10507 section 34-38g. On and after October 1, 2011, each foreign limited
10508 partnership shall file an annual report by electronic transmission on or
10509 after October first and prior to January first. Upon request of a foreign
10510 limited partnership, the Secretary of the State may grant an exemption
10511 from the requirement to file an annual report by electronic
10512 transmission if the foreign limited partnership does not have the
10513 capability to file by electronic transmission or make payment in an
10514 authorized manner by electronic means or if other good cause is
10515 shown.

10516 (b) Each annual report shall set forth: (1) The name of the foreign
10517 limited partnership and, if different, the name under which such
10518 foreign limited partnership transacts business in this state; **[**, and**]** (2)
10519 the address of the office required to be maintained in the state or other
10520 jurisdiction of the foreign limited partnership's organization by the
10521 laws of that state or jurisdiction or, if not so required, the address of its
10522 principal office; and (3) the electronic mail address, if any, of the
10523 foreign limited partnership.

10524 (c) Each annual report shall be executed in accordance with section
10525 34-10a and be accompanied by the filing fee established in section 34-
10526 38n. The Secretary of the State shall **[**mail**]** deliver to each foreign
10527 limited partnership at its principal office or its electronic mail address,
10528 as last shown by his records, **[**a form prescribed by him for the annual
10529 report**]** notice that the annual report is due, but failure to receive such
10530 **[**form**]** notice shall not relieve a foreign limited partnership of the
10531 requirement of filing the report as provided in this section.

10532 Sec. 267. Section 34-101 of the general statutes is repealed and the
10533 following is substituted in lieu thereof (*Effective January 1, 2011*):

10534 As used in sections 34-100 to 34-242, inclusive, as amended by this
10535 act, unless the context otherwise requires:

10536 (1) "Address" means a location as described by the full street
10537 number, if any, street, city or town, state or county and not a mailing
10538 address such as a post office box.

10539 (2) "Articles of organization" means articles filed under section 34-
10540 121, and those articles as amended or restated.

10541 (3) "Corporation" means a corporation formed under the laws of this
10542 state or a foreign corporation.

10543 (4) "Court" includes every court having jurisdiction in the case.

10544 (5) "Deliver" or "delivery" means any method of delivery used in
10545 conventional commercial practice including delivery by hand, mail,
10546 commercial delivery and electronic transmission.

10547 (6) "Document" includes anything delivered to the office of the
10548 Secretary of the State for filing under sections 34-100 to 34-242,
10549 inclusive, as amended by this act.

10550 **[**(5)**]** (7) "Electronic transmission" or "electronically transmitted"
10551 means any process of communication not directly involving the
10552 physical transfer of paper that is suitable for the retention, retrieval
10553 and reproduction of information by the recipient. **[**and which does not
10554 directly involve the physical transfer of paper.**]**

10555 **[**(6)**]** (8) "Event of dissociation" means an event that causes a person
10556 to cease to be a member, as provided in section 34-180.

10557 **[**(7)**]** (9) "Foreign corporation" means a corporation formed under
10558 the laws of any state other than this state or under the laws of any
10559 foreign country.

10560 [(8)] (10) "Foreign limited liability company" means an entity that is:
10561 (A) Organized under the laws of a state other than the laws of this state
10562 or under the laws of any foreign country; (B) organized under a statute
10563 pursuant to which an entity denominated as a limited liability
10564 company may be formed that affords to each of its members limited
10565 liability with respect to the liabilities of the entity; and (C) is not
10566 required to be registered or organized under any statute of this state
10567 other than sections 34-100 to 34-242, inclusive, as amended by this act.

10568 [(9)] (11) "Foreign limited partnership" means a limited partnership
10569 formed under the laws of any state other than this state or under the
10570 laws of any foreign country.

10571 [(10)] (12) "Limited liability company" or "domestic limited liability
10572 company" means an organization having one or more members that is
10573 formed under sections 34-100 to 34-242, inclusive, as amended by this
10574 act.

10575 [(11)] (13) "Limited liability company membership interest" or
10576 "interest" or "interest in the limited liability company" means a
10577 member's share of the profits and losses of the limited liability
10578 company and a member's right to receive distributions of the limited
10579 liability company's assets, unless otherwise provided in the operating
10580 agreement.

10581 [(12)] (14) "Limited partnership" means a limited partnership
10582 formed under the laws of this state or a foreign limited partnership.

10583 [(13)] (15) "Manager" or "managers" means, with respect to a limited
10584 liability company that has set forth in its articles of organization that it
10585 is to be managed by managers, the person or persons designated in
10586 accordance with section 34-140.

10587 [(14)] (16) "Member" or "members" means a person or persons who
10588 have been admitted to membership in a limited liability company as
10589 provided in section 34-179 and who have not disassociated from the

10590 limited liability company as provided in section 34-180.

10591 [(15)] (17) "Operating agreement" means any agreement, written or
10592 oral, as to the conduct of the business and affairs of a limited liability
10593 company, which is binding upon all of the members.

10594 [(16)] (18) "Organizational documents" means the basic document or
10595 documents that create, or determine the internal governance of, an
10596 other entity.

10597 [(17)] (19) "Organizer" or "organizers" means any member or
10598 members or any other person or persons who files or file the articles of
10599 organization as provided in section 34-120.

10600 [(18)] (20) "Other entity" means any association or legal entity, other
10601 than a domestic or foreign limited liability company, organized to
10602 conduct business, including, but not limited to, a corporation, general
10603 partnership, limited liability partnership, limited partnership, joint
10604 venture, joint stock company, business trust, statutory trust and real
10605 estate investment trust.

10606 [(19)] (21) "Party to a consolidation" means any domestic or foreign
10607 limited liability company or other entity that will consolidate under a
10608 plan of consolidation.

10609 [(20)] (22) "Party to a merger" means any domestic or foreign limited
10610 liability company or other entity that will merge under a plan of
10611 merger.

10612 [(21)] (23) "Person" means an individual, a general partnership, a
10613 limited partnership, a domestic or foreign limited liability company, a
10614 trust, an estate, an association, a corporation or any other legal or
10615 commercial entity.

10616 [(22)] (24) "Plan of merger" or "plan of consolidation" means a plan
10617 entered into pursuant to section 34-195.

10618 [(23)] (25) "Professional service" means any type of service to the
10619 public that requires that members of a profession rendering such
10620 service obtain a license or other legal authorization as a condition
10621 precedent to the rendition thereof, limited to the professional services
10622 rendered by dentists, natureopaths, chiropractors, physicians and
10623 surgeons, doctors of dentistry, physical therapists, occupational
10624 therapists, podiatrists, optometrists, nurses, nurse-midwives,
10625 veterinarians, pharmacists, architects, professional engineers, or jointly
10626 by architects and professional engineers, landscape architects, real
10627 estate brokers, insurance producers, certified public accountants and
10628 public accountants, land surveyors, psychologists, attorneys-at-law,
10629 licensed marital and family therapists, licensed professional
10630 counselors, licensed or certified alcohol and drug counselors and
10631 licensed clinical social workers.

10632 [(24)] (26) "Sign" or "signature" includes any manual, facsimile, [or]
10633 conformed or electronic signature.

10634 [(25)] (27) "State" means a state, territory or possession of the United
10635 States, the District of Columbia or the Commonwealth of Puerto Rico.

10636 [(26)] (28) "Survivor" means, in a merger or consolidation, the
10637 limited liability company or other entity into which one or more other
10638 limited liability companies or other entities are merged or
10639 consolidated.

10640 Sec. 268. Section 34-106 of the general statutes is repealed and the
10641 following is substituted in lieu thereof (*Effective October 1, 2011*):

10642 (a) Each limited liability company shall file an annual report with
10643 the Secretary of the State which report shall be due upon the
10644 anniversary of the filing of a limited liability company's articles of
10645 organization pursuant to section 34-120. On and after October 1, 2011,
10646 each limited liability company shall file an annual report by electronic
10647 transmission on or after October first and prior to January first. Upon
10648 request of a limited liability company, the Secretary of the State may

10649 grant an exemption from the requirement to file an annual report by
10650 electronic transmission if (1) the limited liability company does not
10651 have the capability to file by electronic transmission or make payment
10652 in an authorized manner by electronic means, or (2) other good cause
10653 is shown.

10654 (b) Such reporting requirement shall commence on or after January
10655 1, 1995, and continue annually thereafter.

10656 (c) Each annual report shall set forth: (1) The name of the limited
10657 liability company; (2) the limited liability company's current principal
10658 office address; **[**and**]** (3) the electronic mail address, if any, of the
10659 limited liability company; and (4) the name and respective business
10660 and residence addresses of a manager or a member of the limited
10661 liability company, except that if good cause is shown, the Secretary of
10662 the State may accept a business address in lieu of the business and
10663 residence addresses of such manager or member. For the purposes of
10664 this subsection and subsection (d) of this section, a showing of good
10665 cause shall include, but not be limited to, a showing that public
10666 disclosure of the residence address of the manager or member of the
10667 limited liability company may expose the personal security of such
10668 manager or member to significant risk.

10669 (d) If the manager or member named in a limited liability
10670 company's most current annual report pursuant to subsection (c) of
10671 this section is replaced for such purpose by another manager or
10672 member after the limited liability company has filed such annual
10673 report, but not later than thirty days preceding the month during
10674 which the limited liability company's next annual report becomes due,
10675 the limited liability company shall file with the Secretary of the State
10676 an interim notice of change of manager or member that sets forth: (1)
10677 The name of the limited liability company; and (2) the name, title and
10678 respective business and residence addresses of the new manager or
10679 member and the name and title of the former manager or member,
10680 except that if good cause is shown, the Secretary of the State may

10681 accept a business address in lieu of the business and residence
10682 addresses of the new manager or member. Any such change of
10683 manager or member that occurs within the thirty-day period preceding
10684 the month during which the limited liability company's next annual
10685 report becomes due shall be reflected in such next annual report.

10686 (e) Each annual report shall be executed in accordance with section
10687 34-109 and be accompanied by the filing fee established in section 34-
10688 112. The Secretary of the State shall **[**mail**]** deliver to each limited
10689 liability company at its principal office or electronic mail address, as
10690 shown on his records, **[**a form prescribed by him for the annual report**]**
10691 notice that the annual report is due, but failure to receive such **[**form**]**
10692 notice shall not relieve a limited liability company of the requirement
10693 of filing the report as provided in this section.

10694 Sec. 269. Section 34-110 of the general statutes is repealed and the
10695 following is substituted in lieu thereof (*Effective October 1, 2011*):

10696 (a) The original signed copy of the articles of organization or any
10697 other document required to be filed pursuant to sections 34-100 to 34-
10698 242, inclusive, as amended by this act, shall be delivered to the
10699 Secretary of the State. The articles of organization or any other
10700 document required to be filed shall be typewritten or printed or, if
10701 **[**authorized by the Secretary of the State,**]** electronically transmitted, in
10702 a format that can be retrieved or reproduced in typewritten or printed
10703 form. Unless the Secretary of the State determines that the document
10704 does not conform to the filing provisions of said sections, the Secretary
10705 of the State shall, when all required filing fees have been paid: (1)
10706 Endorse on each signed document "filed" and the date and time of its
10707 acceptance for filing; and (2) retain the signed document in the
10708 Secretary of the State's files.

10709 (b) When any document is required or permitted to be filed or
10710 recorded as provided in sections 34-100 to 34-242, inclusive, as
10711 amended by this act, the Secretary of the State may, in the Secretary of
10712 the State's discretion, for good cause, permit a photostatic or other

10713 photographic copy of such document to be filed or recorded in lieu of
10714 the original instrument. Such filing or recording shall have the same
10715 force and effect as if the original instrument had been so filed or
10716 recorded.

10717 (c) The Secretary of the State may require or permit the filing by
10718 electronic transmission or by employing new technology as it is
10719 developed of any document that is required by law or regulation
10720 adopted under sections 34-100 to 34-242, inclusive, as amended by this
10721 act, to be filed with the Secretary of the State.

10722 **[**(c)**]** (d) If the Secretary of the State determines that the document
10723 does not conform to the filing provisions of sections 34-100 to 34-242,
10724 inclusive, as amended by this act, or is not accompanied by all fees
10725 required by law, the document shall not be filed and the Secretary of
10726 the State shall return the document to the person originally submitting
10727 it.

10728 Sec. 270. Section 34-229 of the general statutes is repealed and the
10729 following is substituted in lieu thereof (*Effective October 1, 2011*):

10730 (a) A foreign limited liability company registered to transact
10731 business in this state shall file an annual report in the office of the
10732 Secretary of the State which report shall be due upon the anniversary
10733 of such foreign limited liability company's registration pursuant to
10734 section 34-223. On and after October 1, 2011, each foreign limited
10735 liability company shall file an annual report by electronic transmission
10736 on or after October first and prior to January first. Upon request of a
10737 foreign limited liability company, the Secretary of the State may grant
10738 an exemption from the requirement to file an annual report by
10739 electronic transmission if the foreign limited liability company does
10740 not have the capability to file by electronic transmission or make
10741 payment in an authorized manner by electronic means or if other good
10742 cause is shown.

10743 (b) Such reporting requirement shall commence on and after

10744 January 1, 1995, and continue annually thereafter.

10745 (c) Each annual report shall set forth: (1) The name of the foreign
10746 limited liability company and, if different, the name under which such
10747 foreign limited liability company transacts business in this state; (2) the
10748 address of the office required to be maintained in the state or other
10749 jurisdiction of the foreign limited liability company's organization by
10750 the laws of that state or jurisdiction or, if not so required, the address
10751 of its principal office; **[**and**]** (3) the electronic mail address, if any, of the
10752 foreign limited liability company; and (4) the name and respective
10753 business and residence addresses of a manager or a member of the
10754 foreign limited liability company, except that if good cause is shown,
10755 the Secretary of the State may accept a business address in lieu of the
10756 business and residence addresses of such manager or member. For the
10757 purposes of this subsection and subsection (d) of this section, a
10758 showing of good cause shall include, but not be limited to, a showing
10759 that public disclosure of the residence address of the manager or
10760 member of the foreign limited liability company may expose the
10761 personal security of such manager or member to significant risk.

10762 (d) If the manager or member named in a foreign limited liability
10763 company's most current annual report pursuant to subsection (c) of
10764 this section is replaced for such purpose by another manager or
10765 member after the foreign limited liability company has filed such
10766 annual report, but not later than thirty days preceding the month
10767 during which the foreign limited liability company's next annual
10768 report becomes due, the foreign limited liability company shall file
10769 with the Secretary of the State an interim notice of change of manager
10770 or member that sets forth: (1) The name of the foreign limited liability
10771 company; and (2) the name, title and respective business and residence
10772 addresses of the new manager or member and the name and title of the
10773 former manager or member, except that if good cause is shown, the
10774 Secretary of the State may accept a business address in lieu of the
10775 business and residence addresses of the new manager or member. Any
10776 such change of manager or member that occurs within the thirty-day

10777 period preceding the month during which the foreign limited liability
10778 company's next annual report becomes due shall be reflected in such
10779 next annual report.

10780 (e) Each annual report shall be executed in accordance with section
10781 34-109 and be accompanied by the filing fee established in section 34-
10782 112. The Secretary of the State shall [mail] deliver to each foreign
10783 limited liability company at its principal office or electronic mail
10784 address, as shown on his records, [a form prescribed by him for the
10785 annual report] notice that the annual report is due, but failure to
10786 receive such [form] notice shall not relieve a foreign limited liability
10787 company of the requirement of filing the report as provided in this
10788 section.

10789 Sec. 271. Section 34-301 of the general statutes is repealed and the
10790 following is substituted in lieu thereof (*Effective October 1, 2011*):

10791 As used in sections 34-300 to [34-399] 34-434, inclusive, as amended
10792 by this act:

10793 (1) "Business" includes every trade, occupation and profession.

10794 (2) "Debtor in bankruptcy" means a person who is the subject of: (A)
10795 An order for relief under Title 11 of the United States Code or a
10796 comparable order under a successor statute of general application; or
10797 (B) a comparable order under federal, state or foreign law governing
10798 insolvency.

10799 (3) "Deliver" or "delivery" means any method of delivery used in
10800 conventional commercial practice including delivery by hand, mail,
10801 commercial delivery and electronic transmission.

10802 [(3)] (4) "Distribution" means a transfer of money or other property
10803 from a partnership to a partner in the partner's capacity as a partner or
10804 to the partner's transferee.

10805 (5) "Document" includes anything delivered to the office of the

10806 Secretary of the State for filing under sections 34-300 to 34-434,
10807 inclusive, as amended by this act.

10808 (6) "Electronic transmission" or "electronically transmitted" means
10809 any process of communication not directly involving the physical
10810 transfer of paper that is suitable for the retention, retrieval and
10811 reproduction of information by the recipient.

10812 **[**(4)**]** (7) "Foreign registered limited liability partnership" includes a
10813 partnership formed pursuant to an agreement governed by the laws of
10814 any state other than this state and registered or denominated as a
10815 registered limited liability partnership or limited liability partnership
10816 under the laws of such other state.

10817 **[**(5)**]** (8) "Interests" means the proprietary interests in an other entity.

10818 **[**(6)**]** (9) "Merger" means a business combination pursuant to section
10819 34-388.

10820 **[**(7)**]** (10) "Organizational documents" means the basic document or
10821 documents that create, or determine the internal governance of, an
10822 other entity.

10823 **[**(8)**]** (11) "Other entity" means any association or legal entity, other
10824 than a domestic or foreign partnership, organized to conduct business,
10825 including, but not limited to, a corporation, limited partnership,
10826 limited liability partnership, limited liability company, joint venture,
10827 joint stock company, business trust, statutory trust and real estate
10828 investment trust.

10829 **[**(9)**]** (12) "Partnership" means an association of two or more persons
10830 to carry on as co-owners a business for profit formed under section 34-
10831 314, predecessor law or comparable law of another jurisdiction, and
10832 includes for all purposes of the laws of this state a registered limited
10833 liability partnership.

10834 **[**(10)**]** (13) "Partnership agreement" means the agreement, whether

10835 written, oral or implied, among the partners concerning the
10836 partnership, including amendments to the partnership agreement.

10837 [(11)] (14) "Partnership at will" means a partnership in which the
10838 partners have not agreed to remain partners until the expiration of a
10839 definite term or the completion of a particular undertaking.

10840 [(12)] (15) "Partnership interest" or "partner's interest in the
10841 partnership" means all of a partner's interests in the partnership,
10842 including the partner's transferable interest and all management and
10843 other rights.

10844 [(13)] (16) "Party to a merger" means any domestic or foreign
10845 partnership or other entity that will merge under a plan of merger.

10846 [(14)] (17) "Person" means an individual, corporation, limited
10847 liability company, business trust, estate, trust, partnership, association,
10848 joint venture, government, governmental subdivision, agency or
10849 instrumentality, or any other legal or commercial entity.

10850 [(15)] (18) "Plan of merger" means a plan entered into pursuant to
10851 section 34-388.

10852 [(16)] (19) "Property" means all property, real, personal or mixed,
10853 tangible or intangible, or any interest therein.

10854 [(17)] (20) "Registered limited liability partnership" includes a
10855 partnership formed pursuant to an agreement governed by the laws of
10856 this state, registered under section 34-419, and complying with sections
10857 34-406 and 34-420, as amended by this act.

10858 (21) "Sign" or "signature" includes any manual, facsimile, conformed
10859 or electronic signature.

10860 [(18)] (22) "State" means a state of the United States, the District of
10861 Columbia, the Commonwealth of Puerto Rico or any territory or
10862 insular possession subject to the jurisdiction of the United States.

10863 [(19)] (23) "Statement" means a statement of partnership authority
10864 under section 34-324, a statement of denial under section 34-325, a
10865 statement of dissociation under section 34-365, a statement of
10866 dissolution under section 34-376, a statement of merger under section
10867 34-390, or an amendment or cancellation of any of the foregoing.

10868 [(20)] (24) "Survivor" in a merger means the partnership or other
10869 entity into which one or more other partnerships or other entities are
10870 merged or consolidated. A survivor of a merger may preexist the
10871 merger or be created by the merger.

10872 [(21)] (25) "Transfer" includes an assignment, conveyance, lease,
10873 mortgage, deed and encumbrance.

10874 Sec. 272. Section 34-411 of the general statutes is repealed and the
10875 following is substituted in lieu thereof (*Effective October 1, 2011*):

10876 (a) The original signed copy of a certificate of limited liability
10877 partnership of a registered limited liability partnership or the
10878 certificate of authority of a foreign registered limited liability
10879 partnership or of any other document required to be filed pursuant to
10880 sections 34-300 to 34-434, inclusive, as amended by this act, shall be
10881 delivered to the Secretary of the State. Unless the Secretary of the State
10882 determines that the documents do not conform to the filing provisions
10883 of said sections, he shall, when all required filing fees have been paid:
10884 (1) Endorse on each signed original "filed" and the date and time of its
10885 acceptance for filing; and (2) retain the signed original in his files.

10886 (b) When any document is required or permitted to be filed or
10887 recorded as provided in sections 34-300 to 34-434, inclusive, as
10888 amended by this act, the Secretary of the State may, in the Secretary of
10889 the State's discretion, for good cause, permit a photostatic or other
10890 photographic copy of such document to be filed or recorded in lieu of
10891 the original instrument. Such filing or recording shall have the same
10892 force and effect as if the original instrument had been so filed or
10893 recorded.

10894 (c) The Secretary of the State may require or permit the filing by
10895 electronic transmission or by employing new technology as it is
10896 developed of any document that is required by law or regulation
10897 adopted under sections 34-300 to 34-434, inclusive, as amended by this
10898 act, to be filed with the Secretary of the State.

10899 **[**(b)**]** (d) If the Secretary of the State determines that the documents
10900 do not conform to the filing provisions of sections 34-300 to 34-434,
10901 inclusive, as amended by this act, or are not accompanied by all fees
10902 required by law, the documents shall not be filed and the Secretary of
10903 the State shall return the documents to the person originally
10904 submitting them.

10905 Sec. 273. Section 34-420 of the general statutes is repealed and the
10906 following is substituted in lieu thereof (*Effective October 1, 2011*):

10907 (a) Each registered limited liability partnership shall file an annual
10908 report with the Secretary of the State, which report shall be due upon
10909 the anniversary of the filing of a certificate of limited liability
10910 partnership pursuant to section 34-419. On and after October 1, 2011,
10911 each registered limited liability partnership shall file an annual report
10912 by electronic transmission on or after October first and prior to January
10913 first. Upon request of a registered limited liability partnership, the
10914 Secretary of the State may grant an exemption from the requirement to
10915 file an annual report by electronic transmission if the registered limited
10916 liability partnership does not have the capability to file by electronic
10917 transmission or make payment in an authorized manner by electronic
10918 means or if other good cause is shown.

10919 (b) Such reporting requirement shall commence on or after January
10920 1, 1997, and continue annually thereafter.

10921 (c) Each annual report shall set forth: (1) The name of the registered
10922 limited liability partnership; **[**, and**]** (2) the registered limited liability
10923 partnership's current principal office address; and (3) the electronic
10924 mail address, if any, of the registered limited liability partnership.

10925 (d) Each annual report shall be executed in accordance with section
10926 34-410 and be accompanied by the filing fee established in section 34-
10927 413. The Secretary of the State shall [mail] deliver to each registered
10928 limited liability partnership at its principal office or electronic mail
10929 address, as shown on his records, [a form prescribed by him for the
10930 annual report] notice that the annual report is due, but failure to
10931 receive such [form] notice shall not relieve a registered limited liability
10932 partnership of the requirement of filing the report as provided in this
10933 section.

10934 Sec. 274. Section 34-431 of the general statutes is repealed and the
10935 following is substituted in lieu thereof (*Effective October 1, 2011*):

10936 (a) A foreign registered limited liability partnership authorized to
10937 transact business in this state shall file an annual report in the office of
10938 the Secretary of the State which report shall be due upon the
10939 anniversary of such foreign registered limited liability partnership's
10940 certificate of authority pursuant to section 34-429, as amended by this
10941 act. On and after October 1, 2011, each foreign registered limited
10942 liability partnership shall file an annual report by electronic
10943 transmission on or after October first and prior to January first. Upon
10944 request of a foreign registered limited liability partnership, the
10945 Secretary of the State may grant an exemption from the requirement to
10946 file an annual report by electronic transmission if the foreign registered
10947 limited liability partnership does not have the capability to file by
10948 electronic transmission or make payment in an authorized manner by
10949 electronic means or if other good cause is shown.

10950 (b) Such reporting requirement shall commence on and after
10951 January 1, 1997, and continue annually thereafter.

10952 (c) Each annual report shall set forth: (1) The name of the foreign
10953 registered limited liability partnership and, if different, the name
10954 under which such foreign registered limited liability partnership
10955 transacts business in this state; [and] (2) the address of the office
10956 required to be maintained in the state or other jurisdiction of the

10957 foreign registered limited liability partnership's organization by the
10958 laws of that state or jurisdiction or, if not so required, the address of its
10959 principal office; and (3) the electronic mail address, if any, of the
10960 foreign registered limited liability partnership.

10961 (d) Each annual report shall be executed in accordance with section
10962 34-410, and be accompanied by the filing fee established in section 34-
10963 413. The Secretary of the State shall **[**mail**]** deliver to each foreign
10964 registered limited liability partnership at its principal office or
10965 electronic mail address, as shown on his records, **[**a form prescribed by
10966 him for the annual report**]** notice that the annual report is due, but
10967 failure to receive such **[**form**]** notice shall not relieve a foreign
10968 registered limited liability partnership of the requirement of filing the
10969 report as provided in this section.

10970 Sec. 275. Section 34-501 of the general statutes is repealed and the
10971 following is substituted in lieu thereof (*Effective October 1, 2011*):

10972 For purposes of sections 34-500 to 34-547, inclusive, as amended by
10973 this act:

10974 (1) "Beneficial owner" means any owner of a beneficial interest in a
10975 statutory trust. Beneficial ownership shall be determined and
10976 evidenced, whether by means of registration, the issuance of
10977 certificates or otherwise, in accordance with the applicable provisions
10978 of the governing instrument of the statutory trust.

10979 (2) "Statutory trust" or "domestic statutory trust" means an
10980 unincorporated association which (A) is created by a trust instrument
10981 under which property is or will be held, managed, administered,
10982 controlled, invested, reinvested or operated, or business or
10983 professional activities are carried on or will be carried on, by a trustee
10984 or trustees for the benefit of such person or persons as are or may
10985 become entitled to a beneficial interest in the trust property, including
10986 but not limited to a trust of the type known at common law as a
10987 "business trust" or "Massachusetts trust" or "grantor trust", or a trust

10988 qualifying as a real estate investment trust under Section 856 et seq., of
10989 the United States Internal Revenue Code of 1986, or any subsequent
10990 corresponding internal revenue code of the United States, as from time
10991 to time amended, or a trust qualifying as a real estate mortgage
10992 investment conduit under Section 860D of the United States Internal
10993 Revenue Code of 1986, or any subsequent corresponding internal
10994 revenue code of the United States, as from time to time amended, and
10995 (B) files a certificate of trust pursuant to section 34-503, as amended by
10996 this act. Any such association organized before or after October 1, 1997,
10997 shall be a statutory trust and a separate legal entity.

10998 (3) "Document" includes anything delivered to the office of the
10999 Secretary of the State for filing under sections 34-500 to 34-547,
11000 inclusive, as amended by this act.

11001 **[**(3)**]** (4) "Foreign statutory trust" means any business trust,
11002 association or similar entity which is not organized under the laws of
11003 this state.

11004 **[**(4)**]** (5) "Governing instrument" means a trust instrument which
11005 creates a statutory trust and provides for the governance of the affairs
11006 of the statutory trust and the conduct of its business. A governing
11007 instrument: (A) May provide that a person shall become a beneficial
11008 owner and shall become bound by the governing instrument if such
11009 person, or a representative authorized by such person orally, in
11010 writing or by other action such as payment for a beneficial interest,
11011 complies with the conditions for becoming a beneficial owner set forth
11012 in the governing instrument or any other writing and acquires a
11013 beneficial interest; and (B) may consist of one or more agreements,
11014 instruments or other writings and may refer to or incorporate bylaws
11015 containing provisions relating to the business of the statutory trust, the
11016 conduct of its affairs and its rights or powers or the rights or powers of
11017 its trustees, beneficial owners, agents or employees.

11018 **[**(5)**]** (6) "Other business entity" means a corporation, a limited
11019 liability company, a general or limited partnership, a limited liability

11020 partnership, a common law trust or any other unincorporated
11021 business.

11022 [(6)] (7) "Person" means a natural person, partnership, limited
11023 partnership, limited liability partnership, limited liability company,
11024 trust, estate, association, corporation, custodian, nominee or any other
11025 individual or entity in its own or any representative capacity.

11026 (8) "Sign" or "signature" includes any manual, facsimile, conformed
11027 or electronic signature.

11028 [(7)] (9) "Trustee" means the person or persons appointed as a
11029 trustee in accordance with the governing instrument of a statutory
11030 trust and may include one or more of the beneficial owners of the
11031 statutory trust.

11032 Sec. 276. Section 34-503 of the general statutes is repealed and the
11033 following is substituted in lieu thereof (*Effective October 1, 2011*):

11034 (a) Every statutory trust shall file [the original,] a signed copy of its
11035 certificate of trust with the office of the Secretary of the State. The
11036 certificate of trust shall set forth:

11037 (1) A name of the statutory trust that satisfies the requirements of
11038 section 34-506;

11039 (2) The future effective date, which shall be a date certain, of
11040 effectiveness of the certificate if it is not to be effective upon the filing
11041 of the certificate;

11042 (3) The principal office address of the statutory trust;

11043 (4) The appointment of a statutory agent for service of process, as
11044 required by section 34-507; and

11045 (5) Any other information the trustees determine to include therein.

11046 (b) (1) A certificate of trust may be amended by filing a certificate of

11047 amendment thereto with the office of the Secretary of the State. The
11048 certificate of amendment shall set forth: (A) The name of the statutory
11049 trust; (B) the date of filing of the [original] initial certificate of trust; (C)
11050 the amendment to the certificate; and (D) the future effective date,
11051 which shall be a date certain, of effectiveness of the certificate if it is
11052 not to be effective upon the filing of the certificate.

11053 (2) A certificate of trust may be amended at any time for any
11054 purpose as the trustees may determine, provided the certificate of trust
11055 as amended contains those provisions that are required by law to be
11056 contained in a certificate of trust at the time of making the amendment.

11057 (c) (1) A certificate of trust may be restated by integrating into a
11058 single instrument all of the provisions of the certificate of trust which
11059 are then in effect and operative as a result of there having been
11060 theretofore filed one or more certificates of amendment pursuant to
11061 subsection (b) of this section, and the certificate of trust may be
11062 amended or further amended by the filing of a restated certificate of
11063 trust. The restated certificate of trust shall be specifically designated as
11064 such in its heading and shall set forth: (A) The present name of the
11065 statutory trust and, if it has been changed, the name under which the
11066 statutory trust was originally formed; (B) the date of filing of the
11067 [original] initial certificate of trust; (C) the information required to be
11068 included pursuant to subsection (a) of this section; (D) the future
11069 effective date, which shall be a date certain, of effectiveness of the
11070 restated certificate of trust if it is not to be effective upon the filing of
11071 the restated certificate of trust; and (E) any other information the
11072 trustees determine to include therein.

11073 (2) A certificate of trust may be restated at any time for any purpose
11074 as the trustees may determine.

11075 (d) A certificate of trust shall be cancelled upon the completion of
11076 winding up of the statutory trust and its termination. A certificate of
11077 cancellation shall be filed in the office of the Secretary of the State and
11078 set forth: (1) The name of the statutory trust; (2) the date of filing of the

11079 [original] initial certificate of trust; (3) the reason for filing the
11080 certificate of cancellation; (4) the future effective date, which shall be a
11081 date certain, of cancellation if it is not to be effective upon the filing of
11082 the certificate; and (5) any other information the trustees determine to
11083 include therein.

11084 (e) When any document is required or permitted to be filed or
11085 recorded as provided in sections 34-500 to 34-547, inclusive, as
11086 amended by this act, the Secretary of the State may, in the Secretary of
11087 the State's discretion, for good cause, permit a photostatic or other
11088 photographic copy of such document to be filed or recorded in lieu of
11089 the original instrument. Such filing or recording shall have the same
11090 force and effect as if the original instrument had been so filed or
11091 recorded.

11092 [(e)] (f) Unless the office of the Secretary of the State determines that
11093 a document filed with it pursuant to this section does not conform to
11094 law, it shall, when all required filing fees have been paid, endorse on
11095 each signed [original of such] document the word "Filed" and the date
11096 and time of its acceptance for filing and retain the [original] signed
11097 document in its files.

11098 Sec. 277. Section 34-429 of the general statutes is repealed and the
11099 following is substituted in lieu thereof (*Effective October 1, 2011*):

11100 Before transacting business in this state, a foreign registered limited
11101 liability partnership shall file a certificate of authority with the
11102 Secretary of the State executed by a person with authority to do so
11103 under the laws of the state or other jurisdiction where it is registered as
11104 a registered limited liability partnership. The certificate of authority
11105 shall set forth: (1) The name of the partnership and, if different, the
11106 name under which it proposes to transact business in this state, either
11107 of which shall conform to the requirements of section 34-406; (2) the
11108 state or other jurisdiction where it is registered as a registered limited
11109 liability partnership and the date of its registration; (3) the name and
11110 address of the agent in this state for service of process required to be

11111 maintained by section 34-408 and an acceptance of such appointment
11112 signed by the agent appointed; (4) the address of the office required to
11113 be maintained in the state or other jurisdiction of its organization by
11114 the laws of that state or jurisdiction or, if not so required, of the
11115 principal office of the partnership; (5) a representation that the
11116 partnership is a "foreign registered limited liability partnership" as
11117 defined in **[**subdivision (4) of**]** section 34-301, as amended by this act;
11118 (6) a brief statement of the business in which the partnership engages;
11119 and (7) any other matters the partnership may determine to include.

11120 Sec. 278. Section 34-531 of the general statutes is repealed and the
11121 following is substituted in lieu thereof (*Effective October 1, 2011*):

11122 Before transacting business in this state, a foreign statutory trust
11123 shall register with the Secretary of the State. In order to register, a
11124 foreign statutory trust shall submit to the Secretary of the State an
11125 original signed copy of an application for registration as a foreign
11126 statutory trust executed by a person with authority to do so under the
11127 laws of the state or other jurisdiction of its formation. The application
11128 shall set forth: (1) The name of the foreign statutory trust and, if
11129 different, the name under which it proposes to transact business in this
11130 state; (2) the state or other jurisdiction where formed, and date of its
11131 organization; (3) the name and address of the agent in this state for
11132 service of process on the foreign statutory trust required to be
11133 maintained by section 34-532 and an acceptance of such appointment
11134 signed by the agent appointed if other than the Secretary of the State;
11135 (4) the address of the office required to be maintained in the state or
11136 other jurisdiction of its organization by the laws of that state or
11137 jurisdiction or, if not so required, of the principal office of the foreign
11138 statutory trust; (5) a representation that the foreign statutory trust is a
11139 "foreign statutory trust" as defined in **[**subdivision (3) of**]** section 34-
11140 501, as amended by this act; and (6) the character of the business which
11141 the statutory trust intends to transact in this state.

11142 Sec. 279. (NEW) (*Effective from passage*) Notwithstanding any

11143 provision of the general statutes, each state agency shall modify its
11144 forms to ask for the electronic mail address of all clients, licensees or
11145 other persons routinely contacted by such agency and such agency
11146 may notify such clients, licensees or other persons using the electronic
11147 mail address provided rather than posting such notification by mail.

11148 Sec. 280. (NEW) (*Effective from passage*) On and after the effective
11149 date of this section, the Comptroller shall pay any vendor who receives
11150 more than one hundred payments per year, money that is owed by the
11151 state to such vendor, by electronic direct deposit to the account in a
11152 bank, Connecticut credit union or federal credit union of such vendor
11153 designated by such vendor.

11154 Sec. 281. (*Effective from passage*) The Comptroller shall evaluate
11155 current billing and payment methods of the state to determine where
11156 opportunities exist for the state to convert to electronic billing or
11157 payment and, not later than three months after the effective date of this
11158 section, shall report such opportunities to the joint standing committee
11159 of the General Assembly having cognizance of matters relating to
11160 government administration in accordance with the provisions of
11161 section 11-4a of the general statutes.

11162 Sec. 282. Section 1 of public act 09-206 is repealed and the following
11163 is substituted in lieu thereof (*Effective from passage*):

11164 (a) The Commissioners of Social Services and Administrative
11165 Services and the Comptroller, in consultation with the Commissioner
11166 of Public Health and the Insurance Commissioner, shall develop a plan
11167 to (1) implement and maintain a prescription drug purchasing
11168 program and procedures to aggregate or negotiate the purchase of
11169 pharmaceuticals for pharmaceutical programs benefiting state-
11170 administered general assistance, HUSKY Plan, Part B, Charter Oak
11171 Health Plan and ConnPACE recipients, inmates of the Department of
11172 Correction, and persons eligible for coverage under the group
11173 hospitalization and medical and surgical insurance plans procured
11174 under section 5-259 of the general statutes, and (2) have the state join

11175 an existing multistate Medicaid pharmaceutical purchasing pool. Such
11176 plan shall determine the feasibility of subjecting some or all of the
11177 component programs set forth in subdivision (1) of this subsection to
11178 the preferred drug lists adopted pursuant to section 17b-274d of the
11179 general statutes.

11180 (b) The Commissioner of Social Services shall submit the plan
11181 authorized by subsection (a) of this section, including (1) a timetable
11182 for its implementation, (2) anticipated costs or savings resulting from
11183 its implementation and maintenance, (3) a timetable for achievement of
11184 any such savings, and (4) proposed legislative recommendations
11185 necessary to implement such plan to the joint standing committees of
11186 the General Assembly having cognizance of matters relating to
11187 government administration and elections, public health and human
11188 services, not later than **[**December 31, 2009**]** ninety days after the
11189 effective date of this section, in accordance with the provisions of
11190 section 11-4a of the general statutes. The commissioner shall submit to
11191 the Centers for Medicare and Medicaid Services any proposed
11192 Medicaid state plan amendment that may be required to implement
11193 the provisions of such plan.

11194 Sec. 283. Section 5-259 of the general statutes is repealed and the
11195 following is substituted in lieu thereof (*Effective July 1, 2011*):

11196 (a) The Comptroller, with the approval of the Attorney General and
11197 of the Insurance Commissioner, shall arrange and procure a group
11198 hospitalization and medical and surgical insurance plan or plans for
11199 (1) state employees, (2) members of the General Assembly who elect
11200 coverage under such plan or plans, (3) participants in an alternate
11201 retirement program who meet the service requirements of section
11202 5-162 or subsection (a) of section 5-166, (4) anyone receiving benefits
11203 under section 5-144 or from any state-sponsored retirement system,
11204 except the teachers' retirement system and the municipal employees
11205 retirement system, (5) judges of probate and Probate Court employees,
11206 (6) the surviving spouse, and any dependent children until they reach

11207 the age of eighteen, of a state police officer, a member of an organized
11208 local police department, a firefighter or a constable (A) who performs
11209 criminal law enforcement duties, (B) who dies [before, on or after June
11210 26, 2003,] as the result of injuries received while acting within the
11211 scope of such officer's or firefighter's or constable's employment and
11212 not as the result of illness or natural causes, and (C) whose surviving
11213 spouse and dependent children are not otherwise eligible for a group
11214 hospitalization and medical and surgical insurance plan, (7) employees
11215 of the Capital City Economic Development Authority established by
11216 section 32-601, and (8) the surviving spouse and dependent children of
11217 any employee of a municipality who dies on or after October 1, 2000,
11218 as the result of injuries received while acting within the scope of such
11219 employee's employment and not as the result of illness or natural
11220 causes, and whose surviving spouse and dependent children are not
11221 otherwise eligible for a group hospitalization and medical and surgical
11222 insurance plan. For purposes of this subdivision, "employee" means
11223 any regular employee or elective officer receiving pay from a
11224 municipality, "municipality" means any town, city, borough, school
11225 district, taxing district, fire district, district department of health,
11226 probate district, housing authority, regional work force development
11227 board established under section 31-3k, flood commission or authority
11228 established by special act or regional planning agency. For purposes of
11229 subdivision (6) of this subsection, "firefighter" means any person who
11230 is regularly employed and paid by any municipality for the purpose of
11231 performing firefighting duties for a municipality on average of not less
11232 than thirty-five hours per week. The minimum benefits to be provided
11233 by such plan or plans shall be substantially equal in value to the
11234 benefits that each such employee or member of the General Assembly
11235 could secure in such plan or plans on an individual basis on the
11236 preceding first day of July. The state shall pay for each such employee
11237 and each member of the General Assembly covered by such plan or
11238 plans the portion of the premium charged for such member's or
11239 employee's individual coverage and seventy per cent of the additional
11240 cost of the form of coverage and such amount shall be credited to the

11241 total premiums owed by such employee or member of the General
11242 Assembly for the form of such member's or employee's coverage under
11243 such plan or plans. On and after January 1, 1989, the state shall pay for
11244 anyone receiving benefits from any such state-sponsored retirement
11245 system one hundred per cent of the portion of the premium charged
11246 for such member's or employee's individual coverage and one
11247 hundred per cent of any additional cost for the form of coverage. The
11248 balance of any premiums payable by an individual employee or by a
11249 member of the General Assembly for the form of coverage shall be
11250 deducted from the payroll by the State Comptroller. The total
11251 premiums payable shall be remitted by the Comptroller to the
11252 insurance company or companies or nonprofit organization or
11253 organizations providing the coverage. The amount of the state's
11254 contribution per employee for a health maintenance organization
11255 option shall be equal, in terms of dollars and cents, to the largest
11256 amount of the contribution per employee paid for any other option
11257 that is available to all eligible state employees included in the health
11258 benefits plan, but shall not be required to exceed the amount of the
11259 health maintenance organization premium.

11260 (b) The Comptroller shall develop, in consultation with the
11261 Commissioner of Social Services, a plan for the Comptroller to jointly
11262 procure prescription drugs for (1) persons identified in subsection (a)
11263 of this section, who are eligible to participate in the group
11264 hospitalization and medical and surgical insurance plan, and (2)
11265 persons who have been determined by the Commissioner of Social
11266 Services to be eligible for medical assistance benefits under programs
11267 including, but not limited to: (A) Medicaid; (B) the HUSKY Plan, Part
11268 A and Part B; (C) the HUSKY Plus programs; (D) ConnPACE; (E) the
11269 Charter Oak Health Plan; and (F) the Connecticut AIDS drug
11270 assistance program. The Comptroller shall implement such plan not
11271 later than July 1, 2012.

11272 **[**(b)**]** (c) The insurance coverage procured under subsection (a) of
11273 this section for active state employees, employees of the Connecticut

11274 Institute for Municipal Studies, anyone receiving benefits from any
11275 such state-sponsored retirement system and members of the General
11276 Assembly, who are over sixty-five years of age, may be modified to
11277 reflect benefits available to such employees or members pursuant to
11278 Social Security and medical benefits programs administered by the
11279 federal government, provided any payments required to secure such
11280 benefits administered by the federal government shall be paid by the
11281 Comptroller either directly to the employee or members or to the
11282 agency of the federal government authorized to collect such payments.

11283 **[**(c)**]** (d) On October 1, 1972, the Comptroller shall continue to afford
11284 payroll deduction services for employees participating in existing
11285 authorized plans covering state employees until such time as the
11286 employee elects in writing to be covered by the plan authorized by
11287 subsection (a) of this section.

11288 **[**(d)**]** (e) Notwithstanding the provisions of subsection (a) of this
11289 section, the state shall pay for a member of any such state-sponsored
11290 retirement system, or a participant in an alternate retirement program
11291 who meets the service requirements of section 5-162 or subsection (a)
11292 of section 5-166, and who begins receiving benefits from such system
11293 or program on or after November 1, 1989, eighty per cent of the
11294 portion of the premium charged for his individual coverage and eighty
11295 per cent of any additional cost for his form of coverage. Upon the
11296 death of any such member, any surviving spouse of such member who
11297 begins receiving benefits from such system shall be eligible for
11298 coverage under this section and the state shall pay for any such spouse
11299 eighty per cent of the portion of the premium charged for his
11300 individual coverage and eighty per cent of any additional cost for his
11301 form of coverage.

11302 **[**(e)**]** (f) Notwithstanding the provisions of subsection (a) of this
11303 section, (1) vending stand operators eligible for membership in the
11304 state employee's retirement system pursuant to section 5-175a, shall be
11305 eligible for coverage under the group hospitalization and medical and

11306 surgical insurance plans procured under this section, provided the cost
11307 for such operators' insurance coverage shall be paid by the Board of
11308 Education and Services for the Blind from vending machine income
11309 pursuant to section 10-303, and (2) blind persons employed in
11310 workshops, established pursuant to section 10-298a, on December 31,
11311 2002, shall be eligible for coverage under the group hospitalization and
11312 medical and surgical insurance plans procured under this section,
11313 provided the cost for such persons' insurance coverage shall be paid by
11314 the Board of Education and Services for the Blind. General workers
11315 employed in positions by the Department of Developmental Services
11316 as self-advocates, not to exceed eleven employees, shall be eligible for
11317 sick leave, in accordance with section 5-247, vacation and personal
11318 leave, in accordance with section 5-250, and holidays, in accordance
11319 with section 5-254.

11320 **[**(f)**]** (g) The Comptroller, with the approval of the Attorney General
11321 and of the Insurance Commissioner, shall arrange and procure a group
11322 hospitalization and medical and surgical insurance plan or plans for
11323 any person who adopts a child from the state foster care system, any
11324 person who has been a foster parent for the Department of Children
11325 and Families for six months or more, a parent in a permanent family
11326 residence for six months or more, and any dependent of such adoptive
11327 parent, foster parent or parent in a permanent family residence who
11328 elects coverage under such plan or plans. The Comptroller may also
11329 arrange for inclusion of such person and any such dependent in an
11330 existing group hospitalization and medical and surgical insurance plan
11331 offered by the state. Any adoptive parent, foster parent or a parent in a
11332 permanent family residence and any dependent who elects coverage
11333 shall pay one hundred per cent of the premium charged for such
11334 coverage directly to the insurer, provided such adoptive parent, foster
11335 parent or parent and all such dependents shall be included in such
11336 group hospitalization and medical and surgical insurance plan. A
11337 person and his dependents electing coverage pursuant to this
11338 subsection shall be eligible for such coverage until no longer an
11339 adoptive parent, a foster parent or a parent in a permanent family

11340 residence. An adoptive parent shall be eligible for such coverage until
11341 the adopted child reaches the age of eighteen or, if the child has not
11342 completed a secondary education program, until such child reaches
11343 the age of twenty-one. As used in this section "dependent" means a
11344 spouse or natural or adopted child if such child is wholly or partially
11345 dependent for support upon the adoptive parent, foster parent or
11346 parent in a permanent family residence.

11347 **[**(g)**]** (h) Notwithstanding the provisions of subsection (a) of this
11348 section, the Probate Court Administration Fund established in
11349 accordance with section 45a-82, shall pay for each probate judge and
11350 each probate court employee not more than one hundred per cent of
11351 the portion of the premium charged for the judge's or employee's
11352 individual coverage and not more than fifty per cent of any additional
11353 cost for the judge's or employee's form of coverage. The remainder of
11354 the premium for such coverage shall be paid by the probate judge or
11355 probate court employee to the State Treasurer. Payment shall be
11356 credited by the State Treasurer to the fund established by section 45a-
11357 82. The total premiums payable shall be remitted by the Probate Court
11358 Administrator directly to the insurance company or companies or
11359 nonprofit organization or organizations providing the coverage. The
11360 Probate Court Administrator shall issue regulations governing group
11361 hospitalization and medical and surgical insurance pursuant to
11362 subsection (b) of section 45a-77.

11363 **[**(h)**]** (i) For the purpose of subsection **[**(g)**]** (h) of this section,
11364 "probate judge" or "judge" means a duly elected probate judge who
11365 works in such judge's capacity as a probate judge at least twenty hours
11366 per week, on average, on a quarterly basis and certifies to that fact on
11367 forms provided by and filed with the Probate Court Administrator, on
11368 or before the fifteenth day of April, July, October and January, for the
11369 preceding calendar quarter; and "probate court employee" or
11370 "employee" means a person employed by a probate court for at least
11371 twenty hours per week.

11372 [(i)] (j) The Comptroller may provide for coverage of employees of
11373 municipalities, nonprofit corporations, community action agencies and
11374 small employers and individuals eligible for a health coverage tax
11375 credit, retired members or members of an association for personal care
11376 assistants under the plan or plans procured under subsection (a) of this
11377 section, provided: (1) Participation by each municipality, nonprofit
11378 corporation, community action agency, small employer, eligible
11379 individual, retired member or association for personal care assistants
11380 shall be on a voluntary basis; (2) where an employee organization
11381 represents employees of a municipality, nonprofit corporation,
11382 community action agency or small employer, participation in a plan or
11383 plans to be procured under subsection (a) of this section shall be by
11384 mutual agreement of the municipality, nonprofit corporation,
11385 community action agency or small employer and the employee
11386 organization only and neither party may submit the issue of
11387 participation to binding arbitration except by mutual agreement if
11388 such binding arbitration is available; (3) no group of employees shall
11389 be refused entry into the plan by reason of past or future health care
11390 costs or claim experience; (4) rates paid by the state for its employees
11391 under subsection (a) of this section are not adversely affected by this
11392 subsection; (5) administrative costs to the plan or plans provided
11393 under this subsection shall not be paid by the state; (6) participation in
11394 the plan or plans in an amount determined by the state shall be for the
11395 duration of the period of the plan or plans, or for such other period as
11396 mutually agreed by the municipality, nonprofit corporation,
11397 community action agency, small employer, retired member or
11398 association for personal care assistants and the Comptroller; and (7)
11399 nothing in this section or section 12-202a, 38a-551, 38a-553 or 38a-556
11400 shall be construed as requiring a participating insurer or health care
11401 center to issue individual policies to individuals eligible for a health
11402 coverage tax credit. The coverage provided under this section may be
11403 referred to as the "Municipal Employee Health Insurance Plan". The
11404 Comptroller may arrange and procure for the employees and eligible
11405 individuals under this subsection health benefit plans that vary from

11406 the plan or plans procured under subsection (a) of this section.
11407 Notwithstanding any provision of part V of chapter 700c, the coverage
11408 provided under this subsection may be offered on either a fully
11409 underwritten or risk-pooled basis at the discretion of the Comptroller.
11410 For the purposes of this subsection, (A) "municipality" means any
11411 town, city, borough, school district, taxing district, fire district, district
11412 department of health, probate district, housing authority, regional
11413 work force development board established under section 31-3k,
11414 regional emergency telecommunications center, tourism district
11415 established under section 32-302, flood commission or authority
11416 established by special act, regional planning agency, transit district
11417 formed under chapter 103a, or the Children's Center established by
11418 number 571 of the public acts of 1969; (B) "nonprofit corporation"
11419 means (i) a nonprofit corporation organized under 26 USC 501 that has
11420 a contract with the state or receives a portion of its funding from a
11421 municipality, the state or the federal government, or (ii) an
11422 organization that is tax exempt pursuant to 26 USC 501(c)(5); (C)
11423 "community action agency" means a community action agency, as
11424 defined in section 17b-885; (D) "small employer" means a small
11425 employer, as defined in subparagraph (A) of subdivision (4) of section
11426 38a-564; (E) "eligible individuals" or "individuals eligible for a health
11427 coverage tax credit" means individuals who are eligible for the credit
11428 for health insurance costs under Section 35 of the Internal Revenue
11429 Code of 1986, or any subsequent corresponding internal revenue code
11430 of the United States, as from time to time amended, in accordance with
11431 the Pension Benefit Guaranty Corporation and Trade Adjustment
11432 Assistance programs of the Trade Act of 2002 (P.L. 107-210); (F)
11433 "association for personal care assistants" means an organization
11434 composed of personal care attendants who are employed by recipients
11435 of service (i) under the home-care program for the elderly under
11436 section 17b-342, (ii) under the personal care assistance program under
11437 section 17b-605a, (iii) in an independent living center pursuant to
11438 sections 17b-613 to 17b-615, inclusive, or (iv) under the program for
11439 individuals with acquired brain injury as described in section 17b-

11440 260a; and (G) "retired members" means individuals eligible for a
11441 retirement benefit from the Connecticut municipal employees'
11442 retirement system.

11443 [(j)] (k) (1) Notwithstanding any provision of law to the contrary,
11444 the existing rights and obligations of state employee organizations and
11445 the state employer under current law and contract shall not be
11446 impaired by the provisions of this section. (2) Other conditions of entry
11447 for any group into the plan or plans procured under subsection (a) of
11448 this section shall be determined by the Comptroller upon the
11449 recommendation of a coalition committee established pursuant to
11450 subsection (f) of section 5-278, except for such conditions referenced in
11451 subsection [(g)] (h) of this section. (3) Additional determinations by the
11452 Comptroller on (A) issues generated by any group's actual or
11453 contemplated participation in the plan or plans, (B) modifications to
11454 the terms and conditions of any group's continued participation, (C)
11455 related matters shall be made upon the recommendation of such
11456 committee. (4) Notwithstanding any provision of law to the contrary, a
11457 municipal employer and an employee organization may upon mutual
11458 agreement reopen a collective bargaining agreement for the exclusive
11459 purpose of negotiating on the participation by such municipal
11460 employer or employee organization in the plan or plans offered under
11461 the provisions of this section.

11462 [(k)] (l) The Comptroller shall submit annually to the General
11463 Assembly a review of the coverage of employees of municipalities,
11464 nonprofit corporations, community action agencies, small employers
11465 under subsection [(i)] (j) of this section and eligible individuals under
11466 subsection [(i)] (j) of this section beginning February 1, 2004.

11467 [(l)] (m) (1) Effective July 1, 1996, any deputies or special deputies
11468 appointed pursuant to section 6-37 of the general statutes, revision of
11469 1958, revised to 1999, or section 6-43, shall be allowed to participate in
11470 the plan or plans procured by the Comptroller pursuant to subsection
11471 (a) of this section. Such participation shall be voluntary and the

11472 participant shall pay the full cost of the coverage under such plan.

11473 (2) Effective December 1, 2000, any state marshal shall be allowed to
11474 participate in the plan or plans procured by the Comptroller pursuant
11475 to subsection (a) of this section. Such participation shall be voluntary
11476 and the participant shall pay the full cost of the coverage under such
11477 plan.

11478 (3) Effective December 1, 2000, any judicial marshal shall be allowed
11479 to participate in the plan or plans procured by the Comptroller
11480 pursuant to subsection (a) of this section. Such participation shall be
11481 voluntary and the participant shall pay the full cost of the coverage
11482 under such plan unless and until the judicial marshals participate in
11483 the plan or plans procured by the Comptroller under this section
11484 through collective bargaining negotiations pursuant to subsection (f) of
11485 section 5-278.

11486 **[**(m)**]** (n) (1) Notwithstanding any provision of the general statutes,
11487 the Comptroller shall begin procedures to convert the group
11488 hospitalization and medical and surgical insurance plans set forth in
11489 subsection (a) of this section, including any prescription drug plan
11490 offered in connection with or in addition to such insurance plans, to
11491 self-insured plans, except that any dental plan offered in connection
11492 with or in addition to such self-insured plans may be fully insured.

11493 (2) The Comptroller may enter into contracts with third-party
11494 administrators to provide administrative services only for the self-
11495 insured plans set forth in subdivision (1) of this subsection. Any such
11496 third-party administrator shall be required under such contract to
11497 charge such third-party administrator's lowest available rate for such
11498 services.

11499 (3) (A) (i) The Comptroller shall offer nonstate public employers the
11500 option to purchase prescription drugs for their employees, employees'
11501 dependents and retirees under the purchasing authority of the state
11502 pursuant to section 1 of public act 09-206, as amended by this act,

11503 subject to the provisions of subparagraph (E) of this subdivision.

11504 (ii) For purposes of this subdivision, "nonstate public employer"
11505 means (I) a municipality or other political subdivision of the state,
11506 including a board of education, quasi-public agency or public library,
11507 as defined in section 11-24a, or (II) the Teachers' Retirement Board.

11508 (B) The Comptroller shall establish procedures to determine (i) the
11509 eligibility requirements for, (ii) the enrollment procedures for, (iii) the
11510 duration of, (iv) requirements regarding payment for, and (v) the
11511 procedures for withdrawal from and termination of, the purchasing of
11512 prescription drugs for nonstate public employers under subparagraph
11513 (A) of this subdivision.

11514 (C) The Comptroller may offer to nonstate public employers that
11515 choose to purchase prescription drugs pursuant to subparagraph (A)
11516 of this subdivision the option to purchase stop loss coverage from an
11517 insurer at a rate negotiated by the Comptroller.

11518 (D) Two or more nonstate public employers may join together for
11519 the purpose of purchasing prescription drugs for their employees,
11520 employees' dependents and retirees. Such arrangement shall not
11521 constitute a multiple employer welfare arrangement, as defined in
11522 Section 3 of the Employee Retirement Income Security Act of 1974, as
11523 amended from time to time.

11524 (E) (i) The Comptroller shall offer nonstate public employers the
11525 option to purchase prescription drugs through the plan set forth in the
11526 State Employees' Bargaining Agent Coalition's collective bargaining
11527 agreement with the state only if the Health Care Cost Containment
11528 Committee, established in accordance with the ratified agreement
11529 between the state and said coalition pursuant to subsection (f) of
11530 section 5-278, has indicated in writing to the Comptroller that allowing
11531 such nonstate public employers such option is consistent with said
11532 coalition's collective bargaining agreement.

11533 (ii) Such writing shall not be required if the Comptroller establishes
11534 a separate prescription drugs purchasing plan for nonstate public
11535 employers.

11536 (iii) Nonstate public employers that purchase prescription drugs
11537 pursuant to this subdivision shall pay the full cost of their own claims
11538 and prescription drugs.

11539 Sec. 284. Subsection (b) of section 38a-472d of the general statutes is
11540 repealed and the following is substituted in lieu thereof (*Effective July*
11541 *1, 2011*):

11542 (b) The information on the department's Internet web site shall
11543 reference the availability and general eligibility requirements of (1)
11544 programs administered by the Department of Social Services,
11545 including, but not limited to, the Medicaid program, the HUSKY Plan,
11546 Part A and Part B, and the state-administered general assistance
11547 program, (2) health insurance coverage provided by the Comptroller
11548 under subsection **[**(i)**]** (j) of section 5-259, as amended by this act, (3)
11549 health insurance coverage available under comprehensive health care
11550 plans issued pursuant to part IV of this chapter, and (4) other health
11551 insurance coverage offered through local, state or federal agencies or
11552 through entities licensed in this state. The commissioner shall update
11553 the information on the web site at least quarterly.

11554 Sec. 285. Subsection (b) of section 38a-556a of the general statutes is
11555 repealed and the following is substituted in lieu thereof (*Effective July*
11556 *1, 2011*):

11557 (b) Said association shall, in consultation with the Insurance
11558 Commissioner and the Healthcare Advocate, develop, within available
11559 appropriations, a web site, telephone number or other method to serve
11560 as a clearinghouse for information about individual and small
11561 employer health insurance policies and health care plans that are
11562 available to consumers in this state, including, but not limited to, the
11563 Medicaid program, the HUSKY Plan, state-administered general

11564 assistance, the Charter Oak Health Plan set forth in section 17b-311, the
11565 Municipal Employee Health Insurance Plan set forth in subsection **[**(i)**]**
11566 (j) of section 5-259, as amended by this act, and any individual or small
11567 employer health insurance policies or health care plans an insurer,
11568 health care center or other entity chooses to list with the Connecticut
11569 Clearinghouse.

11570 Sec. 286. Subdivision (22) of section 38a-567 of the general statutes is
11571 repealed and the following is substituted in lieu thereof (*Effective July*
11572 *1, 2011*):

11573 (22) (A) With respect to plans or arrangements issued pursuant to
11574 subsection **[**(i)**]** (j) of section 5-259, as amended by this act, at the option
11575 of the Comptroller, the premium rates charged or offered to small
11576 employers purchasing health insurance shall not be subject to this
11577 section, provided (i) the plan or plans offered or issued cover such
11578 small employers as a single entity and cover not less than three
11579 thousand employees on the date issued, (ii) each small employer is
11580 charged or offered the same premium rate with respect to each
11581 employee and dependent, and (iii) the plan or plans are written on a
11582 guaranteed issue basis.

11583 (B) With respect to plans or arrangements issued by an association
11584 group plan, at the option of the administrator of the association group
11585 plan, the premium rates charged or offered to small employers
11586 purchasing health insurance shall not be subject to this section,
11587 provided (i) the plan or plans offered or issued cover such small
11588 employers as a single entity and cover not less than three thousand
11589 employees on the date issued, (ii) each small employer is charged or
11590 offered the same premium rate with respect to each employee and
11591 dependent, and (iii) the plan or plans are written on a guaranteed issue
11592 basis. In addition, such association group (I) shall be a bona fide group
11593 as set forth in the Employee Retirement and Security Act of 1974, (II)
11594 shall not be formed for the purposes of fictitious grouping, as defined
11595 in section 38a-827, and (III) shall not issue any plan that shall cause

11596 undue disruption in the insurance marketplace, as determined by the
11597 commissioner.

11598 Sec. 287. Subdivision (5) of section 45a-34 of the general statutes is
11599 repealed and the following is substituted in lieu thereof (*Effective July*
11600 *1, 2011*):

11601 (5) "Judge" means a judge of probate, except that, with respect to a
11602 judge first elected for a term beginning on or after January 5, 2011,
11603 judge means a person who holds the office of judge of probate and
11604 works in such judge's capacity as a judge of probate for at least one
11605 thousand hours per year as determined pursuant to information filed
11606 by the judge of probate with the Probate Court Administrator
11607 pursuant to subsection **[**(h)**]** (i) of section 5-259, as amended by this act;

11608 Sec. 288. Subsection (a) of section 17b-256 of the general statutes is
11609 repealed and the following is substituted in lieu thereof (*Effective July*
11610 *1, 2011*):

11611 (a) The Commissioner of Social Services may administer, within
11612 available appropriations, a program providing payment for the cost of
11613 drugs prescribed by a physician for the treatment of acquired
11614 immunodeficiency syndrome or human immunodeficiency virus. The
11615 Comptroller shall be responsible for the procurement of such drugs.
11616 The **[**commissioner**]** Commissioner of Social Services, in consultation
11617 with the Commissioner of Public Health, shall determine specific
11618 drugs to be covered and may implement a pharmacy lock-in
11619 procedure for the program. The Commissioner of Social Services shall
11620 adopt regulations, in accordance with the provisions of chapter 54, to
11621 carry out the purposes of this section. The commissioner may
11622 implement the program while in the process of adopting regulations,
11623 provided notice of intent to adopt the regulations is published in the
11624 Connecticut Law Journal within twenty days of implementation. The
11625 regulations may include eligibility for all persons with acquired
11626 immunodeficiency syndrome or human immunodeficiency virus
11627 whose income is below four hundred per cent of the federal poverty

11628 level. Subject to federal approval, the commissioner may, within
11629 available federal resources, maintain existing insurance policies for
11630 eligible clients, including, but not limited to, coverage of costs
11631 associated with such policies, that provide a full range of human
11632 immunodeficiency virus treatments and access to comprehensive
11633 primary care services as determined by the commissioner and as
11634 provided by federal law, and may provide payment, determined by
11635 the commissioner, for (1) drugs and nutritional supplements
11636 prescribed by a physician that prevent or treat opportunistic diseases
11637 and conditions associated with acquired immunodeficiency syndrome
11638 or human immunodeficiency virus; (2) ancillary supplies related to the
11639 administration of such drugs; and (3) laboratory tests ordered by a
11640 physician. On and after May 26, 2006, any person who previously
11641 received insurance assistance under the program established pursuant
11642 to section 17b-255 of the general statutes, revision of 1958, revised to
11643 2005, shall continue to receive such assistance until the expiration of
11644 the insurance coverage, provided such person continues to meet
11645 program eligibility requirements established in accordance with this
11646 subsection. On or before March 1, 2007, and annually thereafter, the
11647 Commissioner of Social Services shall report, in accordance with
11648 section 11-4a, to the joint standing committees of the General
11649 Assembly having cognizance of matters relating to human services,
11650 public health and appropriations and the budgets of state agencies on
11651 the projected availability of funds for the program established
11652 pursuant to this section.

11653 Sec. 289. (NEW) (*Effective July 1, 2011*) The Comptroller shall, in
11654 consultation with the Commissioner of Social Services, contract with a
11655 pharmacy benefits manager or a single entity qualified to deliver
11656 comprehensive health care services, in accordance with subsection 17b-
11657 266 of the general statutes, to provide prescription drug coverage to
11658 medical assistance recipients receiving services in a managed care
11659 setting.

11660 Sec. 290. Section 17b-274a of the general statutes is repealed and the

11661 following is substituted in lieu thereof (*Effective July 1, 2011*):

11662 The **[**Commissioner of Social Services may**]** Comptroller shall
11663 establish maximum allowable costs to be paid under the Medicaid,
11664 state-administered general assistance, ConnPACE and Connecticut
11665 AIDS drug assistance programs for generic prescription drugs **[**based
11666 on, but not limited to,**]** which shall be equal to the actual acquisition
11667 costs. **[**The department shall implement and maintain a procedure to
11668 review and update the maximum allowable cost list at least annually,
11669 and shall report annually to the joint standing committee of the
11670 General Assembly having cognizance of matters relating to
11671 appropriations and the budgets of state agencies on its activities
11672 pursuant to this section.**]**

11673 Sec. 291. Subsection (l) of section 17b-274d of the general statutes is
11674 repealed and the following is substituted in lieu thereof (*Effective July*
11675 *1, 2011*):

11676 (l) The **[**Commissioner of Social Services may**]** Comptroller shall, in
11677 consultation with the Commissioner of Social Services, contract with a
11678 pharmacy benefits **[**organization**]** manager or a single entity qualified
11679 to negotiate with pharmaceutical manufacturers for supplemental
11680 rebates, available pursuant to 42 USC 1396r-8(c), for the purchase of
11681 drugs listed on the preferred drug lists established pursuant to
11682 subsection (e) of this section.

11683 Sec. 292. Subsection (a) of section 17b-280 of the general statutes is
11684 repealed and the following is substituted in lieu thereof (*Effective July*
11685 *1, 2011*):

11686 (a) The state shall reimburse for all legend drugs provided under
11687 the Medicaid, state-administered general assistance, ConnPACE and
11688 Connecticut AIDS drug assistance programs at the **[**lower of (1) the
11689 rate established by the Centers for Medicare and Medicaid Services as
11690 the federal acquisition cost, (2) the average wholesale price minus
11691 fourteen per cent, or (3) an equivalent percentage as established under

11692 the Medicaid state plan] actual cost of procurement by the
11693 Comptroller. The commissioner shall also establish a professional fee
11694 of two dollars and ninety cents for each prescription to be paid to
11695 licensed pharmacies for dispensing drugs to Medicaid, state-
11696 administered general assistance, ConnPACE and Connecticut AIDS
11697 drug assistance recipients in accordance with federal regulations; and
11698 [on and after September 4, 1991,] payment for legend and nonlegend
11699 drugs provided to Medicaid recipients shall be based upon the actual
11700 package size dispensed. [Effective October 1, 1991, reimbursement]
11701 Reimbursement for over-the-counter drugs for such recipients shall be
11702 limited to those over-the-counter drugs and products published in the
11703 Connecticut Formulary, or the cross reference list, issued by the
11704 commissioner. The cost of all over-the-counter drugs and products
11705 provided to residents of nursing facilities, chronic disease hospitals,
11706 and intermediate care facilities for the mentally retarded shall be
11707 included in the facilities' per diem rate. Notwithstanding the
11708 provisions of this subsection, no dispensing fee shall be issued for a
11709 prescription drug dispensed to a ConnPACE or Medicaid recipient
11710 who is a Medicare Part D beneficiary when the prescription drug is a
11711 Medicare Part D drug, as defined in Public Law 108-173, the Medicare
11712 Prescription Drug, Improvement, and Modernization Act of 2003.

11713 Sec. 293. Section 17b-491 of the general statutes is repealed and the
11714 following is substituted in lieu thereof (*Effective July 1, 2011*):

11715 (a) There shall be a "Connecticut Pharmaceutical Assistance
11716 Contract to the Elderly and the Disabled Program" which shall be
11717 within the Department of Social Services. The program shall consist of
11718 payments by the state to pharmacies [for the reasonable] at a rate equal
11719 to the actual cost of procurement by the Comptroller for prescription
11720 drugs dispensed to eligible persons minus a copayment charge. The
11721 pharmacy shall collect the copayment charge from the eligible person
11722 at the time of each purchase of prescription drugs, and shall not waive,
11723 discount or rebate in whole or in part such amount. The copayment for
11724 each prescription shall not exceed sixteen dollars and twenty-five

11725 cents.

11726 [(b) On January 1, 2002, and annually thereafter, the commissioner
11727 shall increase the income limits established in subsection (a) of this
11728 section that set the appropriate participant copayment by the increase
11729 in the annual inflation adjustment in Social Security income, if any.
11730 Each such adjustment shall be determined to the nearest one hundred
11731 dollars.

11732 (c) Notwithstanding the provisions of subsection (a) of this section,
11733 effective September 15, 1991, payment by the state to a pharmacy
11734 under the program may be based on the price paid directly by a
11735 pharmacy to a pharmaceutical manufacturer for drugs dispensed
11736 under the program minus the copayment charge, plus the dispensing
11737 fee, if the direct price paid by the pharmacy is lower than the
11738 reasonable cost of such drugs.]

11739 [(d)] (b) [Effective September 15, 1991, reimbursement]
11740 Reimbursement to a pharmacy for prescription drugs dispensed under
11741 the program shall be based upon actual package size costs of drugs
11742 purchased by the pharmacy in units larger than or smaller than one
11743 hundred.

11744 [(e)] (c) Participation by a pharmaceutical manufacturer shall
11745 require that the department shall receive a rebate from the
11746 pharmaceutical manufacturer for prescriptions covered under the
11747 program and for prescriptions covered by the department pursuant to
11748 subsection (c) of section 17b-265e. Rebate amounts for brand name
11749 prescription drugs shall be equal to those under the Medicaid
11750 program. Rebate amounts for generic prescription drugs shall be
11751 established by the commissioner, provided such amounts may not be
11752 less than those under the Medicaid program. A participating
11753 pharmaceutical manufacturer shall make quarterly rebate payments to
11754 the department for the total number of dosage units of each form and
11755 strength of a prescription drug which the department reports as
11756 reimbursed to providers of prescription drugs, provided such

11757 payments shall not be due until thirty days following the
11758 manufacturer's receipt of utilization data from the department
11759 including the number of dosage units reimbursed to providers of
11760 prescription drugs during the quarter for which payment is due. The
11761 department may enter into contracts for supplemental rebates for
11762 drugs that are on a preferred drug list or formulary established by the
11763 department.

11764 **[**(f)**]** (d) All prescription drugs of a pharmaceutical manufacturer
11765 that participates in the program pursuant to subsection **[**(e)**]** (c) of this
11766 section shall be subject to prospective drug utilization review. Any
11767 prescription drug of a manufacturer that does not participate in the
11768 program shall not be reimbursable, unless the department determines
11769 the prescription drug is essential to program participants.

11770 Sec. 294. (*Effective from passage*) The Secretary of the Office of Policy
11771 and Management, in consultation with the Commissioners of Public
11772 Health, Developmental Services, Children and Families, Mental Health
11773 and Addiction Services and Social Services shall evaluate all existing
11774 purchase of service contracts and devise a system to consolidate such
11775 contracts in order to permit private providers to contract with the
11776 agencies of said commissioners using fewer contracts. Not later than
11777 three months after the effective date of this section, the secretary shall
11778 submit the findings of such study and any recommendations for
11779 legislation to the joint standing committee of the General Assembly
11780 having cognizance of matters relating to government administration in
11781 accordance with the provisions of section 11-4a of the general statutes.

11782 Sec. 295. (*Effective from passage*) The Secretary of the Office of Policy
11783 and Management shall review all existing personal service agreements
11784 of state agencies with a term of three years or more to determine
11785 whether such agreements are a good value to the state, and, to
11786 determine such value, the secretary shall assume a preference for
11787 fewer long-term contracts, restrictions on contract amendments,
11788 greater outside evaluation of need and greater use of contingency

11789 contracting. After such review, the secretary shall recommend changes
11790 to contracting practices with the goal of achieving a ten per cent
11791 savings in costs to the state for all personal service agreements in the
11792 aggregate. Not later than three months after the effective date of this
11793 section, the secretary shall submit a report containing the secretary's
11794 findings and recommendations as a result of such review to the joint
11795 standing committee of the General Assembly having cognizance of
11796 matters relating to government administration in accordance with the
11797 provisions of section 11-4a of the general statutes.

11798 Sec. 296. Section 4a-60b of the general statutes is repealed and the
11799 following is substituted in lieu thereof (*Effective from passage*):

11800 (a) For the purposes of this section:

11801 (1) "Reverse auction" means an on-line bidding process in which
11802 qualified bidders or qualified proposers, anonymous to each other,
11803 submit bids or proposals to provide goods, services or supplies
11804 pursuant to an invitation to bid or request for proposals; **[**and**]**

11805 (2) "Contracting agency" means a state agency with statutory
11806 authority to award contracts for goods, services or supplies, or a
11807 political subdivision of the state or school district; and

11808 (3) "Services" means any (A) laundry and cleaning service, (B) pest
11809 control service, (C) janitorial service, (D) security service, (E) rental,
11810 repair or maintenance of equipment, machinery or other personal
11811 property owned by the state, a political subdivision of the state or a
11812 school district, (F) advertising, (G) photostating, (H) mimeographing,
11813 or (I) other service arrangements, other than construction or
11814 construction management services, where such services are provided
11815 by persons other than employees of the state, a political subdivision of
11816 the state or a school district.

11817 (b) Notwithstanding any provision of the general statutes,
11818 whenever a contracting agency determines that the use of a reverse

11819 auction is advantageous to the contracting agency and will ensure a
11820 competitive contract award, the contracting agency may use a reverse
11821 auction to award a contract for goods, services or supplies, in
11822 accordance with any applicable requirement of the general statutes
11823 and policies of the contracting agency. The contracting agency may
11824 contract with a third party to prepare and manage any such reverse
11825 auction.

11826 Sec. 297. (NEW) (*Effective from passage*) (a) All state agencies shall
11827 use modern procurement practices in their routine purchasing in order
11828 to achieve a ten per cent reduction in the cost of contracting for the
11829 state. Such practices shall include, but not be limited to, reverse
11830 auctions as described in section 4a-60b of the general statutes, as
11831 amended by this act, job-order contracting, on-line submission of bids,
11832 membership in purchasing cooperatives, as described in section 4a-53
11833 of the general statutes, performance-based contracting and
11834 contingency contracting.

11835 (b) The Department of Administrative Services shall establish
11836 guidelines concerning such modern procurement practices for state
11837 agencies and shall post such guidelines on the Internet web site of the
11838 department.

11839 (c) For the purposes of this section, "job-order contracting" means
11840 method of contracting where the competitively bid contract uses a set
11841 of customized, prepriced, common construction tasks contained in a
11842 catalog and sets parameters such as the types of work that can be done,
11843 location of the work, design criteria and maximum amount of work to
11844 be awarded; "performance-based contracting" means a method of
11845 contracting where the agency states the result it wants achieved and
11846 allows contractors to make bids detailing their proposed solutions or
11847 methods of achieving the result and where the agency is charged with
11848 developing clear ways to measure the result as well as the contractors'
11849 performance over the course of the contract; and "contingency
11850 contracting" means a method of contracting where the contractor is

11851 paid on a percentage basis of the savings or revenue collected by the
11852 agency that is attributable to the contract.

11853 Sec. 298. (*Effective from passage*) Not later than ninety days after the
11854 effective date of this section, the Commissioner of Social Services shall
11855 submit a report, in accordance with the provisions of section 11-4a of
11856 the general statutes, to the joint standing committee of the General
11857 Assembly having cognizance of matters relating to government
11858 administration and elections concerning the return of unused
11859 prescription drugs by long-term care facilities to vendor pharmacies in
11860 accordance with section 17b-363a of the general statutes. Such report
11861 shall include, but not be limited to: (1) The name of each long-term
11862 care facility that the commissioner has notified of a failure to comply
11863 with the provisions of section 17b-363a of the general statutes and the
11864 amount of each penalty assessed by the commissioner pursuant to
11865 subsection (f) of section 17b-363a of the general statutes; (2) the total
11866 number of long-term care facilities that the commissioner has reason to
11867 suspect have failed to comply with the provisions of section 17b-363a
11868 of the general statutes and the reasons that a long-term care facility
11869 may have failed to comply with such provisions; (3) a description of
11870 efforts made by the commissioner to increase compliance with the
11871 provisions of section 17b-363a of the general statutes; and (4)
11872 recommendations for increasing compliance with section 17b-363a of
11873 the general statutes.

11874 Sec. 299. (NEW) (*Effective from passage*) Not later than ninety days
11875 after the effective date of this section, the Commissioner of Social
11876 Services shall develop and implement a plan to (1) increase by not less
11877 than five per cent the usage of generic substitute prescription drug
11878 products by recipients of benefits under the state's medical assistance
11879 programs, and (2) lower the amount the state pays for generic
11880 substitute prescription drug products for recipients of benefits under
11881 the state's medical assistance programs to an amount not more than
11882 the national average paid by states for generic substitute prescription
11883 drug products under the Medicaid program. Such plan shall include,

11884 but not be limited to, a description of policy changes to be
11885 implemented that will reduce the number of brand name drugs for
11886 which prior authorization is granted by the Department of Social
11887 Services or an independent pharmacy consultant acting on behalf of
11888 the department. Not later than September 1, 2011, the commissioner
11889 shall submit such plan to the joint standing committee of the General
11890 Assembly having cognizance of matters relating to government
11891 administration and elections.

11892 Sec. 300. (*Effective from passage*) The Department of Social Services'
11893 pharmacy program personnel shall direct the drug utilization review
11894 board to study (1) the average number of drug prescriptions issued,
11895 annually, to each recipient of benefits under the state's medical
11896 assistance programs, (2) the reasons for the high number of such drug
11897 prescriptions, as compared with the number of such drug prescriptions
11898 issued in other states, and (3) recommendations concerning the
11899 issuance of such drug prescriptions. Not later than ninety days after
11900 the effective date of this section, the Commissioner of Social Services
11901 shall report, in accordance with the provisions of section 11-4a of the
11902 general statutes, to the joint standing committee of the General
11903 Assembly having cognizance of matters relating to government
11904 administration and elections concerning the findings of the drug
11905 utilization review board.

11906 Sec. 301. (*Effective from passage*) The Department of Veterans' Affairs
11907 shall enter into a memorandum of understanding with the Department
11908 of Mental Health and Addiction Services to (1) permit the Department
11909 of Mental Health and Addiction Services to send quarterly electronic
11910 reports to the Department of Veterans' Affairs containing lists of clients
11911 of the Department of Mental Health and Addiction Services deemed
11912 by said department to be eligible for, or to be currently receiving
11913 benefits from, said department and the federal Department of
11914 Veterans' Affairs, (2) require the Department of Veterans' Affairs to
11915 further research the eligibility of the clients contained in such list for
11916 state or federal benefits, and (3) require the Department of Veterans'

11917 Affairs to report to the Department of Mental Health and Addiction
11918 Services on the status of such benefits.

11919 Sec. 302. (*Effective from passage*) (a) The Commissioner of Social
11920 Services shall adopt a long-term care rebalancing strategy that (1)
11921 meets the objectives of the State Balancing Incentive Payments
11922 Program established in the Patient Protection and Affordable Care Act,
11923 P.L. 111-148, and (2) establishes a goal to reduce the state nursing
11924 home bed ratio to the national nursing home bed ratio by 2017. For
11925 purposes of this section, "nursing home bed ratio" means the number
11926 of nursing home beds per one thousand residents sixty-five years of
11927 age and older.

11928 (b) Not later than January 1, 2012, the commissioner shall report to
11929 the joint standing committees of the General Assembly having
11930 cognizance of matters relating to aging, human services and public
11931 health on such strategy and make recommendations to such
11932 committees on any legislative changes that may be required to meet
11933 the objectives of said State Balancing Incentive Payments Program and
11934 to reduce the state nursing home bed ratio.

11935 Sec. 303. (*Effective July 1, 2011*) The Department of Revenue Services
11936 shall employ additional auditors and collection and enforcement
11937 personnel.

11938 Sec. 304. Section 16a-4d of the general statutes is repealed and the
11939 following is substituted in lieu thereof (*Effective from passage*):

11940 (a) If, in the exercise of the Secretary of the Office of Policy and
11941 Management's powers pursuant to this title, the secretary finds that the
11942 use of a certain technology, product or process would promote energy
11943 conservation, energy efficiency or renewable energy technology, the
11944 secretary **[**may**]** <u>shall</u> direct a state agency to test such technology,
11945 product or process by using it in the operations of such agency on a
11946 trial basis. The purpose of such test program shall be to validate the
11947 effectiveness of such technology, product or process in reducing

11948 energy usage and costs or reducing dependence on fossil fuels or green
11949 house gas emissions. No agency shall undertake such testing of any
11950 technology, product or process unless the business manufacturing or
11951 marketing the technology, product or process demonstrates that (1) the
11952 use of such technology, product or process by the state agency will not
11953 adversely affect safety, (2) a certified independent third party or
11954 accredited laboratory has found that the technology, product or
11955 process reduces energy consumption and cost, and (3) the technology,
11956 product or process is presently available for commercial sale and
11957 distribution or has potential for commercialization not later than two
11958 years following the completion of any test program by a state agency
11959 pursuant to this section.

11960 (b) If the secretary finds that using such technology, product or
11961 process would be feasible in the operations of a state agency and
11962 would not have any detrimental effect on such operations, the
11963 secretary, notwithstanding the requirements of chapter 58, **[**may**]** shall
11964 direct a state agency to accept delivery of such technology, product or
11965 process and to undertake such a test program. Any costs associated
11966 with the acquisition and use of such technology, product or process by
11967 the testing agency for the test period shall be borne by the
11968 manufacturer, the marketer or any investor or participant in such
11969 business. The acquisition of any technology, product or process for
11970 purposes of the test program established pursuant to subsections (a)
11971 and (b) of this section shall not be deemed to be a purchase under the
11972 provisions of state procurement law. The manufacturer, the marketer
11973 or any investor or participant in such business shall maintain records
11974 related to such test program, as required by the secretary. All
11975 proprietary information derived from such test program shall be
11976 exempt from the provisions of subsection (a) of section 1-210.

11977 (c) If the secretary determines that the test program sufficiently
11978 demonstrates that the technology, product or process reduces energy
11979 usage and costs or reduces dependence on fossil fuels or green house
11980 gas emissions, the testing agency **[**may**]** shall request that the

11981 Commissioner of Administrative Services (1) procure such technology
11982 for use by **[**any or**]** all appropriate state agencies, and (2) make such
11983 procurement pursuant to subsection (b) of section 4a-58.

11984 Sec. 305. (NEW) (*Effective July 1, 2011*) Not later than July 1, 2012, the
11985 Secretary of the Office of Policy and Management and the
11986 Commissioner of Public Works shall establish a pilot program under
11987 which the state selects an existing state facility or complex of facilities
11988 to be covered by an energy performance contract with a private
11989 vendor. The secretary and commissioner shall submit reports on the
11990 results of the program to the joint standing committee of the General
11991 Assembly having cognizance of matters relating to government
11992 administration and elections and the Governor in accordance with
11993 section 11-4a of the general statutes. Such reports shall be submitted
11994 not later than three months after the effective date of the contract and
11995 annually thereafter until the final report is submitted not later than
11996 three months after the termination of the contract.

11997 Sec. 306. (NEW) (*Effective July 1, 2011*) The Secretary of the Office of
11998 Policy and Management shall achieve (1) for the fiscal year ending
11999 June 30, 2012, a ten per cent reduction in energy costs for the agencies
12000 in the executive branch from such costs for such agencies for the fiscal
12001 year ending June 30, 2010, and (2) for the fiscal year ending June 30,
12002 2023, a thirty per cent reduction in such costs for such agencies from
12003 such costs for such agencies for the fiscal year ending June 30, 2010.
12004 Such percentage reductions in costs may be achieved as a bottom-line
12005 number spread across all such agencies. The secretary may employ any
12006 method to reduce such energy costs, including, but not limited to, (A)
12007 training in facility management in a certification program that
12008 provides the knowledge to increase the energy efficiency of a building,
12009 (B) using the Renewable Energy Investment fund created under
12010 section 16-245n of the general statutes, (C) using any energy efficiency
12011 fund that results from a partnership of the state's public utilities, (D)
12012 entering into an energy performance contract under section 305 of this
12013 act, and (E) participation in the program under section 16a-4d of the

12014 general statutes, as amended by this act. The secretary shall report, not
12015 later than July 1, 2012, and annually thereafter, until the final report is
12016 filed on or before July 1, 2023, on the energy costs reduction achieved
12017 under this section, in accordance with the provisions of section 11-4a of
12018 the general statutes, to the joint standing committee of the General
12019 Assembly having cognizance of matters relating to government
12020 administration and elections and to the Governor.

12021 Sec. 307. (*Effective from passage*) (a) For the purposes of this section,
12022 "lean techniques" means a method of improving administrative
12023 processes that (1) is based upon a focus on a customer service
12024 perspective that seeks to optimize value delivered to the public, (2)
12025 involves employees, the regulated community and the public in
12026 continual improvements and the finding of solutions, (3) uses a
12027 continual improvement framework that emphasizes rapid
12028 implementation rather than lengthy planning, (4) seeks to reduce the
12029 complexity of the process, and (5) uses metrics and visual controls to
12030 improve decision making and problem solving.

12031 (b) There is established the Lean Government Steering Committee to
12032 develop a plan to implement lean techniques in state agencies. The
12033 Governor shall appoint five members of the business community who
12034 have experience with lean techniques as follows: One member from
12035 the banking industry, one member from the service sector, one
12036 member from the manufacturing sector, one member from the
12037 healthcare industry and one member from a collective bargaining unit.
12038 A representative from the Connecticut Center for Advanced
12039 Technology shall be a nonvoting member of said committee.

12040 (c) All appointments to the committee shall be made not later than
12041 thirty days after the effective date of this section. Any vacancy shall be
12042 filled by the appointing authority.

12043 (d) The Secretary of the Office of Policy and Management, or a
12044 designee, shall serve as the chairperson of the committee. Such
12045 chairperson shall schedule the first meeting of the committee, which

12046 shall be held not later than thirty days after the effective date of this
12047 section.

12048 (e) The Connecticut Center for Advanced Technology shall assist
12049 said committee to develop a plan for the implementation of lean
12050 techniques in state agencies, including, but not limited to, which
12051 agencies should implement lean techniques first, which processes
12052 should be made more efficient, a method for such implementation and
12053 the goals of such implementation.

12054 (f) Not later than sixty days after the effective date of this section,
12055 the committee shall submit a report on its findings and
12056 recommendations to the Governor, the speaker of the House of
12057 Representatives, the president pro tempore of the Senate and the joint
12058 standing committee of the General Assembly having cognizance of
12059 matters relating to government administration, in accordance with the
12060 provisions of section 11-4a of the general statutes.

12061 Sec. 308. (*Effective from passage*) Not later than ninety days after the
12062 effective date of this section, the Commissioner of Social Services shall
12063 apply for a Medicaid waiver, pursuant to Section 1915(c) of the Social
12064 Security Act, in order to provide home and community-based services
12065 for elderly and disabled persons receiving benefits under the Medicaid
12066 program. The commissioner shall take such action as is necessary to
12067 consolidate all Medicaid waivers under which home and community-
12068 based services are provided to elderly and disabled persons, as
12069 permitted by federal law.

12070 Sec. 309. (NEW) (*Effective July 1, 2011*) (a) The Commissioner of
12071 Social Services shall direct that the department's Aging Services
12072 Division and Bureau of Rehabilitation Services establish a state-wide
12073 single point of entry system for individuals seeking long-term care.
12074 The goals of the single point of entry system shall be to (1) permit any
12075 individual seeking long-term care services in the state to obtain the
12076 same information on long-term care services from any one of the
12077 entities designated as a single point of entry agency pursuant to

12078 subsection (b) of this section, and (2) promote consumer choice of long-
12079 term care options.

12080 (b) The Aging Services Division and the Bureau of Rehabilitation
12081 Services, in consultation with the Long-Term Care Advisory Council
12082 and members of the public, shall designate state-wide service areas for
12083 the establishment of single point of entry agencies and shall designate
12084 a center for independent living, as defined in section 17b-613 of the
12085 general statutes, and an area agency on aging as single point of entry
12086 agencies for each of the state-wide service areas.

12087 (c) Each center for independent living and area agency on aging
12088 designated a single point of entry agency pursuant to subsection (b) of
12089 this section shall be required to:

12090 (1) Work collaboratively in the operation of the single point of entry
12091 system;

12092 (2) Provide all individuals seeking information on long-term care,
12093 including individuals who pay privately for such care, with
12094 information on all long-term care options and services available in the
12095 state, including community and home-based care and nursing home
12096 care;

12097 (3) Assess an individual's eligibility for long-term care services and
12098 programs in the state, including Medicaid and other public programs
12099 and services offered by private and nonprofit organizations, through a
12100 comprehensive, uniform screening process;

12101 (4) Assist individuals in obtaining a timely determination of
12102 eligibility from the Department of Social Services for publicly funded
12103 long-term care services and programs;

12104 (5) Assist individuals in developing a long-term care support plan
12105 that is person-centered throughout the process; and

12106 (6) Implement quality assurance standards and procedures.

12107 (d) The directors of the Aging Services Division and the Bureau of
12108 Rehabilitation Services may establish additional requirements, criteria
12109 and standards for the operation of agencies designated as single point
12110 of entry agencies. Said directors shall implement a quality assurance
12111 program to measure the performance of such designated agencies. Any
12112 designated entity that fails to meet the requirements and standards in
12113 subsection (c) of this section, or any additional criteria or quality
12114 assurance measures established under this subsection may be subject
12115 to termination as a single point of entry agency.

12116 Sec. 310. Section 17b-367 of the general statutes is repealed and the
12117 following is substituted in lieu thereof (*Effective July 1, 2011*):

12118 The Office of Policy and Management, **[**within existing budgetary
12119 resources and**]** in consultation with the **[**Select Committee on Aging**]**
12120 joint standing committee of the General Assembly having cognizance
12121 of matters relating to aging, the Commission on Aging, personnel
12122 designated by the Commissioner of Social Services who administer the
12123 CHOICES health insurance assistance program, personnel who
12124 administer the single point of entry system established in section 309
12125 of this act and the Long-Term Care Advisory Council, shall develop
12126 and maintain a single consumer-oriented Internet web site that
12127 provides comprehensive information on long-term care options that
12128 are available in Connecticut and information on the single point of
12129 entry system established pursuant to section 309 of this act. The web
12130 site shall also include direct links and referral information regarding
12131 long-term care resources, including private and nonprofit
12132 organizations offering advice, counseling and legal services.

12133 Sec. 311. (*Effective from passage*) The Secretary of the Office of Policy
12134 and Management shall direct an employee of the Policy and Planning
12135 Division of the Office of Policy and Management to coordinate, within
12136 available appropriations, the implementation of the goals and
12137 recommendations continued in the most recent long-term care plan
12138 submitted to the General Assembly pursuant to section 17b-337 of the

12139 general statutes in the fiscal year ending June 30, 2012.

12140 Sec. 312. Subsection (b) of section 17b-3 of the general statutes is
12141 repealed and the following is substituted in lieu thereof (*Effective from*
12142 *passage*):

12143 (b) (1) The Commissioner of Social Services is authorized to do all
12144 things necessary to apply for, qualify for and accept any federal funds
12145 made available or allotted under any federal act for social service
12146 development, or any other projects, programs or activities which may
12147 be established by federal law, for any of the purposes or activities
12148 related thereto, and said commissioner shall administer any such
12149 funds allotted to the department in accordance with federal law. The
12150 commissioner may enter into contracts with the federal government
12151 concerning the use and repayment of such funds under any such
12152 federal act, the prosecution of the work under any such contract and
12153 the establishment of and disbursement from a separate account in
12154 which federal and state funds estimated to be required for plan
12155 preparation or other eligible activities under such federal act shall be
12156 kept. Said account shall not be a part of the General Fund of the state
12157 or any subdivision of the state.

12158 (2) The Commissioner of Social Services shall designate an
12159 employee of the Department of Social Services to act as a federal
12160 revenue ombudsman. Such employee shall be responsible for ensuring
12161 that the department takes advantage of opportunities to obtain or
12162 increase federal funding for programs administered by the
12163 department.

12164 Sec. 313. (NEW) (*Effective from passage*) The Commissioner of Social
12165 Services shall place a recipient of benefits under the Medicaid program
12166 on suspension status upon receipt of notice that such recipient has
12167 been incarcerated in a state-operated correctional facility, provided
12168 such recipient shall remain otherwise eligible for benefits under the
12169 Medicaid program. Upon release of such recipient from such
12170 correctional facility, the commissioner shall remove the suspension

12171 status, provided such recipient is eligible to receive Medicaid benefits
12172 at the time such recipient is released from the correctional facility.

12173 Sec. 314. Sections 3-81 and 3-84 of the general statutes are repealed.
12174 (*Effective from passage*)

12175 Sec. 315. Sections 8-37i, 8-37k, 8-37r, 8-45b, 8-206a, 8-239a, 8-244, 8-
12176 418, 32-1b, 32-1d, 32-1e, 32-9c, 32-11a, 32-35 and 32-39 of the general
12177 statutes are repealed. (*Effective July 1, 2011*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	*from passage*	New section
Sec. 2	*July 1, 2011*	12-557c
Sec. 3	*July 1, 2011*	12-562
Sec. 4	*July 1, 2011*	12-564a
Sec. 5	*July 1, 2011*	12-574(k)
Sec. 6	*from passage*	12-574d
Sec. 7	*July 1, 2011*	12-575(k)
Sec. 8	*July 1, 2011*	12-585
Sec. 9	*July 1, 2011*	12-815a(h) and (i)
Sec. 10	*July 1, 2011*	7-169(k)
Sec. 11	*July 1, 2011*	7-169c(b)
Sec. 12	*July 1, 2011*	7-169h(h)
Sec. 13	*July 1, 2011*	7-169e(b)
Sec. 14	*July 1, 2011*	7-181(a) and (b)
Sec. 15	*July 1, 2011*	7-182
Sec. 16	*July 1, 2011*	21a-11
Sec. 17	*July 1, 2011*	29-7c
Sec. 18	*July 1, 2011*	29-18c
Sec. 19	*July 1, 2011*	31-51y(c)
Sec. 20	*from passage*	New section
Sec. 21	*from passage*	New section
Sec. 22	*from passage*	New section
Sec. 23	*from passage*	New section
Sec. 24	*July 1, 2011*	New section
Sec. 25	*July 1, 2011*	New section
Sec. 26	*July 1, 2011*	New section

Sec. 27	*July 1, 2011*	New section
Sec. 28	*July 1, 2011*	New section
Sec. 29	*July 1, 2011*	New section
Sec. 30	*July 1, 2011*	New section
Sec. 31	*July 1, 2011*	New section
Sec. 32	*July 1, 2011*	New section
Sec. 33	*July 1, 2011*	New section
Sec. 34	*July 1, 2011*	1-79(l)
Sec. 35	*July 1, 2011*	1-120(1)
Sec. 36	*July 1, 2011*	1-124
Sec. 37	*July 1, 2011*	1-125
Sec. 38	*July 1, 2011*	3-24d
Sec. 39	*July 1, 2011*	3-24f
Sec. 40	*July 1, 2011*	4-124ff
Sec. 41	*July 1, 2011*	8-134
Sec. 42	*July 1, 2011*	32-23d(w)
Sec. 43	*July 1, 2011*	32-23v(a)(3)
Sec. 44	*July 1, 2011*	32-23x(a)
Sec. 45	*July 1, 2011*	32-23hh
Sec. 46	*July 1, 2011*	32-23qq
Sec. 47	*July 1, 2011*	32-23tt
Sec. 48	*July 1, 2011*	32-23yy
Sec. 49	*July 1, 2011*	32-34
Sec. 50	*July 1, 2011*	32-39c
Sec. 51	*July 1, 2011*	32-40
Sec. 52	*July 1, 2011*	32-41a
Sec. 53	*July 1, 2011*	32-41b
Sec. 54	*July 1, 2011*	32-41i
Sec. 55	*July 1, 2011*	32-41j
Sec. 56	*July 1, 2011*	32-41k
Sec. 57	*July 1, 2011*	32-41*l*
Sec. 58	*July 1, 2011*	32-41m
Sec. 59	*July 1, 2011*	32-41n
Sec. 60	*July 1, 2011*	32-41p
Sec. 61	*July 1, 2011*	32-41t
Sec. 62	*July 1, 2011*	32-41u
Sec. 63	*July 1, 2011*	32-47a
Sec. 64	*July 1, 2011*	10a-25b
Sec. 65	*July 1, 2011*	10a-25g
Sec. 66	*July 1, 2011*	32-41

Sec. 67	*July 1, 2011*	4-66a(f)
Sec. 68	*July 1, 2011*	8-250(42)
Sec. 69	*July 1, 2011*	16-245aa
Sec. 70	*July 1, 2011*	31-11aa(a)
Sec. 71	*July 1, 2011*	32-1e
Sec. 72	*July 1, 2011*	32-1k
Sec. 73	*July 1, 2011*	32-4h
Sec. 74	*July 1, 2011*	32-6k
Sec. 75	*July 1, 2011*	32-41v
Sec. 76	*July 1, 2011*	32-344
Sec. 77	*July 1, 2011*	32-356(e)
Sec. 78	*July 1, 2011*	32-450
Sec. 79	*July 1, 2011*	32-462
Sec. 80	*July 1, 2011*	32-479
Sec. 81	*July 1, 2011*	32-480
Sec. 82	*July 1, 2011*	32-700
Sec. 83	*July 1, 2011*	32-701(a)
Sec. 84	*July 1, 2011*	32-717
Sec. 85	*July 1, 2011*	32-718
Sec. 86	*July 1, 2011*	8-192(d)
Sec. 87	*July 1, 2011*	25-33a(c)
Sec. 88	*July 1, 2011*	32-1o(a)
Sec. 89	*July 1, 2011*	32-5a
Sec. 90	*July 1, 2011*	32-6j
Sec. 91	*July 1, 2011*	32-9n
Sec. 92	*July 1, 2011*	32-9cc(d)
Sec. 93	*July 1, 2011*	32-9kk
Sec. 94	*July 1, 2011*	32-23o(b)
Sec. 95	*July 1, 2011*	32-61
Sec. 96	*July 1, 2011*	32-141(a)
Sec. 97	*July 1, 2011*	32-222
Sec. 98	*July 1, 2011*	32-227
Sec. 99	*July 1, 2011*	32-244
Sec. 100	*July 1, 2011*	32-244a
Sec. 101	*July 1, 2011*	32-261(k)
Sec. 102	*July 1, 2011*	32-262(b)
Sec. 103	*July 1, 2011*	8-37t
Sec. 104	*July 1, 2011*	8-37u
Sec. 105	*July 1, 2011*	8-37x
Sec. 106	*July 1, 2011*	8-37aa

Sec. 107	*July 1, 2011*	8-37bb(a)
Sec. 108	*July 1, 2011*	8-37jj
Sec. 109	*July 1, 2011*	8-37kk
Sec. 110	*July 1, 2011*	8-68j
Sec. 111	*July 1, 2011*	8-78
Sec. 112	*July 1, 2011*	8-119*ll*
Sec. 113	*July 1, 2011*	8-206
Sec. 114	*July 1, 2011*	8-216c(b)
Sec. 115	*July 1, 2011*	8-240m
Sec. 116	*July 1, 2011*	8-243
Sec. 117	*July 1, 2011*	8-252a(a)
Sec. 118	*July 1, 2011*	8-265o
Sec. 119	*July 1, 2011*	8-265w(b)
Sec. 120	*July 1, 2011*	8-265cc
Sec. 121	*July 1, 2011*	8-265oo(a) and (b)
Sec. 122	*July 1, 2011*	8-265rr
Sec. 123	*July 1, 2011*	8-265ss(a)(1)
Sec. 124	*July 1, 2011*	8-284
Sec. 125	*July 1, 2011*	8-336
Sec. 126	*July 1, 2011*	8-336m
Sec. 127	*July 1, 2011*	8-336q
Sec. 128	*July 1, 2011*	8-385(b)
Sec. 129	*July 1, 2011*	8-400(a)(1)
Sec. 130	*July 1, 2011*	17a-54a
Sec. 131	*July 1, 2011*	17a-485c
Sec. 132	*July 1, 2011*	17b-347e
Sec. 133	*July 1, 2011*	21-84a(a)
Sec. 134	*July 1, 2011*	32-1m
Sec. 135	*July 1, 2011*	32-23e
Sec. 136	*July 1, 2011*	49-31k
Sec. 137	*July 1, 2011*	8-252(o)
Sec. 138	*July 1, 2011*	8-250(17)
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Sec. 250	*July 1, 2011*	New section
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Sec. 280	*from passage*	New section
Sec. 281	*from passage*	New section
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Sec. 299	*from passage*	New section
Sec. 300	*from passage*	New section
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Sec. 314	*from passage*	Repealer section
Sec. 315	*July 1, 2011*	Repealer section

Statement of Purpose:

To implement the recommendations contained in the Commission on Enhancing Agency Outcome's December 30, 2010, report.

[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.]